

LAWYERS TITLE INS. CORP.
ONE PROFESSIONAL CENTER
SUITE 215
CROWN POINT, IN 46307

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STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD
WAIVER OF RIGHT AND OPTION TO
ANNEX PROPERTY TO CONDOMINIUM
99 OCT 5 11 12 0

99083569

THIS WAIVER OF RIGHT AND OPTION TO ANNEX PROPERTY TO CONOMINIUM (the "Waiver") is made this 4th day of October, 1999 by ATG Development Company, LLC, an Indiana limited liability company ("ATG").

WITNESSETH:

WHEREAS, C&CF Development Company, LLC, an Indiana limited liability company n/k/a CFS Development Company, LLC, an Indiana limited liability company (the "Original Declarant") executed that certain Declaration of Condominium of the Townhomes at White Oak Estates, Munster, Lake County, Indiana, date November 21, 1994, which was recorded in the office of the Recorder of Lake County, Indiana on November 23, 1994 as Document Number 94079856, as amended from time to time thereafter (collectively the "Declaration"); and

WHEREAS, pursuant to the Declaration, the Original Declarant reserved the right and option to add-on and annex certain real property (defined in the Declaration as the "Future Development Parcel") to the Condominium (as that term is defined in the Declaration) created by the Declaration; and

WHEREAS, that certain real property located in Munster, Lake County, Indiana and legally described on Exhibit A attached hereto and make a part hereof (the "Subject Property") is a part of the Future Development Parcel defined in the Declaration; and

WHEREAS, ATG is the owner of the Subject Property and successor-in-interest to Original Declarant with respect to the Subject Property pursuant to that certain Quitclaim Deed, dated November 13, 1997 which was recorded in the Office of the Recorder of Lake County, Indiana on June 26, 1998 as Document No. 98048617, and re-recorded on August 25, 1998 as Document No. 98067618; and

WHEREAS, ATG desires to waive the right and option to annex the Subject Property to the Condominium.

NOW THEREFORE, ATG hereby declares that the Subject Property shall not be annexed to the Condominium pursuant to the Declaration, and waives its right and option as successor-in-interest to Original Declarant to add-on and annex the Subject Property to the Condominium pursuant to the Declaration.

IN WITNESS WHEREOF, ATG has caused this instrument to be executed as of the date first written above.

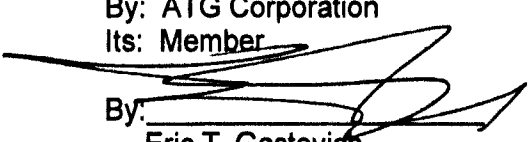
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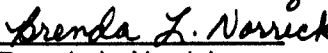
OCT 05 1999

PETER BENJAMIN
LAKE COUNTY AUDITOR

ATG Development Company, LLC an
Indiana limited liability company

By: ATG Corporation
Its: Member

By: 
Eric T. Gastevich
Its: President

Attest: 
Brenda L. Norrick
Its: Secretary

000379

1700
JL
SW

STATE of Indiana)
) SS:
COUNTY of Lake)

Before me, the undersigned Notary Public in and for said County and State, this 4th day of October, 1999, personally appeared ERIC T. GASTEVICH and BRENDA L. NORRICK, the President and Secretary, respectively, of ATG CORPORATION, as a member of ATG DEVELOPMENT COMPANY, LLC, and acknowledged the execution of the foregoing instrument.

Brenda M. Shelton
Notary Public

Document is NOT OFFICIAL!
Printed Name: BRENDA M. SHELTON

My Commission Expires: Sept 28, 2006

County of Residence: Lake

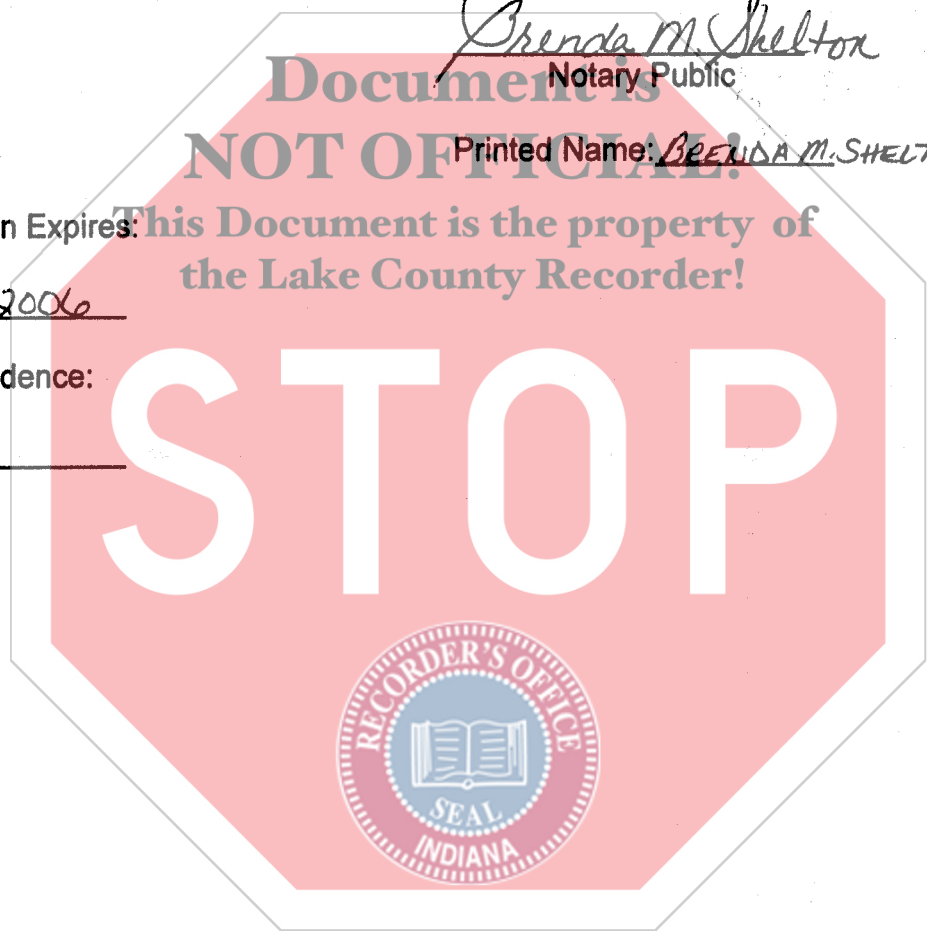


EXHIBIT A

The Townhomes at White Oak Estates, Block 6, as shown in Plat Book 86, Page 66,
Lake County, Indiana; and

The Townhomes at White Oak Estates, Block 7, as shown in Plat Book 86, Page 67,
Lake County, Indiana; and

The Townhomes at White Oak Estates, Block 8, as shown in Plat Book 86, Page 68,
Lake County, Indiana.

