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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

For Use By County  
Recorder's Office

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

County  
Date  
Doc. No.  
Vol.  
Page  
Rec'd by:

99082553

I. PROPERTY IDENTIFICATION

A. Address of property: 4701 Cleveland Street  
Street  
Gary Calumet  
City or Town Township

Tax Parcel Identification No. (Key Number): 01-39-0319-0001

B. Legal Description:

Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_

Enter or attach complete legal description in this area.  
Lots 1,2,3,4 and the West 1/2 of Lot 5, Block 1, C. J. Williams Addition to Hostford Park, as per plat thereof recorded in Plat Book 4, page 9, in the Office of the Recorder of Lake County Indiana, excepting therefrom that part of Lot 1 described as follows: Beginning at the Northwest corner of said lot; thence North 88 degrees 52 minutes 09 seconds East 26.00 feet along the North line of said lot; thence South 42 degrees 14 minutes 16 seconds West 36.89 feet to the West line of said lot; thence North 2 degrees 34 minutes 00 seconds West 26.82 feet along said West line to the point of beginning.

STATE OF INDIANA  
FILED  
LAKE COUNTY  
99001  
MAY 19 1999

LIABILITY DISCLOSURE

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

C. Property Characteristics:

Lot Size \_\_\_\_\_ (See Exhibit "A" attached hereto) Acreage N/A

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) \_\_\_\_\_

99205958-1n0  
INCOR TITLE INSURANCE  
Crown Point, Indiana

2608  
E.P.  
Ti

II. NATURE OF TRANSFER

Yes No

- A. (1) Is this a transfer by deed or other instrument of conveyance of fee title to property? X
- (2) Is this a transfer by assignment of over 25% of beneficial interest of a land trust?      X
- (3) A lease exceeding a term of 40 years?      X
- (4) A collateral assignment of beneficial interest?      X
- (5) An installment contract for the sale of property?      X
- (6) A mortgage or trust deed?      X
- (7) A lease of any duration that includes an option to purchase?      X
- B. (1) Identify Transferor:

Richard E. Mohan and Marsha L. Mohan 11518 Woodmar Place, Cedar Lake, IN 46603  
Name and Current Address of Transferor

This Document is the N/A property of  
Trust No.       
the Lake County Recorder!

Name and address of Trustee if this is a transfer of beneficial interest of a land trust.

N/A

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

N/A

Name, Position (if any), and Address Telephone No.

- C. Identify Transferee:

Howard Kendys 2424 Victoria Road, Schererville, IN 46375  
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 \_\_\_\_\_  
No   X  

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  

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?

**STOP**

- 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

Yes	No
_____	<u>  X  </u>
_____	<u>  X  </u>
_____	<u>  X  </u>
_____	<u>  X  </u>
_____	<u>  X  </u>
_____	<u>  X  </u>
_____	<u>  X  </u>
_____	<u>  X  </u>
_____	<u>  X  </u>
<u>  X  </u>	_____
_____	<u>  X  </u>
_____	<u>  X  </u>
_____	<u>  X  </u>
_____	<u>  X  </u>
_____	<u>  X  </u>

