

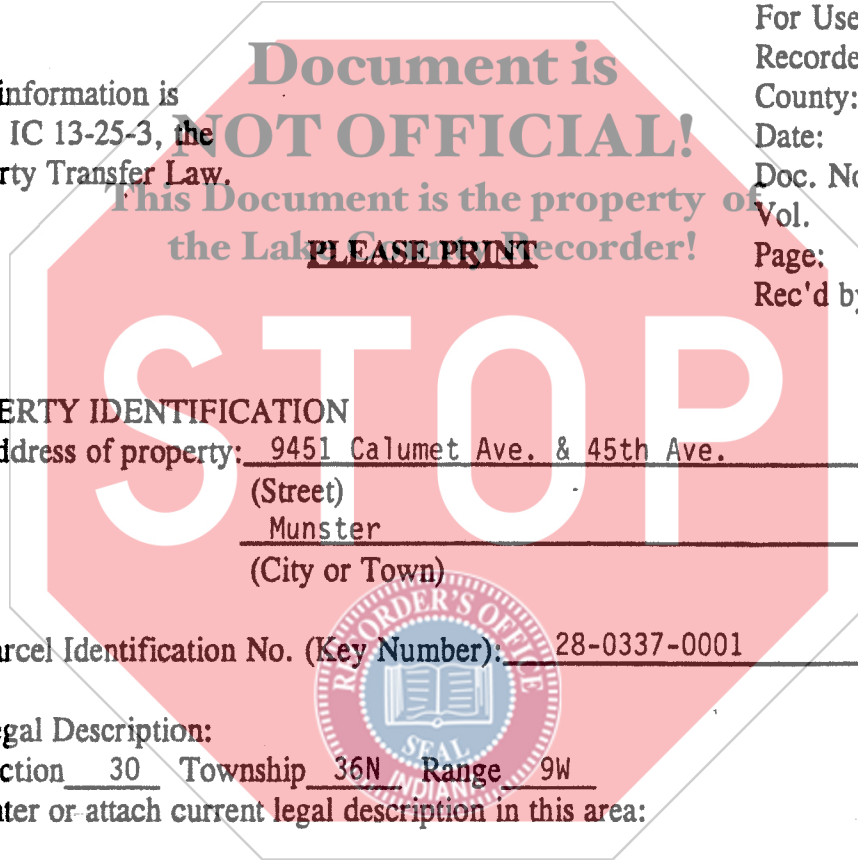
Project:  
Parcel:  
Code:

A WARNING TO THE PARTIES TO A TRANSFER OF PROPERTY: It is highly unlikely that the single act of reading this document would be found to constitute "all appropriate inquiry into the previous ownership and uses of the property" so as to protect you against liability under the "innocent purchaser" provision of the Federal Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. 9601(35)(B). You are strongly encouraged not only to read this document carefully but also to take all other actions necessary to the exercise of due diligence in your inquiry into the previous ownership and uses of the property.

**ENVIRONMENTAL DISCLOSURE DOCUMENT FOR  
TRANSFER OF REAL PROPERTY**

The following information is provided under IC 13-25-3, the Responsible Party Transfer Law.

For Use By County Recorder's Office  
County: **98023021**  
Date:  
Doc. No.:  
Vol.:  
Page:  
Rec'd by:



**I. PROPERTY IDENTIFICATION**

A. Address of property: 9451 Calumet Ave. & 45th Ave.  
(Street)  
Munster  
(City or Town)

Tax Parcel Identification No. (Key Number): 28-0337-0001

B. Legal Description:  
Section 30 Township 36N Range 9W  
Enter or attach current legal description in this area:

STATE OF INDIANA  
LAKE COUNTY  
FILED FOR RECORD  
98/SEP-2 AM 9:17  
INDIANA COUNTY RECORDER

Please refer to the attached Exhibit A.

**LIABILITY DISCLOSURE**

Transferors and transferees of real property are advised that their ownership or other control of such property may render them liable for any environmental cleanup costs whether or not they caused or contributed to the presence of environmental problems associated with the property.

