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ARA

Chicago Title Insurance Company

PARTIAL RELEASE OF MORTGAGE

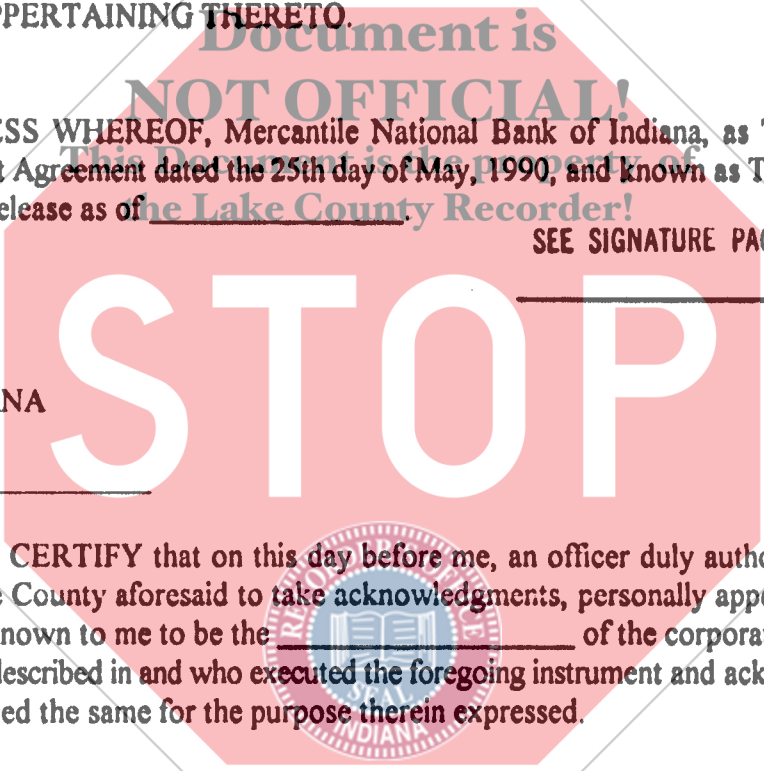
This is to certify that for value received, the mortgage executed by Southwick Homes, Ltd., an Indiana Corporation to Mercantile National Bank of Indiana, as Trustee under Trust Agreement dated May 25, 1990 and known as Trust Number 5266 dated January 5, 1996 and recorded January 10, 1996 as instrument number 96002060 in the Recorder's Office of Lake County, Indiana is hereby partially released and satisfied as to the following described real estate:

UNIT "E" IN BUILDING 3, IN SOUTHWICK HOMES AT COBBLESTONES CONDOMINIUMS, PHASE ONE, A HORIZONTAL PROPERTY REGIME, AS RECORDED AS DOCUMENT NOS. 96057988 AND 96057989, ON THE 29TH DAY OF AUGUST, 1996, IN THE OFFICE OF THE RECORDER OF LAKE COUNTY, INDIANA, AND THE UNDIVIDED INTEREST IN THE COMMON AREAS APPERTAINING THERETO.

IN WITNESS WHEREOF, Mercantile National Bank of Indiana, as Trustee under the provisions of a Trust Agreement dated the 25th day of May, 1990, and known as Trust No. 5266 has signed this partial release as of _____.

SEE SIGNATURE PAGE ATTACHED

97007584



STATE OF INDIANA

COUNTY OF _____

I HEREBY CERTIFY that on this day before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared _____ known to me to be the _____ of the corporation, to me known to be the person(s) described in and who executed the foregoing instrument and acknowledged before me that they executed the same for the purpose therein expressed.

WITNESS my hand and official seal in the County and State last aforesaid, this _____ day of _____.

