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2000 022467

STATE OF INDIANA  
LAKE COUNTY  
FILED RECORD

2000 APR -3 AM 9:56

DULY ENTERED FOR TAXATION SUBJECT TO  
FINAL ACCEPTANCE FOR TRANSFER.

MAR 31 2000

Recorder's Box PETER BENJAMIN  
LAKE COUNTY AUDITOR

Document is

**NOT OFFICIAL!**  
**SPECIAL WARRANTY DEED**

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6005198.008

**THIS INDENTURE**, made this 27<sup>th</sup> day of March, 2000, between **CROWN LIFE INSURANCE COMPANY** a corporation created and existing under and by virtue of the laws of Canada and duly authorized to transact business in the State of Indiana, party of the first part, and **37<sup>TH</sup> AVENUE CENTER, L.L.C., AN INDIANA LIMITED LIABILITY COMPANY**, 2842 45<sup>TH</sup> Avenue, Suite C, Highland, Indiana 46322 party of the second part, **WITNESSETH**, that the party of the first part, for and in consideration of the sum of Ten and No Dollars and other good and valuable consideration in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, and pursuant to authority of the Board of Directors of said corporation, by these presents does **REMISE, RELEASE, ALIEN AND CONVEY** unto the party of the second part, and to its successors and assigns, **FOREVER**, all the following described real estate, situated in the County of Lake and State of Indiana known and described as follows, to wit:

**SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY THIS REFERENCE**

Together with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim or demand whatsoever, of the party of the first part, either in law or equity, of, in and to the above described premises, with the hereditaments and appurtenances: **TO HAVE AND TO HOLD** the said premises as above described, with the appurtenances, unto the party of the second part, its successors and assigns forever.

And the party of the first part, for itself, and its successors, does covenant, promise and agree, to and with the party of the second part, its successors 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 encumbered or charged, except as herein recited; and that **IT WILL WARRANT AND DEFEND** the said premises, against all persons lawfully claiming, or to claim the same, by, through or under it, subject to:

**SEE EXHIBIT "B" ATTACHED HERETO AND INCORPORATED HEREIN BY THIS REFERENCE**

Tax Key Number(s): 17-8-14 and 17-8-30

Address of Real Estate: 1641-1997 37<sup>TH</sup> Avenue, Hobart, Indiana

**This TRANSFER IS NOT SUBJECT GROSS INCOME TAX**

**\* Currently in good standing**

26.00  
ML  
4

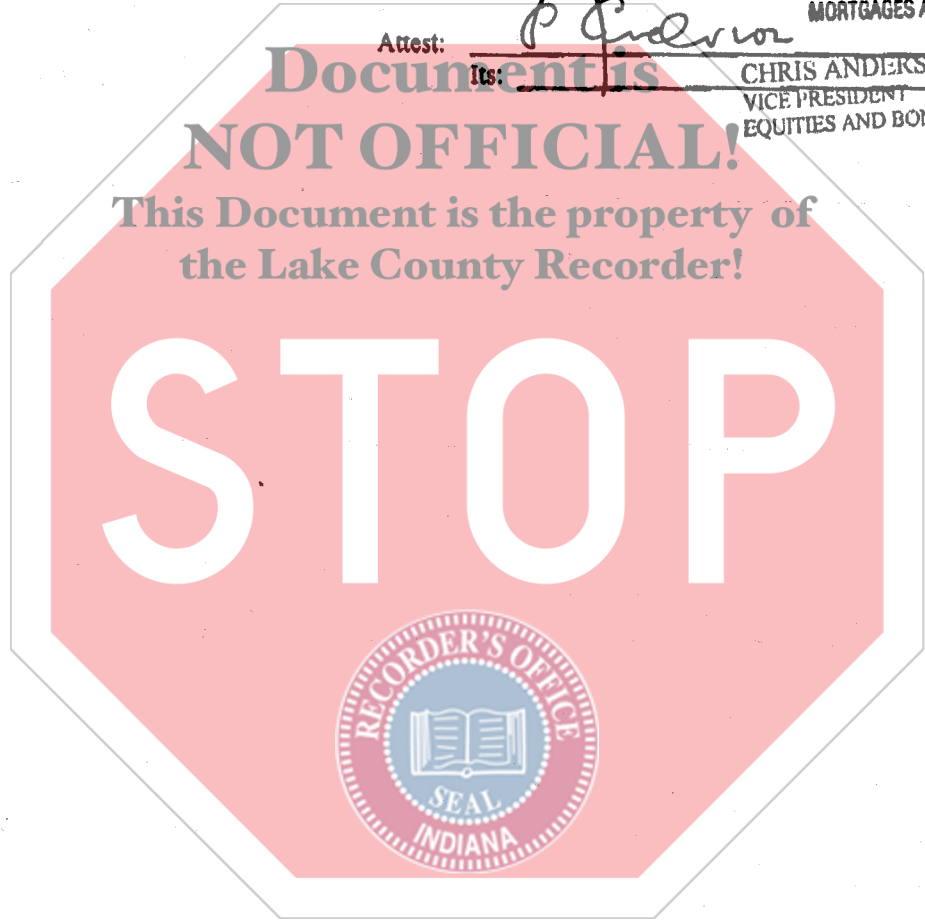
Chicago Title Insurance Company

IN WITNESS WHEREOF, said party of the first part has caused its corporate seal to be hereto affixed, and has caused its name to be signed to these presents by its \_\_\_\_\_ and attested to by its \_\_\_\_\_ the day and year first above written.

CROWN LIFE INSURANCE COMPANY, a Canada corporation

By: [Signature]  
Its: \_\_\_\_\_ STEPHAN von BUTTLAR  
VICE PRESIDENT  
MORTGAGES AND REAL ESTATE

Attest: [Signature]  
Its: \_\_\_\_\_ CHRIS ANDERSON  
VICE PRESIDENT  
EQUITIES AND BONDS



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PROVINCE  
~~STATE OF SASKATCHEWAN~~  
COUNTRY OF Canada )

I, Kathy L Tysdal, a Notary Public in and for said County, in the State aforesaid,  
DO HEREBY CERTIFY that Stephen van Buitlar, as VP of Crown Life Insurance  
Company and Chris Anderson, as VP of said Corporation, who are personally known to me to  
be the same persons whose names are subscribed to the foregoing instrument as such VP President  
and VP of said Corporation, respectively, appeared before me this day in person and acknowledged that  
they signed and delivered the said instrument as their own free and voluntary act and as the free and voluntary act of  
said Corporation, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 27 day of March, 2000.



~~NOT OFFICIAL!~~  
This Document is the property of  
the Lake County Recorder!  
KATHY L. TYSDAL  
Notary Public  
A Notary Public for Saskatchewan.  
My Appointment expires May 31, 2004.