*Lawyer's Title  
Richmond VA*

*2800  
8361*

C. Property Characteristics:

Lot Size 188' X 244' Irreg. Acreage 1.06 Acre

Check all types of improvement and uses that pertain to the property:

- Apartment building (6 units or less)
- Commercial apartment (over 6 units)
- Store, office, commercial building
- Industrial building
- Farm, with buildings
- Other (specify) Service Station

II. NATURE OF TRANSFER

	YES	NO
A. (1) Is this a transfer by deed or other instrument of conveyance of fee title to property?	<u>X</u>	<u>      </u>
(2) Is this a transfer by assignment of over 25% of beneficial interest of a land trust?	<u>      </u>	<u>X</u>
(3) A lease exceeding a term of 40 years?	<u>      </u>	<u>X</u>
(4) A collateral assignment of beneficial interest?	<u>      </u>	<u>X</u>
(5) An installment contract for the sale of property?	<u>      </u>	<u>X</u>
(6) A mortgage or trust deed?	<u>      </u>	<u>X</u>
(7) A lease of any duration that includes an option to purchase?	<u>      </u>	<u>X</u>

B. (1) Identify Transferor:

Marathon Oil Co., 539 S. Main St., Findlay, Ohio 45840  
 Name and Current Address of Transferor

\_\_\_\_\_  
 Name and Address of Trustee Trust No.  
 if this is a transfer of beneficial interest of a land trust.

(2) Identify person who has completed this form on behalf of the Transferor and who has knowledge of the information contained in this form:

D. L. Woodsmall, Environmental Specialist  
277 Streamwood Drive, Valparaiso, IN 46383 / (219) 477-4001  
 Name, Position (if any), and Address Telephone No.

C. Identify Transferee:

Marathon Ashland Petroleum LLC, 539 S. Main St., Findlay, OH 45840  
 Name and Current Address of Transferee

III. ENVIRONMENTAL INFORMATION

A. Regulatory Information During Current Ownership

1. Has the transferor ever conducted operations on the property which involved the generation, manufacture, processing, transportation, treatment, storage, or handling of a "hazardous substance", as defined by IC 13-11-2-98? This question does not apply to consumer goods stored or handled by a retailer in the same form and approximate amount, concentration and manner as they are sold to consumers, unless the retailer has engaged in any commercial mixing (other than paint mixing or tinting of consumer sized containers), finishing, refinishing, servicing or cleaning operations on the property.

Yes \_\_\_\_\_  
 No   X  

2. Has the transferor ever conducted operations on the property which involved the processing, storage, or handling of petroleum, other than that which was associated directly with the transferor's vehicle usage?

Yes   X    
 No \_\_\_\_\_

3. Has the transferor ever conducted operations on the property which involved the generation, transportation, storage, treatment, or disposal of "hazardous waste", as defined in IC 13-11-2-99(a)?

Yes \_\_\_\_\_  
 No   X   See answer to question 9.

4. Are there any of the following specific units (operating or closed) at the property that are used or were used by the transferor to manage hazardous wastes, hazardous substances, or petroleum?

	YES	NO
Landfill.....	_____	<u>  X  </u>
Surface Impoundment.....	_____	<u>  X  </u>
Land Application.....	_____	<u>  X  </u>
Waste Pile.....	_____	<u>  X  </u>
Incinerator.....	_____	<u>  X  </u>
Storage Tank (Above Ground).....	_____	<u>  X  </u>
Storage Tank (Underground).....	<u>  X  </u>	_____
Container Storage Area.....	_____	<u>  X  </u>
Injection Wells.....	_____	<u>  X  </u>
Wastewater Treatment Units.....	_____	<u>  X  </u>
Septic Tanks.....	_____	<u>  X  </u>
Transfer Stations.....	_____	<u>  X  </u>
Waste Recycling Operations.....	_____	<u>  X  </u>
Waste Treatment Detoxification.....	_____	<u>  X  </u>
Other Land Disposal Area.....	_____	<u>  X  </u>

If there are "YES" answers to any of the above items and the transfer of property that requires the filing of this document is other than a mortgage or trust deed or a collateral assignment of beneficial interest in a land trust, you must attach to the copies of this document that you file with the county recorder and the department of environmental management a site plan that identifies the location of each unit.

