

STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD

98023787

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140256 W. CH...

Tax Key No. 13-514-6

Mail Tax Bills To: Chi-Co, Inc
80 River Oaks Plaza, Suite 218
Calumet, Illinois 60409

CORPORATE SPECIAL WARRANTY DEED

THIS INDENTURE WITNESSETH, that Gourmet Enterprises, Inc. ("Grantor"), a corporation organized and existing under the laws of the State of Illinois, REMISES, RELEASES, ALIENS AND CONVEYS to Chi-Co, Inc. ("Grantee"), a corporation organized and existing under the laws of the State of Colorado, in consideration of TEN (\$10.00) DOLLARS the receipt of which is hereby acknowledged, the following described real estate in Lake County, in the State of Indiana, to-wit:

See Exhibit A attached hereto and made a part hereof.

Grants represents under oath that there is no Indiana Gross Income Tax Due with respect to this transaction.

And Grantor, for itself, and its successors, does covenant, promise and agree, to 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:

Exceptions listed in Exhibit B attached hereto and made a part hereof.

The undersigned person executing this deed represents and certifies on behalf of the Grantor, that the undersigned is a duly elected officer of the Grantor and has been fully empowered by proper resolution, or the by-laws of the Grantor, to execute and deliver this deed; that the Grantor is a corporation in good standing in the State of its origin and, where required, in the State where the subject real estate is situate; that the Grantor has full corporate capacity to convey the real estate described; and that all necessary corporate action for the making of this conveyance has been duly taken.

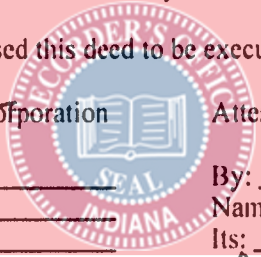
IN WITNESS WHEREOF, Grantor has caused this deed to be executed this 19th day of November, 1997

GOURMET ENTERPRISES, INC., an Illinois corporation

Attest:

By: [Signature]
Name: JEFFERY FLEIGER
Its: VICE PRESIDENT

By: [Signature]
Name: HENRY S. GREEN
Its: SECRETARY



DULY ENTERED FOR TAXATION SUBJECT TO
FINAL ACCEPTANCE FOR TRANSFER.

APR 02 1998

SAM ORLICH
AUDITOR LAKE COUNTY

COMMUNITY TITLE COMPANY
FILE NO L14098

1951532

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2400
Comm
3244

10/24

77080000

11/11/97

STATE OF ILLINOIS
COUNTY OF COOK

SS:

Before me, a Notary Public in and for said County and State, personally appeared JEFFERY FLEEBER, the VICE PRESIDENT of Gourmet Enterprises, Inc., who acknowledged execution of the foregoing Deed for and on behalf of said Grantor, and who, having been duly sworn, stated that the representations therein contained are true.

Witness my hand and Notarial Seal this 19th day of November, 1997

My commission Expires: AUG 30, 2000 Signature Joan Swiatek
Resident of COOK County Printed JOAN SWIATEK, Notary Public

This instrument prepared by:
Jonathan D. Levy, Esq.
D'Ancona & Pflaum
30 North LaSalle St.
Suite 2900
Chicago, Illinois 60602

This Document is the property of
the Lake County Recorder

OFFICIAL SEAL
JOAN SWIATEK
NOTARY PUBLIC STATE OF ILLINOIS
MY COMMISSION EXP. AUG. 30, 2000



After recorded, return to:
Jeffrey Q. Jackson
c/o Eckelberger and Associates
5575 DTC Parkway
Suite 118
Englewood, CO 80111

