

SPECIAL WARRANTY DEED

File H 441 46A
489279 4 LD

Chicago Title Insurance Company

THIS INDENTURE, made as of this 10th day of April, 1997, between **OPUS NORTH CORPORATION**, a corporation created and existing under and by virtue of the laws of the State of Illinois ("Grantor"), and **LAKE FEDERAL SAVINGS AND LOAN ASSOCIATION OF HAMMOND**, a federal savings and loan association whose address is 7048 Kennedy Avenue, P.O. Box 2277, Hammond, Indiana 46323-0277 ("Grantee"), **WITNESSETH**, that Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and for other good and valuable consideration in hand paid by Grantee, the receipt whereof is hereby acknowledged, by these present does **REMISE, RELEASE, ALIEN AND CONVEY** unto Grantee, and its heirs and assigns, **FOREVER**, all the real estate, situated in the County of Lake and State of Indiana known and described on Exhibit A attached hereto and incorporated herein by reference.

Together with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim or demand or whatsoever, of Grantor, either in law or in equity, of, in and to the above described premises, with the hereditaments and appurtenances; **TO HAVE AND TO HOLD** the said premises as above described with the appurtenances, unto Grantee, its heirs and assigns forever.

And Grantor, for itself, and its successors, does covenant, promise and agree, and with Grantee, its heirs and assigns, that it has not done or suffered to be done, anything whereby the said premises hereby granted are, or may be, in any manner incumbered or charged, except as herein recited; and that the said premises, against all persons lawfully claiming, or to claim the same, by, through or under it, it **WILL WARRANT AND DEFEND**, subject to: (i) those matters shown on Exhibit B attached hereto and incorporated herein by reference; and (ii) all other matters whether or not of record (but only to the extent not done or suffered by Grantor, or persons claiming by, through or under Grantor, as hereinabove provided).

Address of real estate: The property described on Exhibit A attached hereto and incorporated herein by reference is commonly known as Outlot 7, Highland Grove Shopping Center, Highland, Indiana 46322.

IN WITNESS WHEREOF, Grantor has caused its name to be signed to these presents, the day and year first above written.

GRANTOR:

APR 23 1997

OPUS NORTH CORPORATION, an Illinois corporation
AUDITOR LAKE COUNTY

By: John M. Crocker
Its: S.V.P.

STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD
APR 23 1997
NOTARY PUBLIC
M. W. GIBSON

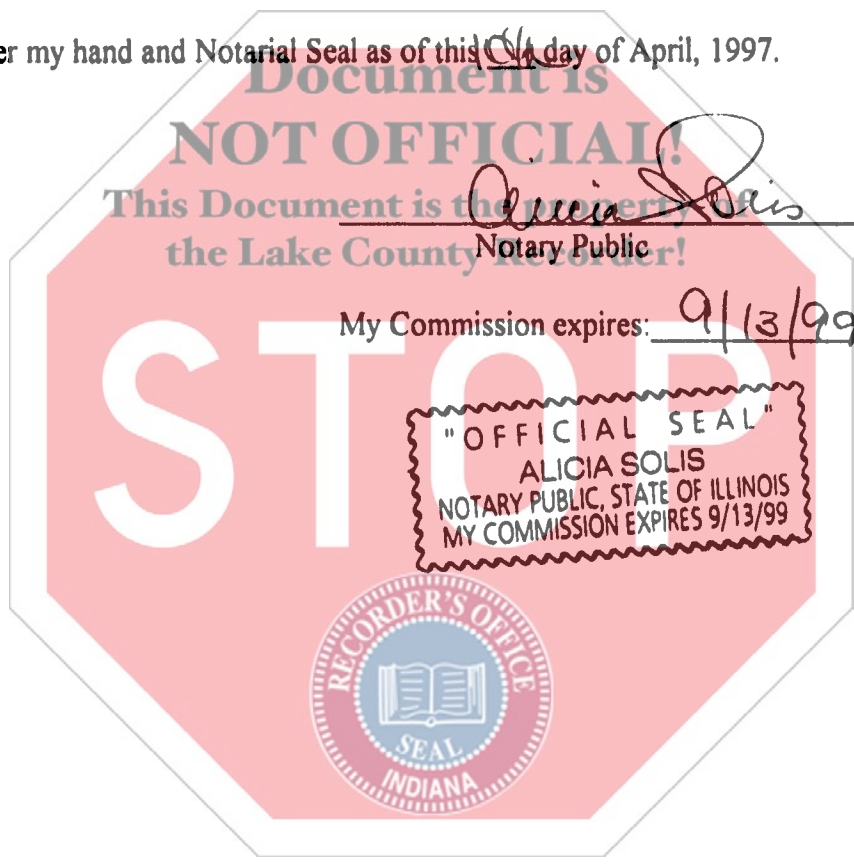
Indiana Gross Income Tax on Sale of Real Estate	
Paid by <u>CHICAGO TITLE CO &</u> <u>OPUS NORTH CORPORATION</u> Grantor	
DATE PAID	<u>4-17-97</u>
AMOUNT PAID	<u>\$ 7,800.00</u>
Treasurer's Receipt #	<u>438882</u>
Lake C.	