5. Has the transferor ever held any of the following in regard to this real property?

- |                                                                                 | YES   | NO             |
|---------------------------------------------------------------------------------|-------|----------------|
| (A) Permits for discharges of wastewater to waters of Indiana.                  | _____ | _____ <u>X</u> |
| (B) Permits for emissions to the atmosphere.                                    | _____ | _____ <u>X</u> |
| (C) Permits for any waste storage, waste treatment or waste disposal operation. | _____ | _____ <u>X</u> |

6. Has the transferor ever discharged any wastewater (other than sewage) to a publicly owned treatment works?

Yes \_\_\_\_\_  
 No   X  

7. Has the transferor been required to take any of the following actions relative to this property?

- |                                                                                                                                                                    | YES                | NO                 |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|--------------------|
| (A) Filed an emergency and hazardous chemical inventory form pursuant to the federal Emergency Planning and Community Right-to-Know Act of 1986 (42 U.S.C. 11022). | _____ <u>  X  </u> | _____              |
| (B) Filed a toxic chemical release form pursuant to the federal Emergency Planning and Community Right-to-Know Act of 1986 (42 U.S.C. 11023).                      | _____              | _____ <u>  X  </u> |

8. Has the transferor or any facility on the property or the property been the subject of any of the following state or federal governmental actions?

- |                                                                                                                                                      | YES   | NO                 |
|------------------------------------------------------------------------------------------------------------------------------------------------------|-------|--------------------|
| (A) Written notification regarding known, suspected, or alleged contamination on or emanating from the property.                                     | _____ | _____ <u>  X  </u> |
| (B) Filing an environmental enforcement case with a court or the solid waste management board for which a final order or consent decree was entered. | _____ | _____ <u>  X  </u> |

(C) If the answer to question (B) was Yes, then indicate whether or not the final order or decree is still in effect for this property.

\_\_\_\_\_

9. Environmental Releases During Transferor's Ownership.

- |                                                                                                                                                                        | YES          | NO    |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|-------|
| (A) Has any situation occurred at this site which resulted in a reportable "release" of any hazardous substances or petroleum as required under state or federal laws? | <u>  X  </u> | _____ |
| (B) Have any hazardous substances or petroleum which were released, come into direct contact with the ground at this site?                                             | <u>  X  </u> | _____ |

If the answers to questions (A) or (B) is Yes, have any of the following actions or events been associated with a release on the property?

- X   Use of a cleanup contractor to remove or treat materials including soils, pavement or other surficial materials?
- \_\_\_\_\_ Assignment of in-house maintenance staff to remove or treat materials including soils, pavement or other surficial materials?
- X   Sampling and analysis of soils?
- X   Temporary or more long term monitoring of groundwater at or near the site?
- \_\_\_\_\_ Impaired usage of an onsite or nearby water well because of offensive characteristics of the water?
- \_\_\_\_\_ Coping with fumes from subsurface storm drains or inside basements?
- \_\_\_\_\_ Signs of substances leaching out of the ground along the base of slopes or at other low points on or immediately adjacent to the site?

- (C) Is there an environmental defect (as defined in IC 13-11-2-70) on the property that is not reported under question (A) or (B)?
- |  | YES   | NO           |
|--|-------|--------------|
|  | _____ | <u>  X  </u> |

If the answer is Yes, describe the environmental defect:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

10. Is the facility currently operating under a variance granted by the commissioner of the Indiana department of environmental management?

YES \_\_\_\_\_ NO X

11. Has the transferor ever conducted an activity on the site without obtaining a permit from the U.S. Environmental Protection Agency, the commissioner of the department of environmental management, or another administrative agency or authority with responsibility for the protection of the environment, when such a permit was required by law?

YES \_\_\_\_\_ NO X

If the answer is Yes, describe the activity:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

12. Is there any explanation needed for clarification of any of the above answers or responses?

During a station remodel in 1989 soil contamination was found. During another station remodel in 1993, additional contamination was found. Both incidents were filed with IDEM. A remediation system has been approved on the site.