Exhibit A -- Schererville, Indiana

1. LOT 6, THE CROSSROADS, AS SHOWN IN PLAT BOOK 69, PAGE 3, IN LAKE COUNTY, INDIANA.

Property located at: 700 West Lincoln Highway, Hammond, Indiana

Schererville, Indiana

Key No. 13-514-6



Exhibit B

1. GENERAL REAL ESTATE TAXES NOT YET DUE AND PAYABLE.
2. BUILDING LINE 60 FEET SOUTH FROM LOT LINE AS INDICATED ON THE RECORDED PLAT OF SAID SUBDIVISION. RESTRICTION DOES NOT PROVIDE FOR FORFEITURE OR REVERSION.
3. A 5 FOOT NO-ACCESS EASEMENT AFFECTING THE SOUTH 5 FEET OF THE LAND, AS INDICATED ON PLAT OF SUBDIVISION.
4. A 10 FOOT NIPSCO EASEMENT AFFECTING THE SOUTH 10 FEET OF THE LAND, AS INDICATED ON A PLAT OF SURVEY DATED JUNE 19, 1991, MADE BY GARY P. TORRENGA, REGISTERED PROFESSIONAL ENGINEER.
5. AN 18" STORM SEWER, A WATER VALVE, A 6" WATER SERVICE AND A 12" STUB LOCATED AND/OR CROSSING ON A NORTHEASTERLY PORTION ON THE LAND, AS INDICATED ON A PLAT OF SURVEY DATED JUNE 19, 1991, MADE BY GARY P. TORRENGA, REGISTERED PROFESSIONAL ENGINEER.
6. A 20 FOOT SANITARY SEWER EASEMENT AFFECTING THE WESTERLY PART OF THE LAND, AS INDICATED ON PLAT OF SUBDIVISION.
7. TERMS AND PROVISIONS OF AN EASEMENT FOR SANITARY SEWER RECORDED NOVEMBER 13, 1964 AS DOCUMENT NO. 593588, IN MISCELLANEOUS RECORD 907, PAGE 349 TO THE TOWN OF SCHERERVILLE, DESCRIBING THE FOLLOWING LAND:
8. A 20 FOOT EASEMENT LYING 10 FEET ON EACH SIDE OF A 12 INCH SANITARY SEWER IN THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 35 NORTH, RANGE 9 WEST OF THE 2ND P.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A POINT ON THE NORTH RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 30 AT A POINT 500 FEET MORE OR LESS EAST OF THE WEST LINE OF SAID SECTION 16; THENCE NORTHERLY 280 FEET MORE OR LESS TO A MANHOLE THAT IS 276 FEET NORTHEASTERLY OF THE NORTHWEST CORNER OF A RESTAURANT BUILDING; THENCE WESTERLY 205 FEET TO A MANHOLE THAT IS 152.5 FEET NORTHERLY OF THE NORTHWEST CORNER OF SAID RESTAURANT BUILDING; THENCE NORTHWESTERLY TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 41

AT A POINT 520 FEET MORE OR LESS NORTH OF THE CENTER LINE OF U.S. HIGHWAY NO. 30, IN LAKE COUNTY, INDIANA.

9. TERMS AND PROVISIONS OF AN EASEMENT FOR PUBLIC UTILITIES RECORDED SEPTEMBER 10, 1987 AS DOCUMENT NO. 937491 TO INDIANA BELL TELEPHONE COMPANY, INCORPORATED, DESCRIBING THE FOLLOWING LAND: AN EASEMENT 20 FEET IN WIDTH LYING 10 FEET ON EITHER SIDE OF A CENTER LINE COMMENCING AT A POINT ON THE NORTH RIGHT-OF-WAY LINE OF STATE ROUTE 30 AT A POINT 500 FEET EAST OF THE WEST LINE OF SECTION 16, THENCE NORTHERLY 280 FEET MORE OR LESS TO A SEWER MANHOLE, THENCE WESTERLY 205 FEET TO A SEWER MANHOLE, THENCE NORTHWESTERLY TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF STATE ROUTE 41 AT A POINT 520 FEET MORE OR LESS NORTH OF THE CENTER LINE OF STATE ROUTE 30.
10. TERMS AND PROVISIONS OF EASEMENTS WITH COVENANTS AND RESTRICTIONS AFFECTING THE LAND, CREATING EASEMENTS FOR INGRESS, EGRESS AND PARKING, RECORDED FEBRUARY 20, 1990 AS DOCUMENT NO. 085156, MADE BY AND BETWEEN WAL-MART STORES, INC. A DELAWARE CORPORATION, AND LAKE COUNTY TRUST COMPANY, AS TRUSTEE UNDER TRUST NO. 4025.
11. DECLARATION OF EASEMENTS AND RESTRICTIONS DATED FEBRUARY 14, 1990, MADE BY LAKE COUNTY TRUST COMPANY, AS TRUSTEE UNDER TRUST NO. 4025 AND RECORDED FEBRUARY 20, 1990, AS DOCUMENT NO. 085154.
12. TERMS AND PROVISIONS OF AN EASEMENT AGREEMENT DATED MAY 28, 1991 AND RECORDED JULY 26, 1991, AS DOCUMENT NO. 91037663, MADE BY AND AMONG LAKE COUNTY TRUST COMPANY, AS TRUSTEE UNDER TRUST NO. 4025 ("TRUST"), WAL-MART STORES, INC., A DELAWARE CORPORATION ("WAL-MART", WAL-MART AND THE TRUST BEING SOMETIMES HEREINAFTER COLLECTIVELY REFERRED TO AS GRANTOR") AND LAKE COUNTY TRUST COMPANY, AS TRUSTEE UNDER TRUST NO. 1438 ("GRANTEE").