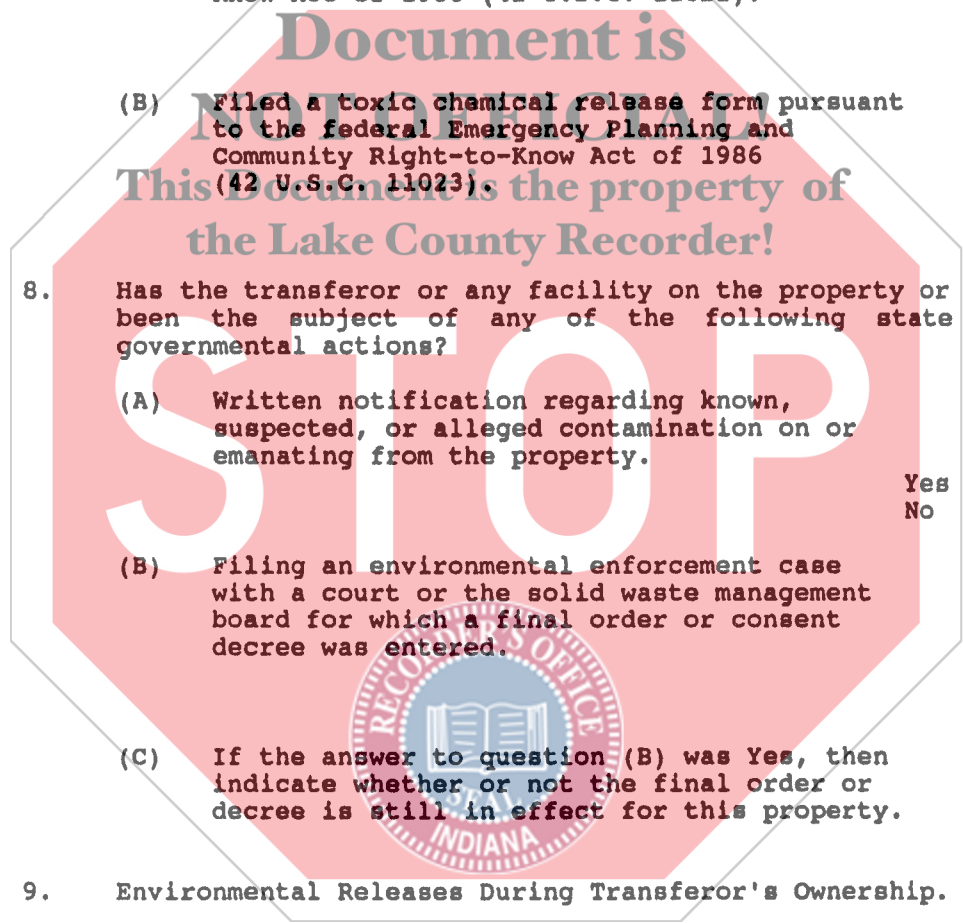
If there are "YES" answers to any of the above items and the transfer of property that requires the filing of this document is other than a mortgage or trust deed or a collateral assignment of beneficial interest in a land trust, you must attach to the copies of this document that you file with the County 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?

(A) Permits for discharges of wastewater to waters of Indiana. Yes \_\_\_\_\_  
No   X  

(B) Permits for emissions to the atmosphere. Yes \_\_\_\_\_  
No   X

- (C) Permits for any waste storage, waste treatment, or waste disposal operation. Yes  No
6. Has the transferor ever discharged any wastewater (other than sewage) to a publicly owned treatment works? Yes  No
7. Has the transferor been required to take any of the following actions relative to this property?
- (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). Yes  No
- (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). Yes  No
8. Has the transferor or any facility on the property or the property or federal been the subject of any of the following state or federal governmental actions?
- (A) Written notification regarding known, suspected, or alleged contamination on or emanating from the property. Yes  No
- (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. Yes  No
- (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. Yes  No
9. Environmental Releases During Transferor's Ownership.
- (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? Yes  No
- (B) Have any hazardous substances or petroleum which were released come into direct contact with the ground at this site? Yes  No





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

- Use of a cleanup contractor to remove or treat materials including soils, payment, or other surficial materials?
- Assignment of in-house maintenance staff to remove or treat materials including soils, pavement, or other surficial materials?
- Sampling and analysis of soils?
- 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

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

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

If the answer is Yes, describe the activity:

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

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

Yes. See attached Clarification Statement

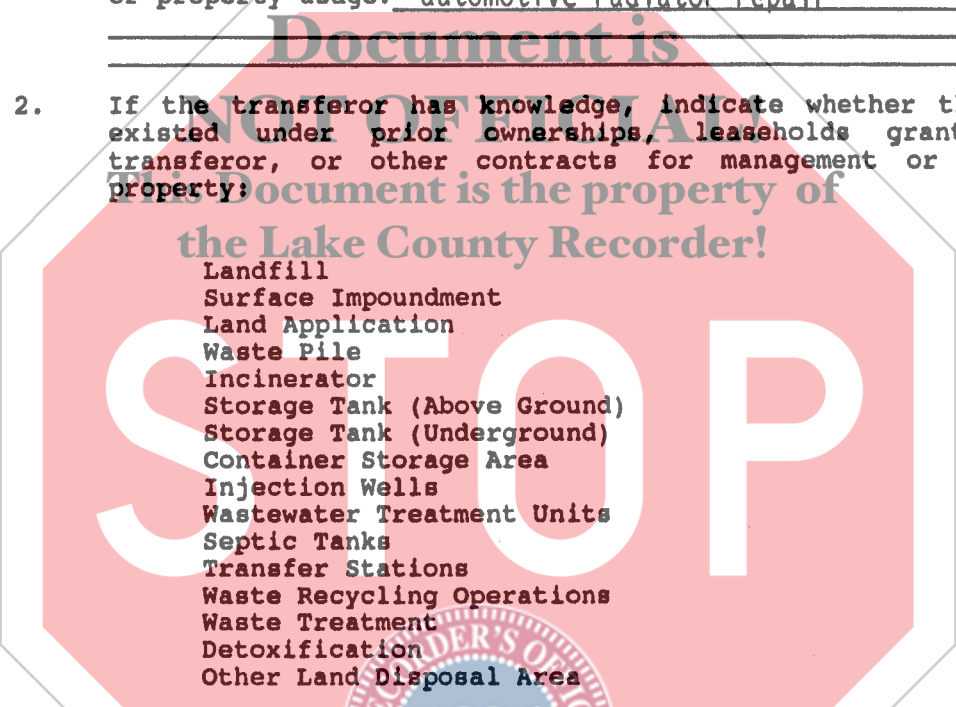
B. Site Information Under Other Ownership or Operation.

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: Raymond Litton and Jerry H. Litton

Type of Business or property usage: automotive radiator repair

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:



Document is the property of the Lake County Recorder!

- 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

Yes	No
_____	X
_____	X
_____	X
_____	X
_____	X
X	X
_____	X
_____	X
X	X
_____	X
_____	X
_____	X
_____	X
_____	X

IV. CERTIFICATION

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

*Richard E. Mohr*  
*Richard E. Mohr*  
TRANSFEROR (or on behalf of Transferor)

B. This form was delivered to me with all elements completed on OCTOBER 1, 1999.

*Howard Kewley*  
*Howard Kewley*  
TRANSFeree (or on behalf of Transferee)

### CLARIFICATION STATEMENT

1. On March 22, 1995 the Transferor sold a small parcel of real property to the State of Indiana. That parcel is marked "Not Included" in Exhibit "A," which is attached to the Environmental Disclosure Document For Transfer Of Real Property to which this Clarification Statement is attached.

2. In connection with that sale, Richard E. Mohan prepared and signed an Environmental Disclosure Document For Transfer Of Real Property on January 20, 1995, and delivered it to Theodore F. Elmore of the Indiana Department of Transportation. It was recorded in the Lake County Recorder's Office on May 25, 1995, as Document No. 95029700. It contained the following incorrect information, which is hereby corrected:

- a. It referred to the address of the Property as 4705 Cleveland Street, Gary, Indiana, but the correct address is 4701 Cleveland Street, Gary, Indiana.
- b. In paragraph II A (6) no mortgage or trust deed was part of the transaction.
- c. In paragraph II B (1) the Transferor consisted of both Richard E. Mohan and Marsha L. Mohan.
- d. In paragraph III A 1, Richard E. Mohan answered "Yes" to the question, but the correct answer was "No." The transferor never conducted the operations described.
- e. In paragraph III A 4 which states "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?", Richard E. Mohan answered "Yes" as to the Underground Storage Tank. In fact, any underground storage tank or tanks at the property were not then being used and had never been used by the transferor.
- f. In paragraph III A 4 Richard E. Mohan answered "Yes" as to Wastewater Treatment Units. In fact, there not any wastewater treatment units at the property which were then being used or which had ever been used by the transferor.
- g. In paragraph III B 1, the names of the previous owners are Raymond Litton and Jerry H. Litton.
- h. The attached Site Plan shows four (4) underground storage tanks, but as stated in paragraph III A 12 Richard E. Mohan did not know the exact number.

3. Since the execution of the Environmental Disclosure Report described in paragraph 2 above, the transferor has obtained

information indicating that the undersigned storage tanks at the property were taken out of operation before January 1, 1974, and therefore, no notice of the existence of such tanks to the Indiana Department of Environmental Management was or is required under 42 U.S.C 6991 a (a) or IC 13-23-1-2 (c) (8) (A). Since the property does not contain one (1) or more facilities that are subject to reporting under Section 312 of the federal Emergency Planning and Community Right-to-Know Act of 1986 (42 U.S.C. 11022), since the property is not listed on the Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS), and since no notice of the existence of tanks is required as above stated, the property is not "property" as that word is defined in IC 13-11-2-174, and in the opinion of the transferor no disclosure document is required to be delivered by the transferor to the transferee under the provisions of IC-25-3-2. Based on the cited statutory provisions it is also the opinion of the transferor that no disclosure document was required to be delivered by the transferor to the Indiana Department of Transportation in connection with the sale described in paragraph 1 above. However, since that disclosure document contained erroneous information as noted in paragraph 2 above and was recorded, and since the transferee may be of a different opinion as to the obligation of the transferor to deliver a disclosure document to him, the transferor has prepared this Environmental Disclosure Document For Transfer Of Real Property for delivery to the transferee and subsequent recordation to correct the record and to satisfy the requirements of IC 13-25-3-2 in the event the transferor's opinion of its inapplicability is incorrect.