MOORIS McCARTER
RECORDER

97 FEB -5 PM 1:17

STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD

Notary Public
Printed Name: _____

My Commission expires: _____
Resident County: _____

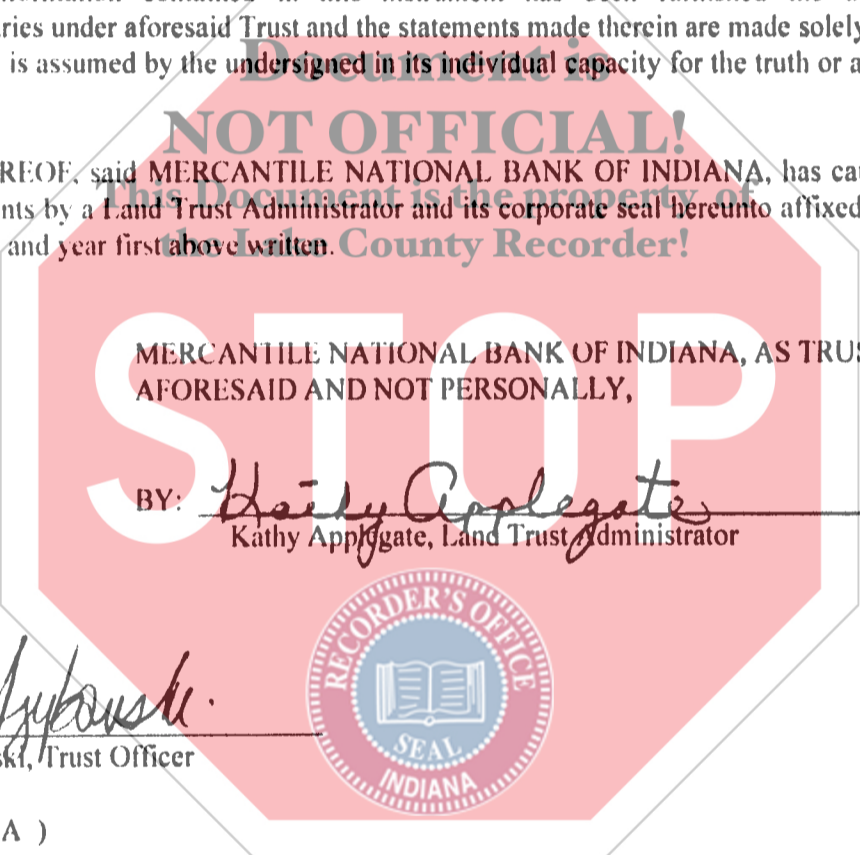
Handwritten initials/signature

THIS PARTIAL RELEASE OF MORTGAGE is executed by the undersigned Trustee, not personally, but solely as Trustee under the terms of that certain agreement dated the 25th day of May, 1990, creating Trust #5266; and it is expressly understood and agreed by the parties hereto, anything herein to the contrary notwithstanding that each and all of the covenants, undertakings, representations, agreements, and liabilities, herein made are made and intend, not as personal covenants, undertakings, representations, agreements, and liabilities, of the Trustee, individually, or for the purpose of binding it personally, but this instrument is executed and delivered by the **MERCANTILE NATIONAL BANK OF INDIANA, AS TRUSTEE**, solely in the exercise of the powers conferred upon it as such Trustee under said agreement and no personal liability or personal responsibility is assumed by, nor shall at any time be asserted or enforced against **MERCANTILE NATIONAL BANK OF INDIANA**, on account hereof, or on account of any covenant, undertaking, representation or agreement herein, either expressed or implied, all such personal liability, if any, being expressly waived and released by the parties hereto or holder hereof, and by all persons claiming by or through or under said parties or holder hereof.

Nothing contained herein shall be construed as creating any liability upon **MERCANTILE NATIONAL BANK OF INDIANA**, personally under the provisions of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) or the Indiana Responsible Property Transfer Law (the Act) as amended from time to time or any other Federal, State, or local law, rule or regulation. **MERCANTILE NATIONAL BANK OF INDIANA**, personally is not a "Transferor or Transferee" under the Act and makes no representations concerning any possible environmental defects. In making any warranty herein the Trustee is relying solely on information furnished to it by the beneficiaries and not of its own knowledge and specifically exculpates itself from any liabilities, responsibilities or damages as a result of including any warranty in this instrument.

Furthermore, the information contained in this instrument has been furnished the undersigned by the beneficiary/beneficiaries under aforesaid Trust and the statements made therein are made solely in reliance thereon and no responsibility is assumed by the undersigned in its individual capacity for the truth or accuracy of the facts herein stated.

IN WITNESS WHEREOF, said **MERCANTILE NATIONAL BANK OF INDIANA**, has caused its name to be signed to these presents by a Land Trust Administrator and its corporate seal hereunto affixed and attested by its Trust Officer the day and year first above written.



MERCANTILE NATIONAL BANK OF INDIANA, AS TRUSTEE
AFORESAID AND NOT PERSONALLY,

BY: *Kathy Applegate*
Kathy Applegate, Land Trust Administrator

ATTEST:

Mary Ann Grzybowski
Mary Ann Grzybowski, Trust Officer



STATE OF INDIANA)

COUNTY OF LAKE)

I, a Notary Public in and for said County in the State aforesaid, DO HEREBY CERTIFY that Kathy Applegate, Land Trust Administrator and Mary Ann Grzybowski, Trust Officer of the Mercantile National Bank of Indiana, a National Banking Association, personally known to be the same persons whose names are subscribed to the foregoing instrument as such Land Trust Administrator and Trust Officer respectively, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their own free and voluntary acts, and as the free and voluntary act of said National Banking Association, as Trustee, for the uses and purposes therein set forth; and that Mary Ann Grzybowski did also then and there acknowledge that she, as custodian of the corporate seal of said National Banking Association, did affix the said corporate seal of said National Banking Association to said instrument as his own free and voluntary act, and as the free and voluntary act of said National Banking Association, as Trustee, for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 23rd day of January, 1997.

Jannett L. Gibson
Notary Public **JANNETT L. GIBSON**
My Commission Expires: Apr. 29, 2000
County of Residence: LAKE

Resident of Lake County