13. TERMS AND PROVISIONS OF AN EASEMENT FOR UNDERGROUND ELECTRICAL LINES, COMMUNICATION LINES GAS MAINS, ALL NECESSARY EQUIPMENT, ACCESS THERETO AND OTHER TERMS AND PROVISIONS THEREOF.

IN FAVOR OF: NORTHERN INDIANA PUBLIC SERVICE COMPANY, AND
INDIANA BELL TELEPHONE COMPANY

DATED: MAY 16, 1991

RECORDED: SEPTEMBER 19, 1991

DOCUMENT NO. 91047550

AFFECTS: SOUTH 10 FEET

14. TERMS AND PROVISIONS, AND ANY EASEMENTS AFFECTING THE LAND, AS EVIDENCED IN AN INDENTURE OF LEASE (SHORT FORM) DATED APRIL 12, 1990 AND RECORDED MAY 4, 1990, AS DOCUMENT NO. 098880, MADE BY AND BETWEEN LAKE COUNTY TRUST COMPANY, AS TRUSTEE UNDER TRUST NO. 4025 (LANDLORD) AND OMNI SUPERSTORES OF INDIANA, INC., AN INDIANA CORPORATION (TENANT).
15. TERMS AND PROVISIONS OF A DECLARATION OF RECIPROCAL EASEMENTS, COVENANTS, CONDITIONS AND RESTRICTIONS DATED SEPTEMBER 17, 1990 AND RECORDED SEPTEMBER 24, 1990 AS DOCUMENT NO. 125380, MADE BY LAKE COUNTY TRUST COMPANY, AS TRUSTEE UNDER TRUST NO. 4025.
16. DECLARATION OF RESTRICTIONS AND CONDITIONS DATED SEPTEMBER 19, 1990 AND RECORDED SEPTEMBER 24, 1990 AS DOCUMENT NO. 125382, MADE BY LAKE COUNTY TRUST COMPANY AS TRUSTEE UNDER TRUST NO. 4025, AS SHOWN ON COPY ATTACHED HERETO.
17. DECLARATION OF RESTRICTIONS AND CONDITIONS DATED SEPTEMBER 25, 1991 AND RECORDED OCTOBER 18, 1991 AS DOCUMENT NO. 91052889. RESTRICTIONS DO NOT PROVIDE FOR FORFEITURE OF REVERSION.
18. RESTRICTIONS SHOWN ON PLAT OF THE CROSSROADS, IN PLAT BOOK 69, PAGE 3, AS FOLLOWS:

(1) EASEMENTS FOR PUBLIC UTILITIES AS DESIGNATED HEREIN FOR EASEMENTS HEREIN RESERVED ARE HEREBY GRANTED TO NORTHERN INDIANA PUBLIC SERVICE COMPANY, INDIANA BELL TELEPHONE COMPANY, THE TOWN OF SCHIERERVILLE AND CABLE