**B. SITE INFORMATION UNDER OTHER OWNERSHIP OR OPERATION**

1. Provide the following information about the previous owner or about any entity or person to whom the transferor leased the property or with whom the transferor contracted for the management of the property:

Name: Fran-Lin, Inc.  
Type of business or property usage: Unknown

2. If the transferor has knowledge, indicate whether the following existed under prior ownerships, leaseholds granted by the transferor, or other contracts for management or use of the property:

	YES	NO
Landfill.....	_____	_____
Surface Impoundment.....	_____	_____
Land Application.....	_____	_____
Waste Pile.....	_____	_____
Incinerator.....	_____	_____
Storage Tank (Above Ground).....	_____	_____
Storage Tank (Underground).....	_____	_____
Container Storage Area.....	_____	_____

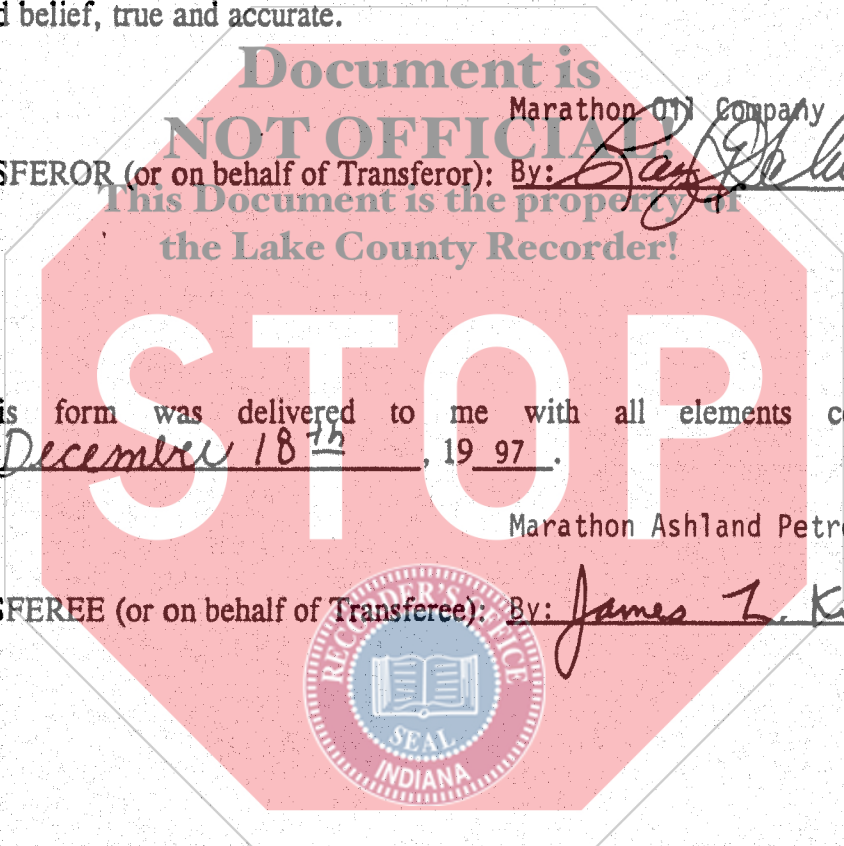
Injection Wells.....	_____	_____
Wastewater Treatment Units.....	_____	_____
Septic Tanks.....	_____	_____
Transfer Stations.....	_____	_____
Waste Recycling Operations.....	_____	_____
Waste Treatment Detoxification.....	_____	_____
Other Land Disposal Area.....	_____	_____

Transferor has no knowledge whether any of the above existed under previous ownership.

IV. CERTIFICATION

A. Based on my inquiry of those persons directly responsible for gathering the information, I certify that the information submitted is, to the best of my knowledge and belief, true and accurate.

TRANSFEROR (or on behalf of Transferor): *Ray D. Hooper* \_\_\_\_\_  
Marathon Oil Company



B. This form was delivered to me with all elements completed on December 18<sup>th</sup>, 1997.

TRANSFeree (or on behalf of Transferee): *James L. Kitts* \_\_\_\_\_  
Marathon Ashland Petroleum LLC



NOTARY'S CERTIFICATE

STATE OF Ohio )  
 ) SS:  
COUNTY OF Hancock )

Subscribed and sworn to before me this 18th day of December,  
19 97.