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ATTED
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STATE OF ILLINOIS)
)SS
COUNTY OF ~~DUPAGE~~)
Cook

I, the undersigned, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY THAT, John M. Crocker, Jr., the S.V.P. of OPUS NORTH CORPORATION, an Illinois corporation, personally known to me to be the same person whose name is subscribed to the foregoing document appeared before me this day in person and, acknowledged to me that, being so duly authorized, he/she signed and delivered that document as his/her free and voluntary act and as the free and voluntary act of that corporation, for the uses and purpose therein set forth.

Given under my hand and Notarial Seal as of this 14 day of April, 1997.



This Instrument was prepared by: Howard I. Goldblatt, Esq., O'Brien, O'Rourke & Hogan, Suite 830, 135 South LaSalle Street, Chicago, Illinois 60603.

After Recording Return to: Lake Federal Savings and Loan Association of Hammond, 7048 Kennedy Avenue, P.O. Box 2277, Hammond, Indiana 46323-0277 Attn. Mr. Gerald Skrabala.

Send tax bills to: Lake Federal Savings and Loan Association of Hammond, 7048 Kennedy Avenue, P.O. Box 2277, Hammond, Indiana 46323-0277 Attn. Mr. Gerald Skrabala.

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY

PARCEL 1: THAT PART OF LOT 1, HIGHLAND TOWN CENTER, IN THE TOWN OF HIGHLAND, AS SHOWN IN PLAT BOOK 77, PAGE 23, IN LAKE COUNTY, INDIANA, BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 1; THENCE NORTH 00 DEGREES 09 MINUTES 48 SECONDS WEST, ALONG THE EAST LINE OF SAID LOT 1, 1448.64 FEET; THENCE SOUTH 89 DEGREES 50 MINUTES 12 SECONDS WEST, AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE, 489.81 FEET; THENCE SOUTH 59 DEGREES 50 MINUTES 21 SECONDS WEST, 158.09 FEET; THENCE SOUTHWESTERLY, ON A CURVE, TANGENT TO THE LAST DESCRIBED COURSE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 441.00 FEET, AN ARC DISTANCE OF 204.49 FEET; THENCE NORTH 63 DEGREES 17 MINUTES 54 SECONDS WEST, 128.82 FEET; THENCE NORTHERLY, ON A CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 125.00 FEET, AN ARC DISTANCE OF 41.38 FEET, AND A CHORD BEARING NORTH 26 DEGREES 00 MINUTES 14 SECONDS EAST, TO THE POINT OF BEGINNING; THENCE NORTHERLY, CONTINUING ALONG THE AFOREDESCRIBED CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 125.00 FEET, AN ARC DISTANCE OF 101.85 FEET, AND A CHORD BEARING NORTH 06 DEGREES 49 MINUTES 17 SECONDS WEST, TO A POINT OF TANGENCY; THENCE NORTH 30 DEGREES 09 MINUTES 48 SECONDS WEST, 399.24 FEET; THENCE SOUTH 89 DEGREES 42 MINUTES 42 SECONDS WEST, 19.37 FEET, TO A POINT ON A WESTERLY LINE OF SAID LOT 1; THENCE SOUTH 00 DEGREES 17 MINUTES 18 SECONDS EAST, ALONG A WESTERLY LINE OF SAID LOT 1, 82.44 FEET; THENCE SOUTH 01 DEGREE 08 MINUTES 49 SECONDS WEST, ALONG A WESTERLY LINE OF SAID LOT 1, 201.39 FEET; THENCE SOUTH 88 DEGREES 51 MINUTES 11 SECONDS EAST, 10.00 FEET; THENCE SOUTH 01 DEGREE 08 MINUTES 49 SECONDS WEST, ALONG A WESTERLY LINE OF SAID LOT 1, 110.00 FEET; THENCE SOUTH 40 DEGREES 48 MINUTES 54 SECONDS EAST, ALONG A WESTERLY LINE OF SAID LOT 1, 39.77 FEET; THENCE SOUTH 01 DEGREE 08 MINUTES 49 SECONDS WEST, ALONG A WESTERLY LINE OF SAID LOT 1, 11.26 FEET; THENCE NORTH 89 DEGREES 50 MINUTES 12 SECONDS EAST, ALONG A LINE AT RIGHT ANGLES TO SAID EAST LINE OF LOT 1, 63.62 FEET; THENCE EASTERLY, ON A CURVE, TANGENT TO THE LAST DESCRIBED COURSE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 125.00 FEET, AN ARC DISTANCE OF 58.61 FEET, TO A POINT OF TANGENCY; THENCE SOUTH 63 DEGREES 17 MINUTES 54 SECONDS EAST, 36.23 FEET; THENCE EASTERLY ON A CURVE, TANGENT TO THE LAST DESCRIBED COURSE, CONCAVE NORTHERLY, HAVING A RADIUS OF 35.00 FEET, AN ARC DISTANCE OF 61.20 FEET, TO THE POINT OF BEGINNING, IN THE TOWN OF HIGHLAND, LAKE COUNTY, INDIANA.