**"EXHIBIT "A"**

PARCEL 1: PART OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 36 NORTH, RANGE 7 WEST OF THE 2<sup>ND</sup> P.M., IN LAKE COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 40 FEET SOUTH AND 35 FEET EAST OF THE NORTHWEST CORNER OF SAID SECTION 28; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST AND PARALLEL TO THE WEST LINE OF SAID SECTION 28 A DISTANCE OF 290.0 FEET; THENCE SOUTH 88 DEGREES 28 MINUTES 40 SECONDS EAST AND PARALLEL TO THE NORTH LINE OF SAID SECTION 28 A DISTANCE OF 125.00 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, 50.00 FEET; THENCE SOUTH 88 DEGREES 28 MINUTES 40 SECONDS EAST, 192.10 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, 162.24 FEET; THENCE SOUTH 88 DEGREES 27 MINUTES 10 SECOND EAST, 252.60 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, 11.15 FEET; THENCE SOUTH 88 DEGREES 28 MINUTES 40 SECONDS EAST, 90.30 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, 128.91 FEET TO A POINT 660 FEET SOUTH OF THE NORTH LINE OF SAID SECTION 28; THENCE SOUTH 88 DEGREES 28 MINUTES 40 SECONDS EAST, 626.65 FEET TO THE EAST LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 28; THENCE NORTH 00 DEGREES 02 MINUTES 20 SECONDS EAST ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 28 A DISTANCE OF 220.00 FEET; THENCE SOUTH 88 DEGREES 28 MINUTES 40 SECONDS EAST, 99.00 FEET; THENCE NORTH 00 DEGREES 02 MINUTES 20 SECONDS EAST, 400.00 FEET TO THE SOUTH LINE OF U.S. HIGHWAY NO. 6, THENCE NORTH 88 DEGREES 28 MINUTES 40 SECONDS WEST, 1386.09 FEET TO THE POINT OF BEGINNING, EXCEPT THAT PART OF THE LAND DEEDED IN QUIT CLAIM DEED RECORDED FEBRUARY 6, 1984, AS DOCUMENT NO. 744229, MADE BY WEISS CORPORATION, AN INDIANA CORPORATION, TO STATE OF INDIANA, DESCRIBED AS FOLLOWS:

THE WEST 4 FEET OF THE EAST 175 FEET OF THE SOUTH 22 FEET OF THE NORTH 60 FEET AND ALSO THE WEST 20 FEET OF THE EAST 195 FEET OF THE SOUTH 4 FEET OF THE NORTH 42 FEET, ALL IN THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 36 NORTH, RANGE 7 WEST OF THE 2<sup>ND</sup> P.M.

AND

THE WEST 16 FEET OF THE EAST 101 FEET OF THE SOUTH 3 FEET OF THE NORTH 43 FEET AND ALSO THE WEST 4 FEET OF THE EAST 105 FEET OF THE SOUTH 18 FEET OF THE NORTH 58 FEET, ALL IN THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 36 NORTH, RANGE 7 WEST OF THE 2<sup>ND</sup> P.M.

ALSO EXCEPTING THAT PART DEEDED TO BETHLEHEM EMPLOYEES FEDERAL CREDIT UNION BY WARRANTY DEED RECORDED OCTOBER 3, 1997, AS DOCUMENT NO. 97067008, BEING DESCRIBED AS FOLLOWS:

THE SOUTH 147 FEET OF THE NORTH 440 FEET OF THE WEST 99 FEET OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 36 NORTH, RANGE 7 WEST OF THE SECOND PRINCIPAL MERIDIAN, IN LAKE COUNTY, INDIANA.

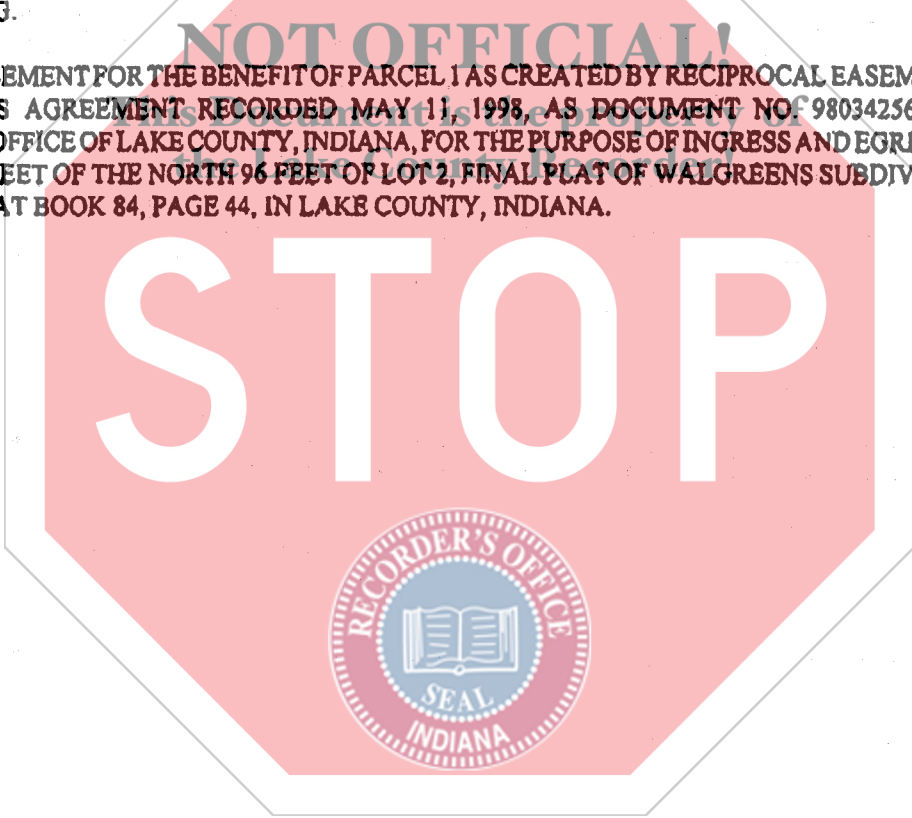
ALSO EXCEPTING THAT PART DEEDED TO JT HOBART, L.L.C, AN ILLINOIS LIMITED LIABILITY COMPANY, BY WARRANTY DEED RECORDED MAY 11, 1998, AS DOCUMENT NO. 98034255, BEING DESCRIBED AS FOLLOWS:

PART OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 36 NORTH, RANGE 7 WEST OF THE 2<sup>ND</sup> P.M. IN LAKE COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS

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FOLLOWS: BEGINNING AT A POINT 40 FEET SOUTH AND 35 FEET EAST OF THE NORTHWEST CORNER OF SAID SECTION 28; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST AND PARALLEL TO THE WEST LINE OF SAID SECTION 28, 290.00 FEET (MEASURED 290.12 FEET); THENCE SOUTH 88 DEGREES 28 MINUTES 40 SECONDS EAST (MEASURED SOUTH 88 DEGREES 26 MINUTES 07 SECONDS EAST) AND PARALLEL TO THE NORTH LINE OF SAID SECTION 28, 125.00 FEET (MEASURED 124.88 FEET); THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST (MEASURED SOUTH 00 DEGREES 11 MINUTES 14 SECONDS EAST), 50.00 FEET (MEASURED 49.81 FEET); THENCE SOUTH 88 DEGREES 28 MINUTES 40 SECONDS EAST (MEASURED SOUTH 88 DEGREES 29 MINUTES 36 SECONDS EAST), 192.10 FEET (MEASURED 192.01 FEET); THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, 60.05 FEET; THENCE SOUTH 88 DEGREES 27 MINUTES 10 SECONDS EAST, 83.72 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, 172.26 FEET; THENCE NORTH 69 DEGREES 21 MINUTES 18 SECONDS EAST 28.43 FEET; THENCE NORTH 01 DEGREES 31 MINUTES 35 SECONDS EAST, 96.81 FEET TO THE SOUTH LINE OF U.S. HIGHWAY NO. 6; THENCE NORTH 88 DEGREES 28 MINUTES 40 SECONDS WEST (MEASURED NORTH 88 DEGREES 29 MINUTES 36 SECONDS WEST) 429.96 FEET; TO THE POINT OF BEGINNING.

PARCEL 2: EASEMENT FOR THE BENEFIT OF PARCEL 1 AS CREATED BY RECIPROCAL EASEMENT AND RESTRICTIONS AGREEMENT, RECORDED MAY 11, 1998, AS DOCUMENT NO. 98034256, IN THE RECORDER'S OFFICE OF LAKE COUNTY, INDIANA, FOR THE PURPOSE OF INGRESS AND EGRESS OVER THE EAST 30 FEET OF THE NORTH 96 FEET OF LOT 2, FINAL PLAT OF WALGREENS SUBDIVISION, AS SHOWN IN PLAT BOOK 84, PAGE 44, IN LAKE COUNTY, INDIANA.



