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DULY ENTERED FOR TAXATION SUBJECT TO
FINAL ACCEPTANCE FOR TRANSFER

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SPECIAL WARRANTY DEED

PETER BENJAMIN
LAKE COUNTY AUDITOR

THIS INDENTURE WITNESSETH, that the HAMMOND PORT AUTHORITY ("Grantor"), GRANTS and CONVEYS to the HAMMOND REDEVELOPMENT AUTHORITY ("Grantee"), for the sum of Ten Dollars (\$10.00) and other valuable consideration, the receipt of which is hereby acknowledged, certain real property located in the City of Hammond, Lake County, Indiana, commonly known as the Hammond Marina located at 701 Empress Drive, Hammond, Indiana, 46320, which real property is more particularly described on Exhibit A, attached hereto and incorporated herein by reference (the "Real Estate").

SUBJECT TO the lien of real estate taxes due and payable in November, 1999, and thereafter, to all general and special assessments and all other governmental, municipal and public dues, charges and impositions not delinquent, each of which Grantee assumes and agrees to pay, and to the following:

1. The Intergovernmental Lease Agreement and Grant of Easement between Grantor, as Landlord and the Hammond Redevelopment Commission, as Tenant, dated as of June 19, 1996, as amended; the Lease by and between the City of Hammond, Department of Redevelopment and Empress Casino Hammond Corporation dated of June 19, 1996; and a License Agreement by and between Grantor and Empress Casino Hammond Corporation dated as of June 21, 1996;
2. All easements, restrictions, agreements, covenants, encumbrances and other matters of record;
3. All rights of the public, the State of Indiana and any political subdivision of the State of Indiana (including without limitation, counties and municipalities) in and to that part of the Real Estate which has been taken or used for highways, streets, rights-of-way or related purposes;
4. All applicable zoning, building and land use, and other governmental restrictions, laws, ordinances, rules and regulations; and
5. All matters that would be disclosed by an accurate inspection or survey of the Real Estate.

Grantor, as its sole warranty herein, specially warrants to Grantee, its successors and assigns, that it will forever defend title to the Real Estate (subject to the matters to which this conveyance is hereinabove mate subject) against those claims, and only those claims, of all persons

Beckman & Kelly & Smith

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claiming title to or asserting claims affecting title to the Real Estate, or any part thereof, under, by, through or based upon the acts of, Grantor, but not otherwise.

The undersigned person executing this deed on behalf of Grantor has been duly authorized and fully empowered by all necessary actions of Grantor and has full power and authority to execute and deliver this deed on behalf of Grantor.

There is no Indiana Gross Income Tax due as a result of this Deed which has not been paid.

IN WITNESS WHEREOF, Grantor has executed this deed this 25th day of May, 1999.

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HAMMOND PORT AUTHORITY
This Document is the property of the Lake County Recorder!
By: *Thomas Kuhn*
Thomas Kuhn, Chairman

ATTEST

By: *Marc A. Zubeck*
Marc Zubeck, Secretary/Treasurer



STATE OF INDIANA)
) SS:
COUNTY OF LAKE)

Before me, a Notary Public in and for the State of Indiana, personally appeared Thomas Kuhn, Chairman of the Hammond Port Authority of the City of Hammond, Indiana, and Marc Zubeck, Secretary/Treasurer of the Hammond Port Authority, who, having been first duly sworn, acknowledged the execution of the foregoing Special Warranty Deed, and stated that any representations contained therein are true.

Witness my hand and Notarial Seal this 25th day of May, 1999

(SEAL)

NOT OFFICIAL
Notary Public
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the Lake County Recorder
J. B. SMITH
Printed

I am a resident of LAKE
County, Indiana.

My commission expires:
12-17-2006

Send tax statements to and Grantee's post office address is:

Hammond Redevelopment Authority
c/o Hammond City Controller
5925 Calumet Avenue
Hammond, Indiana 46320



This instrument was prepared by Thomas C. Froehle, Jr., Attorney-at-Law, Baker & Daniels, 300 North Meridian Street, Suite 2700, Indianapolis, Indiana 46204.

EXHIBIT A

Legal Description

PARCEL 1:

A parcel of land lying in the West one-half of Section 6, Township 37 North, Range 9 West of the Second Principal Meridian, Lake County, Indiana, described as commencing at the intersection of the West line of Section 6 and the Northerly line of the Baltimore and Ohio Railroad right-of-way; thence North 00 degrees 00 minutes 00 seconds East along the West section line 154.93 feet; thence South 40 degrees 12 minutes 11 seconds East 61.97 feet to an area in the concrete walk marking the point of beginning; thence continuing South 40 degrees 13 minutes 00 seconds East 90.97 feet to an iron rod; thence on a curve to the left 230.01 feet said curve having a radius of 2,814.93 feet, a central angle of 4 degrees 40 minutes 54 seconds and a chord that bears South 42 degrees 32 minutes 27 seconds East 229.94 feet to a point; thence North 36 degrees 10 minutes 42 seconds East 385.02 feet along the lakeside face of the sheet piling to a point on the present shoreline of Lake Michigan thence northwesterly along the present shoreline of Lake Michigan, 494 feet, plus or minus, to the easterly right-of-way line of Calumet Avenue; thence South 00 degrees 00 minutes 00 seconds West along said right-of-way line 281.19 feet to the point of beginning.