EXHIBIT B

SCHEDULE OF EXCEPTIONS

1. General real estate property taxes (ad valorem) for 1996 and subsequent years.
2. Plat of Subdivision of Highland Town Center, in the Town of Highland, Indiana, recorded in Plat Book 77, Page 23, including, without limitation, building lines and easements for utilities, water and sewer as shown and granted thereon.
3. A 50 foot building line affecting the west side of the land as shown on the plat of subdivision.
4. Trustee's Deed Access Rights Only recorded November 14, 1994 as Document No. 94077228
5. Operation and Easement Agreement dated August 19, 1994 and recorded September 26, 1994 as Document No. 94066757, as amended, made by and among Dayton Hudson Corporation, Opus North Corporation and Calumet National Bank, not personally but solely as Trustee under Declaration of Trust dated May 11, 1992 and known as Trust No. P-3895; as assigned by an Assignment of Agreements dated March 29, 1995, and recorded on April 6, 1995 as Document No. 95019081; as amended by a First Amendment to Operation and Easement Agreement dated as of March 29, 1995 and recorded on April 6, 1995 as Document No. 95109082; as amended by a Second Amendment to Operation and Easement Agreement dated June 28, 1995 and recorded July 6, 1995, as Document No. 95037841; as assigned by an Assignment of Operation and Easement Agreement dated July 2, 1996, and recorded on July 3, 1996 as Document No. 96044707; as assigned by Assignment of Operation and Easement Agreement and Assumption Agreement dated September 11, 1996, and recorded on September 16, 1996 as Document No. 96061720.
6. Terms and provisions of a Declaration of Exclusive Uses dated September 11, 1996 and recorded on September 16, 1996 as Document No. 96061716.
7. Terms and Provisions of a Declaration of Phase II Restrictions dated September 11, 1996 and recorded on September 16, 1996 as Document No. 96061717.

PARCEL 2: EASEMENT FOR THE BENEFIT OF PARCEL 1 AS CREATED BY OPERATION AND EASEMENT AGREEMENT DATED AUGUST 19, 1994 AND RECORDED SEPTEMBER 26, 1994 AS DOCUMENT NO. 94066757 (SUBJECT TO ALL ASSIGNMENTS AND AMENDMENTS THERETO), IN THE RECORDER'S OFFICE OF LAKE COUNTY, INDIANA, FOR THE PURPOSE OF VEHICULAR AND PEDESTRIAN INGRESS AND EGRESS AND FOR PARKING OVER AND UPON THE FOLLOWING DESCRIBED REAL ESTATE:

LOT 1, HIGHLAND TOWN CENTER, AS SHOWN IN PLAT BOOK 77, PAGE 23, IN LAKE COUNTY, INDIANA, EXCEPTING THEREFROM THAT PART LYING WITHIN PARCEL 1 ABOVE, SUBJECT TO THE TERMS, PROVISIONS AND CONDITIONS SET FORTH IN SAID INSTRUMENT.

Commonly known as: Outlot 7, Highland Grove Shopping Center, Highland, Indiana 46322.

Tax Key No: 27-596-1 (Tax Unit No. 16) (Partial).