TELEVISION COMPANIES, JOINTLY AND SEVERALLY, TOGETHER WITH THEIR RESPECTIVE HEIRS, SUCCESSORS AND ASSIGNS TO INSTALL, LAY, ERECT, CONSTRUCT, RENEW, REPAIR, OPERATE AND MAINTAIN SEWERS, WATER MAINS, GAS MAINS, CONDUITS, CABLES AND WIRES, BOTH OVERHEAD AND UNDERGROUND, IN, UPON, ALONG AND OVER THOSE STRIPS OF GROUND DESIGNATED ON THE PLAT BY DOTTED LINES AND MARKED "EASEMENT", INCLUDING THOSE IMMEDIATE AREAS NOT SO MARKED BUT EXTENDING FROM SAID STRIPS OF GROUND, WHEREUPON OVERHEAD OR UNDERGROUND FACILITIES AS STATED ABOVE SHALL EXIST FOR THE DIRECT SERVICE TO THE REAL ESTATE HEREIN PLATTED FOR THE PURPOSE OF SERVING THE PUBLIC IN GENERAL WITH SEWER, GAS, ELECTRIC, TELEPHONE, AND CABLE TELEVISION SERVICE, INCLUDING THE RIGHT TO USE SAID EASEMENT FOR THE CONVEYANCE CHANNELIZATION, COLLECTION AND DISPERSAL OF SURFACE WATER RUNOFF AND THE RIGHT TO USE BOTH PUBLIC AND PRIVATE STREET RIGHT-OF-WAYS WHEN NECESSARY, TOGETHER WITH THE RIGHT TO ENTER UPON SAID EASEMENTS AT ALL TIMES FOR ANY AND ALL OF THE PURPOSES AFORESAID, AND TO TRIM AND KEEP TRIMMED ANY TREES, SHRUBS, OR SAPLINGS THAT INTERFERE WITH THE NORMAL USE, OPERATION OR MAINTENANCE OF ANY SUCH UTILITY EQUIPMENT, TOGETHER WITH THE RIGHT TO GRADE OR REGRADE THE SURFACE OR TO REMOVE OBSTRUCTIONS TO SURFACE DRAINAGE. NO PERMANENT BUILDING OR STRUCTURES SHALL BE PLACED ON SAID EASEMENT, BUT THE SAME MAY BE USED FOR GARDENS, PLANTING, LANDSCAPING, FENCING, PARKING, LIGHTING, AND SIGNING AND OTHER PURPOSES THAT DO NOT INTERFERE WITH THE USE OF SAID EASEMENT FOR SAID PUBLIC UTILITY AND DRAINAGE PURPOSES.

(2) BUILDING SETBACK LINES ARE HEREBY ESTABLISHED AS SHOWN ON THIS PLAT, BETWEEN WHICH LINES AND PROPERTY LINES OF THE STREETS THERE SHALL BE ERECTED OR MAINTAINED NO BUILDING OR STRUCTURES.

(3) MINIMUM FINISHED FLOOR ELEVATION SHALL BE 631.50 FEET REFERENCED TO U.S.G.S. VERTICAL DATUM 1929 G.A.

(4) NO DIRECT VEHICULAR ACCESS SHALL BE ALLOWED TO U.S. HIGHWAY 30 OR U.S. HIGHWAY 41 FROM LOTS 3, 4, 5, 6 AND 7.

(5) ACCESS TO LOTS 3, 4, 5, 6 AND 7 SHALL BE ALLOWED ACROSS LOTS 1 AND 2 IN ACCORDANCE WITH AGREEMENTS BETWEEN THE OWNERS AND THE BUYERS OF LOTS 3, 4, 5, 6 AND 7.

THE ABOVE RESTRICTIONS SHALL FURTHER PROVIDE THE RIGHT TO ENFORCE THOSE PROVISIONS BY INJUNCTION, TOGETHER WITH THE RIGHT TO CAUSE THE REMOVAL, BY DUE PROCESS OF LAW, OR ANY STRUCTURE OR PART THEREOF ERECTED OR MAINTAINED IN VIOLATION THEREOF, IS HEREBY DEDICATED TO THE PUBLIC, AND RESERVED TO THE SEVERAL OWNERS OF THE SEVERAL LOTS IN SAID SUBDIVISION AND TO THEIR HEIRS AND ASSIGNS.