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## EXHIBIT "B"

- 1) General Real Estate Taxes for 1999 and subsequent years.
- 2) Rights of the public, the State of Indiana and/or the municipality, and others entitled thereto, in and to that part of the land taken or used for road purposes.
- 3) Rights of way for drainage tiles, ditches, feeders and laterals, if any.
- 4) Rights of the public, the State of Indiana and/or the municipality, and others entitled thereto, in and to that part of the land taken for or lying within U.S. Highway 6 along the North side of Parcel 1 of the land and lying within U.S. Highway 51 along the West side of Parcel 2 of the land.
- 5) Easement for gas purposes in favor of Northern Indiana Public Service Company dated October 10, 1959 and recorded November 19, 1959, in Miscellaneous record 761, page 274.
- 6) Easement for electrical purposes in favor of Northern Indiana Public Service Company dated October 10, 1959 and recorded November 19, 1959, in Miscellaneous Record 761, page 272.
- 7) Easement for electrical purposes in favor of Northern Indiana Public Service Company dated May 15, 1962 and recorded June 7, 1962, in Miscellaneous Record 835, page 492, as Document No. 408509.
- 8) Easement for Sanitary Sewer in favor of City of Hobart, Indiana, a municipal corporation dated November 20, 1963 and recorded March 16, 1965, in Miscellaneous Record 917, page 329, as Document No. 608893.
- 9) Easement for electrical purposes in favor of Northern Indiana Public Service Company dated June 28, 1968 and recorded July 6, 1968, in Miscellaneous Record 968, page 366, as Document No. 756400.
- 10) Easement for electrical and gas purposes in favor of Northern Indiana Public Service Company, recorded April 16, 1981, as Document No. 625172.
- 11) Easement for gas mains in favor of Northern Indiana Public Service Company recorded June 5, 1978, as Document No. 471787.
- 12) Easement for underground electrical lines and gas mains in favor of Northern Indiana Public Service Company recorded March 23, 1982, as Document No. 662955.
- 13) Easement for underground electrical lines in favor of Northern Indiana Public Service Company recorded October 12, 1984, as Document No. 775897.
- 14) Easement for ingress and egress in favor of Gainer Bank, as Trustee under a Trust Agreement dated October 24, 1977, known as Trust No. P-5180 dated May 20, 1985, and recorded May 31, 1985, as Document No. 805300.
- 15) Easement for ingress and egress in favor of Richard Hiller and James R. Brocksmith dated November 13, 1985 and recorded December 13, 1985, as Document No. 832890.

- 16) Lease by and between Weiss Corporation, Lessor(s), and Goodyear Tire and Rubber Company, Lessee(s), dated November 22, 1983 and recorded June 25, 1984, as Document No. 766146. The lease contains 3 options to renew for periods of 5 years each.
- 17) Rights of the public and the State of Indiana, in and to that part of the land taken for temporary rights of way by project ST-212-1(h), as recited in Right of Way Grant dated October 6, 1993 and recorded January 12, 1994, as Document No. 94003279.
- 18) Survey dated August 13, 1997, by Gary Ahlberg, Indiana Registered Land Surveyor, of Webster, McGrath & Ahlberg, Ltd., Job #36920, discloses an encroachment by the Brick and Stucco Building into Electrical and Gas Main Easement Document 662955 and Sanitary Sewer Easement 608893.
- 19) Easement for parking purposes in favor of Bethlehem Employees Federal Credit Union dated September 16, 1997 and recorded October 3, 1997, as Document No. 97067008.
- 20) Reciprocal Easement and Restrictions Agreement made by and between Cherokee Limited Partnership, an Illinois Limited Partnership, and JT Hobart, L.L.C., an Illinois Limited Liability Company dated April 8, 1998 and recorded May 11, 1998, as Document No. 98034256.
- 21) Legal Survey recorded June 22, 1999, in Survey Record 6, page 32, regarding U.S. Highway 6.
- 22) Rights of tenants under unrecorded leases.