Karen I. Mays  
Notary Public (Signature)

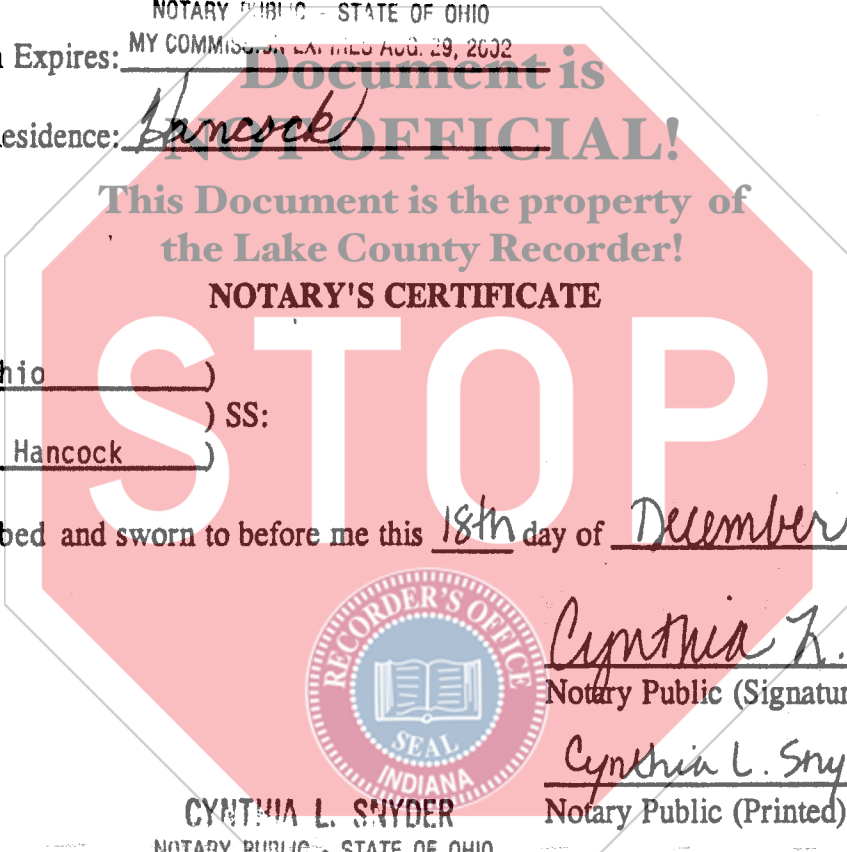
Karen I. mays  
Notary Public (Printed)

KAREN I. MAYS

NOTARY PUBLIC - STATE OF OHIO

My Commission Expires: MY COMMISSION EXPIRES AUG. 29, 2002

My County of Residence: Hancock



STATE OF Ohio )  
 ) SS:  
COUNTY OF Hancock )

Subscribed and sworn to before me this 18th day of December,  
19 97.

Cynthia L. Snyder  
Notary Public (Signature)

Cynthia L. Snyder  
Notary Public (Printed)

