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Kara Bonis + White
44 N. Orleans St
Suite #10
Chicago Ill.
60610

**DECLARATION OF LAND USE
RESTRICTION OF REAL PROPERTY**

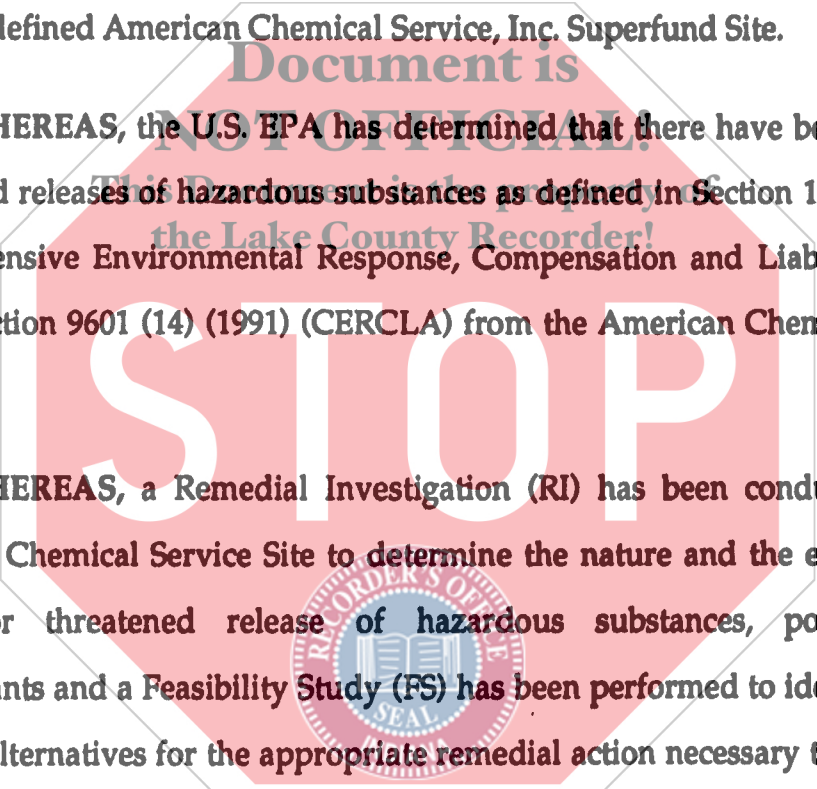
Zarija and Nadzda Djurovic, owners in fee simple of the real estate described below, hereby imposes restrictions on the described real estate located along Colfax Avenue in Griffith, Indiana described in attached Exhibit A.

WHEREAS, Zarija and Nadzda Djurovic ("Djurovics") are the owners of certain real property described in Exhibit A which comprises a portion of the U.S.EPA defined American Chemical Service, Inc. Superfund Site.

WHEREAS, the U.S. EPA has determined that there have been actual or threatened releases of hazardous substances as defined in Section 101(14) of the Comprehensive Environmental Response, Compensation and Liability Act (42 U.S.C. Section 9601 (14) (1991) (CERCLA) from the American Chemical Service, Inc. Site.

WHEREAS, a Remedial Investigation (RI) has been conducted at the American Chemical Service Site to determine the nature and the extent of any release or threatened release of hazardous substances, pollutants, contaminants and a Feasibility Study (FS) has been performed to identify and evaluate alternatives for the appropriate remedial action necessary to prevent to mitigate the migration or the release or threatened release of hazardous substances, pollutants or contaminants at or from the American Chemical Service Site.

WHEREAS, The U.S. EPA has issued a Record of Decision ("ROD") to address the actual and threatened releases of hazardous substances to and from the American Chemical Service Site.



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STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD

MORRIS W. CARTER
CLERK OF RECORDER

FILED

FEB 20 1997

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SAM ORLICH
AUDITOR LAKE COUNTY

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SM
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WHEREAS, the Djurovics desire to restrict the use of their property within the American Chemical Service Site so as to reduce the potential of any harm whatsoever arising from any actual or threatened releases of hazardous substances from the American Chemical Service Site, to protect public health and the environment and to prevent interference with remedial action and maintenance work at their property.

NOW, THEREFORE, by this instrument there is created, declared and established for the Djurovic property within the American Chemical Service Site described on Exhibit A the following land use restriction, which shall run with the land and remain in full force and effect in perpetuity from the date hereof, irrespective of any sale, conveyance, alienation or other transfer of any interest or estate in that property as described in Exhibit A.

I. LAND USE RESTRICTION

A. The Djurovics hereby covenant and encumber their property described in Exhibit A that no use of the ground water in the shallow aquifer beneath the property as a drinking water source or for other domestic uses shall be made or allowed.

B. The Djurovics hereby further covenant and encumber their property described in Exhibit A that such property shall be occupied exclusively for non-residential purposes.

C. The Djurovics hereby further covenant and encumber their property described in Exhibit A uses of such property shall not interfere with or be detrimental to any remedial components on that property.

II. NOTICE AND RECORDATION OF THE LAND USE RESTRICTION

This Declaration shall be recorded in the Office of the Recorder, Lake County, Indiana in the chain of title of the Djurovic property described in Exhibit A, and by so doing shall constitute notice to the public and to all heirs, successors and assigns of that property.