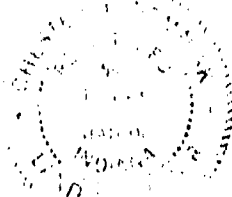
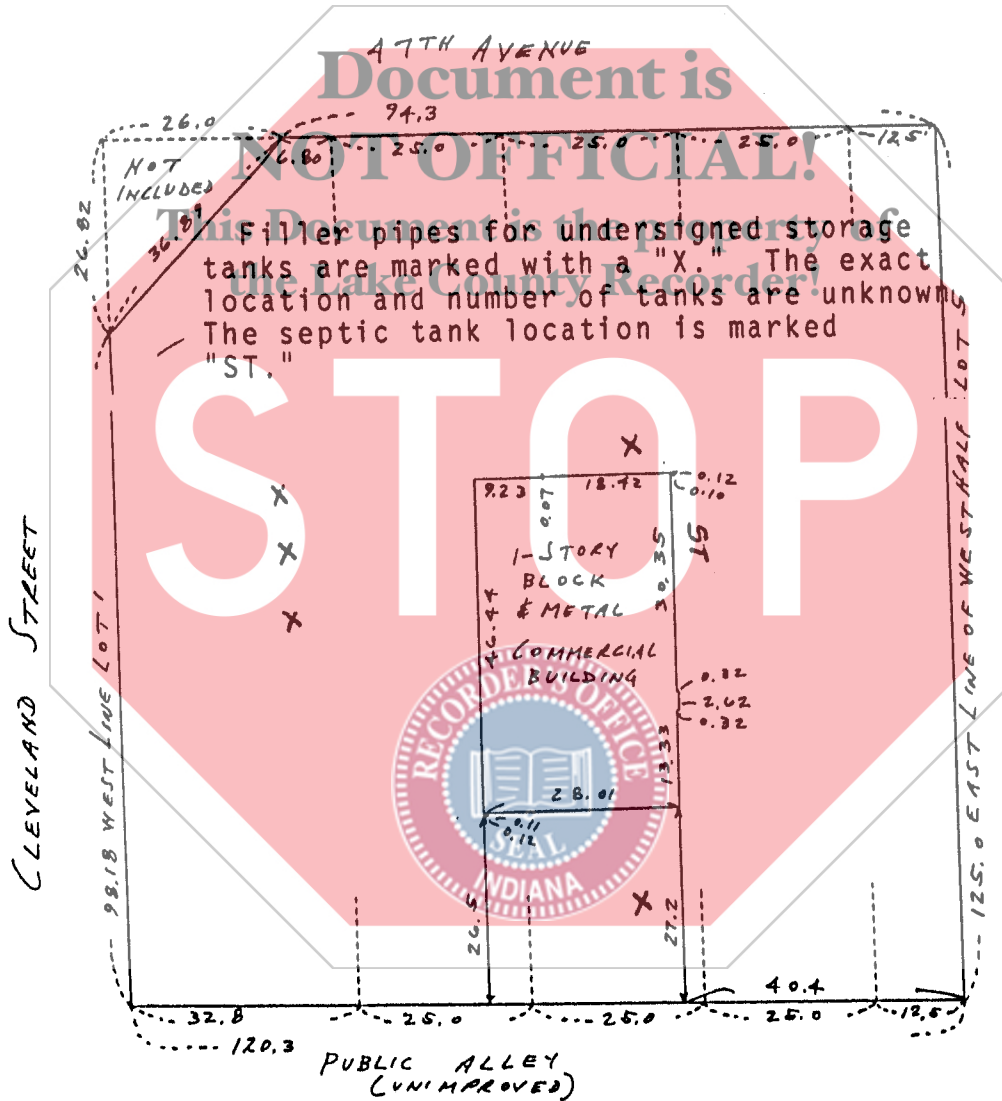


Lots 1,2,3,4, and the West Half of Lot 5, in Block 1, in C.J.Williams Addition to Hosford Park, as per plat thereof, recorded in Plat Book 4 page 9 in the Office of the Recorder of Lake County, Indiana, excepting therefrom that part of Lot 1 described as follows: Beginning at the Northwest corner of said lot; thence North 88 degrees 52 minutes 09 seconds East 26.00 feet along the North line of said lot; thence South 42 degrees 14 minutes 16 seconds West, 36.89 feet to the west line of said lot; thence North 2 degrees 34 minutes 00 seconds West 26.82 feet along said West line to the point of beginning.

HUD-FIA Flood Insurance Rate Map, Community Panel Number 180126 0065 B dated September 2, 1981 indicates that the above described property lies in a Flood Hazard Area-Zone "C"

Howard Kendys  
4701 Cleveland Street  
Gary, Indiana

FOR MORTGAGE PURPOSES ONLY



STATE OF INDIANA  
COUNTY OF LAKE SS

THIS IS TO CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY ACCORDING TO THE OFFICIAL RECORDS AND THAT THE PLAT APPEARING HEREON IS A TRUE REPRESENTATION OF SAID SURVEY.

2020 HIGHWAY AVENUE  
P.O. BOX 1509  
HIGHLAND, INDIANA 46322

SCALE: 1 INCH = 20 FEET

*Howard Kendys*  
CHESTY WELSMANAK  
REG. PROF. ENGINEER  
REG. LAND SURVEYOR  
DATE: 9/28/99

FILE:4701CLEV

EXHIBIT "A"

DIMENSIONS ARE GIVEN IN FEET AND DECIMAL PARTS THEREOF

9

25x10