CYNTHIA L. SNYDER

NOTARY PUBLIC - STATE OF OHIO

My Commission Expires: MY COMMISSION EXPIRES OCT. 30, 2001

My County of Residence: Hancock

This instrument was prepared by: Dave Woodsmall

PEH/dkh  
33897  
12-19-94  
Rev. 10/12/95

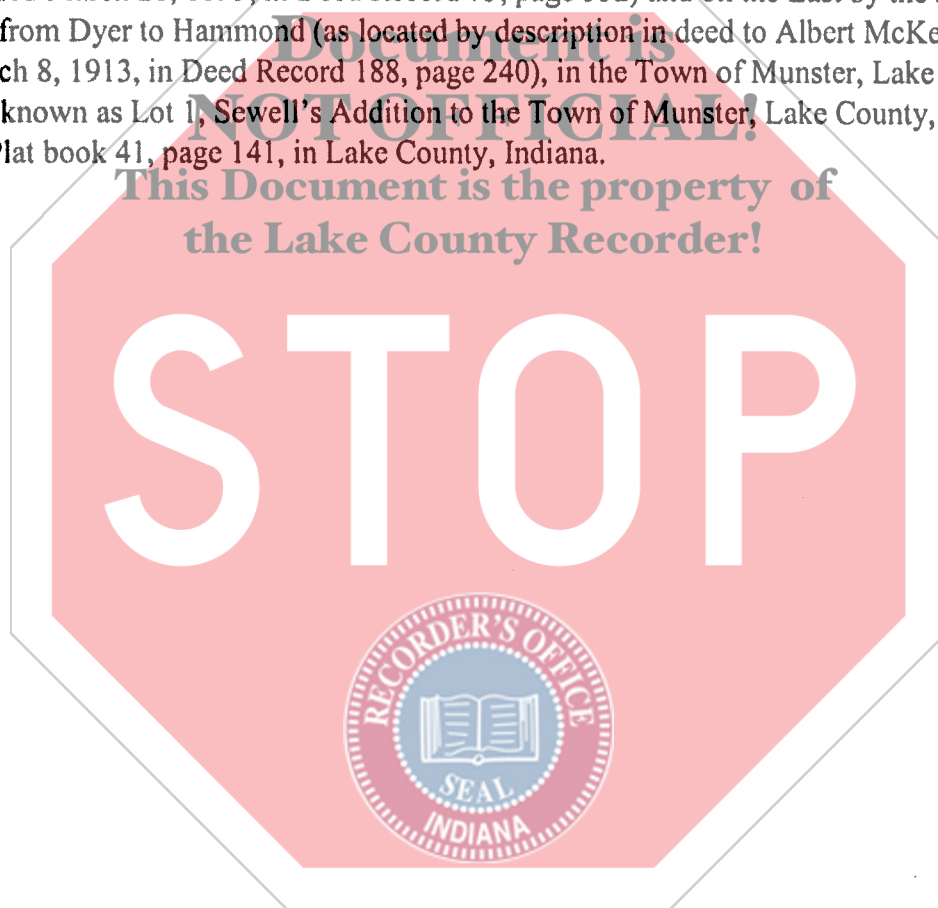


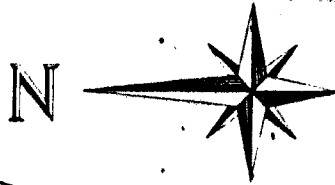
## EXHIBIT "A"

Legal Description of Premises @  
9451 Calumet Ave. & 45th Ave.  
Munster, IN

REAL ESTATE in Lake County, in the State of Indiana, to-wit:

Part of the NW 1/4 of the SW 1/4 of Section 30, Township 36 N Range 9 W. of the 2nd P.M., more particularly: Bounded on the South and West by Calumet Avenue (as Calumet Avenue is defined in Resolution-Board of Trustees of the Town of Munster, recorded February 6, 1911, in Misc. Record 65, page 248): on the North by land owned by Harry Spencer Brown, (as described in deed recorded March 20, 1895, in Deed Record 73, page 532) and on the East by the stone road running from Dyer to Hammond (as located by description in deed to Albert McKee, recorded March 8, 1913, in Deed Record 188, page 240), in the Town of Munster, Lake County, Indiana, now known as Lot 1, Sewell's Addition to the Town of Munster, Lake County, Indiana, as shown in Plat book 41, page 141, in Lake County, Indiana.



