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STATE OF INDIANA)
) SS:
COUNTY OF LAKE)

IN THE LAKE SUPERIOR COURT
ROOM NO. THREE
SITTING AT GARY, INDIANA

STATE OF INDIANA, LITTLE
CALUMET RIVER BASIN
DEVELOPMENT COMMISSION,
Plaintiffs,

vs.

Cause No. 45D03-9709-CP-02833

WILLIAM JAMES, and all unknown heirs
and devisees, if any, and all persons claiming
by through or under them, including judgment
and decree creditors and lienholders; and

SCOTT A. CLARK; and

MID-AMERICAN TRUCK LEASING; and

DR. HERBERT MEDINA; and

DR. ANGELINA MEDINA; and

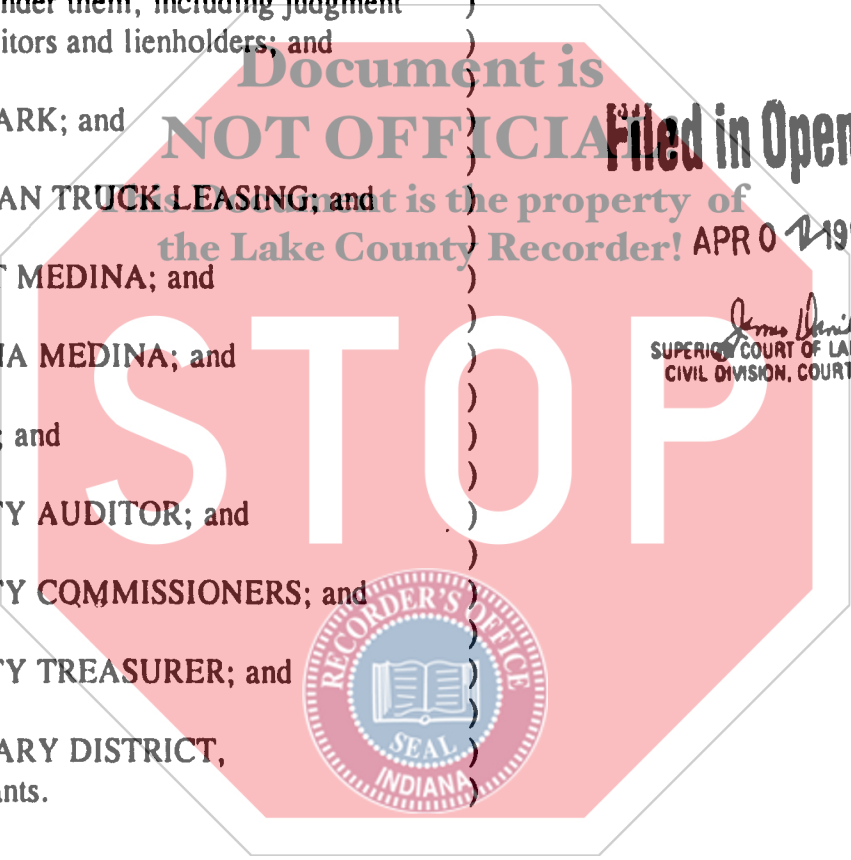
DR. SUK LEE; and

LAKE COUNTY AUDITOR; and

LAKE COUNTY COMMISSIONERS; and

LAKE COUNTY TREASURER; and

GARY SANITARY DISTRICT,
Defendants.



Filed in Open Court

APR 0 1998

James Daniels
SUPERIOR COURT OF LAKE COUNTY
CIVIL DIVISION, COURT ROOM 3

98030005

98 APR 28 1998

STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORDS

CLERK'S DEED OF EASEMENT

I, Anna N. Anton, Clerk of the Superior Court of Lake County, State of Indiana pursuant
to proceedings had in the case of the State of Indiana, Little Calumet River Basin Development
Commission versus William James, and all unknown heirs and devisees if any, and all persons

NOT TAXABLE

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APR 28 1998

AUDITOR OF LAKE COUNTY

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claiming by through or under them, including judgment and decree creditors and lienholders; Scott A. Clark; Mid-American Truck Leasing; Dr. Herbert Medina; Dr. Angelina Medina; Dr. Suk Lee; Lake County Auditor; Lake County Commissioners; Lake County Treasurer; and Gary Sanitary District in said Court, effective as of the 2nd day of April, 1998, do hereby convey to the State of Indiana, Little Calumet River Basin Development Commission an easement on the following real estate located in Lake County, Indiana, which is described as follows:

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FLOWAGE EASEMENT (Occasional Flooding)

The perpetual right, power, privilege and easement occasionally to overflow, flood, and submerge the land described as follows:

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LOT 7, BLOCK 3, LIBERTY FARMETTES, IN THE CITY OF GARY, AS SHOWN IN PLAT BOOK 26, PAGE 77, LAKE COUNTY, INDIANA.

in connection with the operation and maintenance of the Little Calumet River, Indiana Local Flood Protection and Recreation Project as authorized by Section 401 of the Water Resources Development Act of 1986 (P.L. 99-662), together with all right, title, and interest in and to the structures and improvements now situate on the land, except fencing; provided that no structures for human habitation shall be constructed or maintained on the land, that no other structure shall be constructed or maintained on the land except as may be approved in writing by the representative of the United States in charge of the project, and that no excavation shall be conducted and/or no landfill placed on the land without such approval as to the location and method of excavation and/or placement of landfill; the above estate is taken subject to existing easements for public roads and highways, public utilities, railroads, and pipelines; reserving however to the landowners, their heirs and assigns, all such rights and privileges as may be used and enjoyed without interfering with the use of the project for the purposes authorized by Congress or abridging the rights and easements hereby acquired; provided further that any use of the land shall be subject to Federal and State laws with respect to pollution.

EXECUTED at Lake County, Indiana, this 2nd day of April, 1998, but effective as of the 2nd day of April, 1998, by the undersigned Clerk of the Superior Court of Lake County, State of Indiana, pursuant to the Order

of said Court entered on the 2nd day of April, 1998, in the above described proceedings.

Anna N. Anton
ANNA N. ANTON, CLERK
LAKE SUPERIOR COURT

BY: Elyse P. ...

Prepared by:

LOUIS M. CASALE
Attorney for Plaintiff
8300 Mississippi Street
Suite E
Merrillville, IN 46410
Phone: (219) 756-3040

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THIS PROPERTY IS NON TAXABLE:
Please send tax statements to:

THE LITTLE CALUMET RIVER BASIN
DEVELOPMENT COMMISSION
6100 SOUTHPORT ROAD
PORTAGE, INDIANA 46368

ATTENTION: EXECUTIVE DIRECTOR