PARCEL 1A:

An "L" shaped parcel of land, lying in the West one-half of Section 6, Township 37 North, Range 9 West of the Second Principal Meridian, Lake County, Indiana, described as commencing at the intersection of the West line of Section 6 and the Northerly line of the Baltimore and Ohio Railroad right-of-way; thence North 00 degrees 00 minutes 00 seconds East along the West section line 154.93 feet; thence South 40 degrees 12 minutes 11 seconds East 61.97 feet to a cross in the concrete walk; thence continuing South 40 degrees 12 minutes 00 seconds East 90.97 feet to an iron rod; thence on a curve to the left 230.01 feet said curve having a radius of 2,814.93 feet a central angle of 4 degrees 40 minutes 54 seconds and a chord that bears South 42 degrees 32 minutes 27 seconds East, 229.94 feet to a point marking the point of beginning: Then along said curve to the left 40.45 feet, said curve having a central angle of 0 degrees 49 minutes 24 seconds and a chord that bears South 45 degrees 17 minutes 36 seconds East, 40.45 feet to a point; thence North 36 degrees 10 minutes 42 seconds East, 799.93 feet to a point; thence South 53 degrees 43 minutes 37 seconds East, 110.0 feet to a point; thence North 36 degrees 16 minutes 42 seconds East, 90.00 feet to a point on the present shoreline of Lake Michigan; thence along the lakeside face of the sheet piling North 53 degrees 43 minutes 37 seconds West 98.83 feet to a corner of the sheet piling; thence South 81 degrees 10 minutes 15 seconds West, 72.38 feet to a corner of the sheet piling; thence South 36 degrees 10 minutes 42 seconds West, 832.73 feet to the point of beginning.

PARCEL 2:

A parcel of land lying in the West one-half of Section 6, Township 37 North, Range 9 West of the Second Principal Meridian and the East one-half of Section 1, Township 37 North, Range 9 West of the Second Principal Meridian, Lake County, Indiana, described as commencing at the Intersection of the West line of Section 6 and Northerly line of the Baltimore and Ohio Railroad right-of-way; thence North 00 degrees 00 minutes 00 seconds East along the West section line 154.93 feet; thence South 40 degrees 12 minutes 00 seconds East 61.97 feet to a cross in the concrete walk marking the point of beginning; thence North 40 degrees 12 minutes 00 seconds West 1,295.68 feet to an iron pipe and the center line of Wolf River, as determined by Agreement dated December 3, 1903; thence North 21 degrees 59 minutes 41 seconds East along said centerline 209.30 feet to an iron pipe; thence North 41 degrees 35 minutes 03 seconds East along said centerline 15 feet more or less to the shoreline of Lake Michigan; thence Southeasterly along said shoreline 1,198 feet to the Easterly line of Calumet Avenue; thence South 00 degrees 00 minutes 00 seconds West along said Easterly line 281.19 feet to the point of beginning.

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PARCEL 3:

A strip of land lying in the West one-half of Section 6, Township 37 North, Range 9 West of the Second Principal Meridian, Lake County, Indiana, described as commencing at the Intersection of the West section line and the Northerly line of the Baltimore and Ohio Railroad right-of-way; thence North 0 degrees 00 minutes 00 seconds East along the West section line 92.96 feet to an iron pipe marking the point of beginning, said point being on a line 40 feet from the Northerly right-of-way line of the Elgin Joliet and Eastern Railroad; thence North 0 degrees 00 minutes 00 seconds East along the West section line 61.97 feet to an iron rod; thence South 40 degrees 12 minutes 00 seconds East along the Northerly right-of-way line of the Elgin Joliet and Eastern Railroad 152.94 feet to an iron rod; thence along said right-of-way line 663.25 feet on a curve to the left said curve having a radius of 2,815.93 feet and a central angle of 13 degrees 30 minutes to an iron rod; thence South 53 degrees 42 minutes 00 seconds East along said right-of-way line 178.65 feet to an iron rod; thence South 00 degrees 00 minutes 30 seconds West along said right-of-way line 42.18 feet to an iron rod; thence North 53 degrees 42 minutes 00 seconds West 254.31 feet to an iron rod; thence 621.51 feet along a curve to the right having a radius of 2,637.78 feet and a central angle of 13 degrees 30 minutes to an iron rod; thence North 40 degrees 12 minutes 00 seconds West 105.61 feet to the point of beginning.

PARCEL 4:

A strip of land 40 feet wide, lying in the East one-half of Section 1, Township 37 North, Range 10 West of the Second Principal Meridian, Lake County, Indiana, described as commencing at the intersection of the East section line and the Northerly line of the Baltimore and Ohio Railroad right-

of-way; thence North 0 degrees 00 minutes 00 seconds East along the East Section line 92.96 feet to an iron rod marking the point of beginning, said point being on a line 40 feet from the Northerly right-of-way line of the Elgin Joliet and Eastern Railroad; thence North 42 degrees 12 minutes 00 seconds West parallel with said Northerly right-of-way line 1,718.57 feet to an iron rod; thence North 49 degrees 18 minutes 00 seconds East 40.00 feet to an iron rod and said Northerly right-of-way line; thence South 00 degrees 12 minutes 00 seconds East along said Northerly right-of-way line 1,671.2 feet to an iron rod and the East line of said Section 1; thence South 00 degrees 00 minutes 00 seconds West 61.97 feet to the point of beginning.