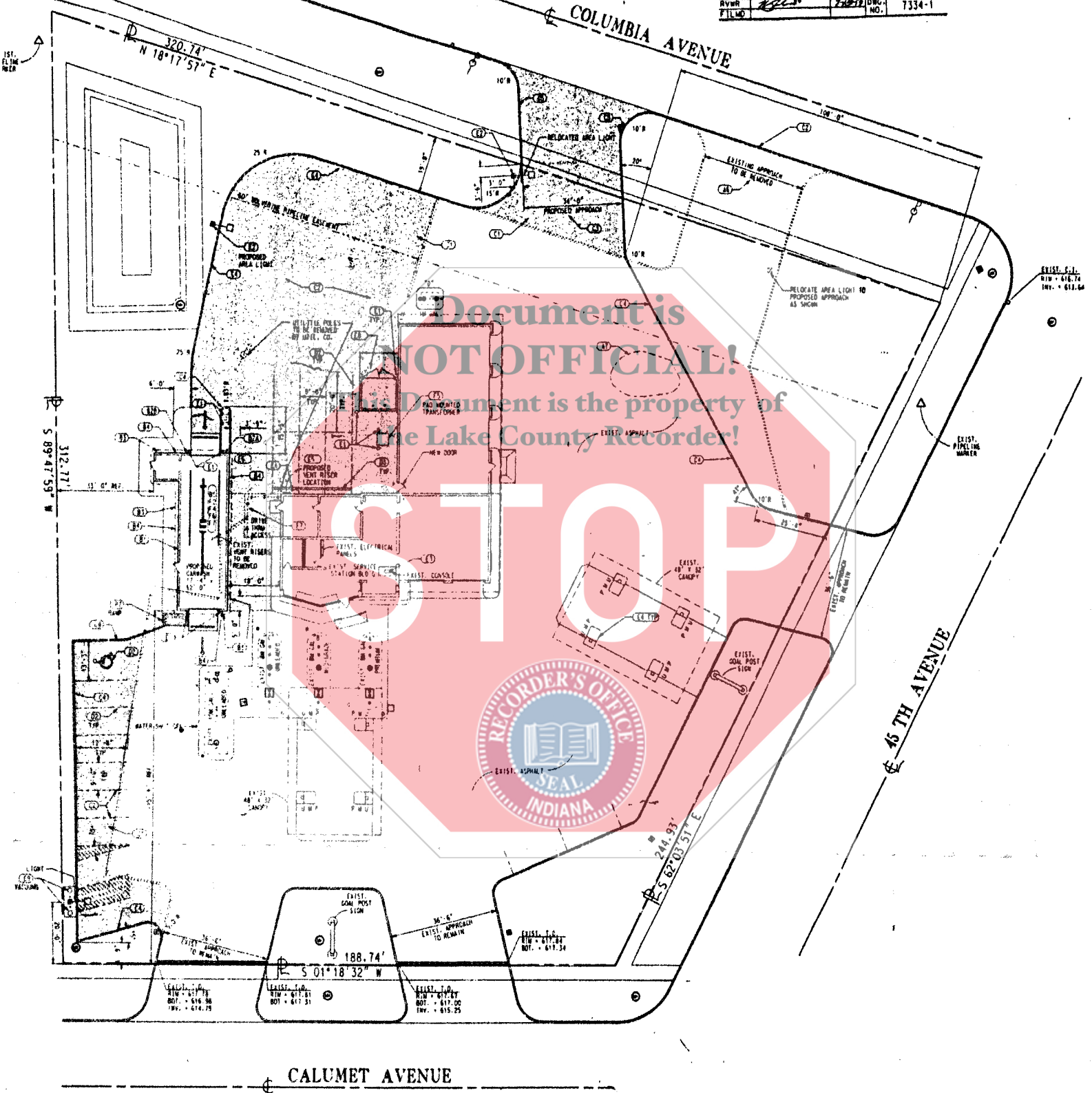


**PLOT PLAN**

**BRAND - CAR WASH**

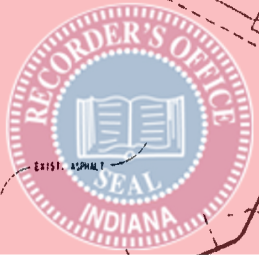
9451 CALUMET AVENUE AND 45TH AVENUE  
LAKE COUNTY  
MONSTER, INDIANA

SCALE	1" = 20'-0"	DATE	FILE	SJA #2507
DRAWN	Y. D. BUES	7-15-94	NO.	
CHKD			YR.	1994
DCNR			DWG.	
BYWR			NO.	7334-1
FILED				



Document is NOT OFFICIAL!  
 This Document is the property of  
 The Lake County Recorder!

**STOP**



EXIST. T.O.  
R/W - 617.78  
BOT. - 616.86  
TYP. - 614.79

EXIST. T.O.  
R/W - 617.81  
BOT. - 617.31  
TYP. - 615.25

EXIST. T.O.  
R/W - 617.87  
BOT. - 617.00  
TYP. - 615.25

EXIST. T.O.  
R/W - 617.34  
BOT. - 611.34

EXIST. T.O.  
R/W - 618.74  
TYP. - 611.64