III. TERMINATION

The Declaration of Land Use Restriction shall be construed as a covenant running with the land and binding upon all parties having any right, title or interest in the Djurovic property described in Exhibit A or any part thereof, and on their heirs, successors and assigns or persons acting under their direction or control. The Declaration of Land Use Restriction shall be terminated only upon the occurrence of the following:

- A. The U.S. EPA or its successor agency or assigns with jurisdiction over such matters, notifies the owner(s) of the Djurovic property described in Exhibit A in writing that an environmental cleanup has been completed to its satisfaction rendering the American Chemical Service Site suitable for all uses whatsoever or until such time as the U.S.EPA determines that the American Chemical Service Site poses no unacceptable risk for residential use.

- B. The Indiana Department of Environmental Management or its successor agency or assigns with jurisdiction over such matters, notifies the owner(s) of the property described in Exhibit A that an environmental cleanup has been

completed to its satisfaction rendering the property suitable for all uses whatsoever or until such time as the Department of Environmental Management determines that the American Chemical Service Site poses no unacceptable risk for residential use.

- c. The procedure for clearing the title of this encumbrance, upon the occurrence of the above event shall be that the owner(s) of the encumbered property may record an affidavit terminating this restrictive covenant and shall attach thereto the written determination of notification described herein as the pre-requisite for termination.

IV. SEVERABILITY

If any provision of this Declaration of Land Use Restriction is held to be invalid by any court of competent jurisdiction, the invalidity of such provision shall not affect the validity of any other provisions. All such other provisions shall continue unimpaired in full force and effect.

V. CERTIFICATION

The undersigned persons executing the Declaration of Land Use Restriction on behalf of the Djurovics represent and certify that they are duly authorized and have been fully empowered to execute and to deliver this Land Use Restriction.

IN WITNESS THEREOF, the said owner(s) of record of the real property subject to this Declaration of Land Use Restriction, the Djurovics, acting through its duly authorized representatives, have caused the Declaration of Land Use Restriction to be executed this 4 day of Dec, 1996.

The Djurovics

By: [Signature]
Title: _____

By: Nadezda Djurovic
Title: MO

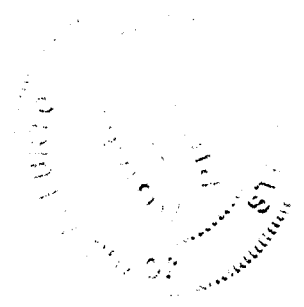
Document is NOT OFFICIAL!

STATE OF INDIANA) Document is the property of
) the Lake County Recorder!
COUNTY OF LAKE)

The foregoing instrument was acknowledged before me this 4 day of December, 1996 by _____ and _____ as duly authorized representatives of the Djurovics.

Joyce A. Furto
Notary Public
Joyce A. Furto
Printed Name
Lake
County of Residence

SMACS043



Notary (ILLINOIS)
(Restricted to Individuals)

CAUTION: Grantor's name must appear in every space on this form. Grantor's name must be the same on the same document and separate and distinct names including the initials of representatives of others for a particular purpose.

THE GRANTOR Pazmey Associates, Ltd., an
Indiana limited partnership

FOR and in consideration of
DOLLARS,
and other good and valuable consideration in hand paid,
CONVEY and WARRANTS to

Zarija Djurovic of Griffith, Indiana

(The Above Space For Recorders Use Only)

NAME AND ADDRESS OF GRANTEE.

the following described Real Estate situated in the County of Lake in the
Part of the Northwest quarter of the Southeast quarter and Part of the
Northeast quarter of the Southeast quarter of Section 2, Township 35 North,
Range 9 West of 2nd Principal Meridian, described as follows: Beginning
at a point on the East line of said Northwest quarter of the Southeast
quarter, 205.01 feet North of the Southeast corner of said Northwest quar-
ter of the Southeast quarter, thence West on a line 205 feet North of and
parallel to the South line thereof 703.11 feet, thence North parallel to
the East line of said Northwest quarter of the Southeast quarter, 100.01
feet; thence East on a line 305 feet North of and parallel to the South
line thereof 703.11 feet to the East line of said Northwest quarter of the
Southeast quarter, thence East on a line 305 feet North of and parallel to
the South line of the Northeast quarter of the Southeast quarter, 216.34

feet to the centerline of Colfax Avenue; thence Southerly on said
centerline 107.71 feet; thence West on a line 205 feet North of and
parallel to the South line of the Northeast quarter of the Southeast
quarter 175.29 feet to the place of beginning; all in the Town of
Griffith, Lake County, Indiana.

hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of
Illinois

Permanent Real Estate Index Number(s) 01 528 0002 002703000

Address(es) of Real Estate 600 Arbogast, Griffith, Indiana

DATED this 9th day of March 1987

PLEASE PRINT OR
TYPE NAME(S)
BELOW
SIGNATURE(S)
Pazmey Associates, Ltd. (SEAL) by Pazmey Corporation (SEAL)
General Partner
Corporate Secretary (SEAL) by President (SEAL)

State of Illinois, County of Cook to I, the undersigned, a Notary Public in and for
said County, in the State aforesaid, DO HEREBY CERTIFY that
Robert Pazdro

IMPKISS
MAM
HAKI

personally known to me to be the same person whose name is subscribed
to the foregoing instrument, appeared before me this day in person and acknowl-
edged that he signed, sealed and delivered the said instrument as his
free and voluntary act, for the uses and purposes therein set forth, including the
release and waiver of the right of homestead

Given under my hand and official seal, this 9th day of March 1987

Commission expires December 22 1989

This instrument was prepared by Christopher M. Saternus 102 W. Emerson Arlington Hts, IL 60005
NOTARY PUBLIC C. M. Saternus
NAME AND ADDRESS

MAIL TO { [] }
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SEND SUBSEQUENT TAX BILLS TO
[]
[]
[]
[]

RECORDER'S OFFICE BOX NO. _____