

STATE OF INDIANA)

COUNTY OF LAKE)

SS 2000 055216

THE SANITARY DISTRICT OF THE CITY OF HAMMOND, BOARD OF COMMISSIONERS,

Plaintiff,

vs.

GURACQ, INC.; ILLIANA TRANSIT WAREHOUSE CORPORATION c/o Amy J. Faure; INDIANA HARBOR BELT RAILWAY COMPANY c/o Charles H. Allen; INDIANA BELL TELEPHONE COMPANY, INCORPORATED c/o CT Corporation; NORTHERN INDIANA PUBLIC SERVICE COMPANY; H. CHEMICAL, also know as H.T. CHEMICAL, Lessee under the terms of an unrecorded Lease dated June 20, 1984; All unknown persons or entities doing business under the assumed or trade name of H. CHEMICAL or H.T. CHEMICAL; All unknown Heirs, Devisees, Legatees, Administrators, Executors, Personal Representatives, Surviving Joint Owners, Assigns, Grantees, Successors in Interest, husband or wife, widower or widow of any person or persons doing business under the assumed or trade name of H. CHEMICAL or H.T. CHEMICAL; ALL unknown Successors in Interest, Assigns and Grantees of the entity known as H. CHEMICAL OR H.T. Chemical; ANY and all persons who might have some possible interest in the entity known as H. CHEMICAL or H.T. CHEMICAL; JAMES E. ROGERS, JR., District Director, Internal Revenue Service; ACTING CHIEF Special Procedures Branch, Internal Revenue Service; JANET RENO, Attorney General, United States Department of Justice; DAVID CAPP United States Attorney, Northern District of Indiana; STATE OF INDIANA, Department of Revenue, Collection Division; PEGGY HOLINGA-KATONA, Treasurer of Lake County, Indiana; PETER BENJAMIN, Auditor of Lake County, Indiana; BEARING & DRIVE SYSTEMS, INC.,)

STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD
IN THE LAKE CIRCUIT COURT
CROWN POINT, INDIANA
2000 AUG 13 PM 2

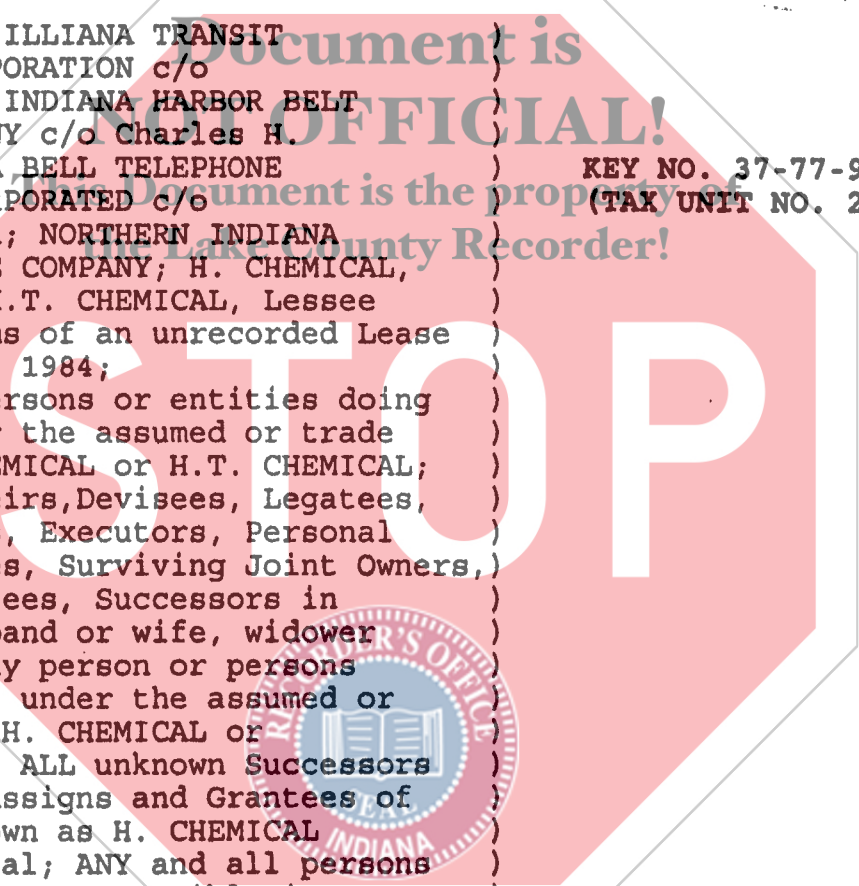
Filed in Open Court

MORRIS W. RECORDED

JUN 23 2000

Anna N. Anton
CLERK LAKE CIRCUIT COURT

CAUSE NO: 45 C) 1 9908 CE 02034



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BILLBOARDS, INC.; ALL unknown tenants)
in possession under Leasehold Estates)
in real estate described herein; ALL)
unknown heirs, devisees, legatees,)
Administrators, Executors, Personal)
Representatives, Surviving Joint)
Owners, Assigns, Grantees, Successors)
in Interest, husband or wife, widower)
or widow of any tenants in possession,)
or of any tenants having any right or)
interest in the real estate)
described herein; ALL persons,)
corporations, partnerships, or other)
entities in possession of the real)
estate described herein,)

Defendants.)

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ORDER AND JUDGMENT QUIETING TITLE

Comes now THE SANITARY DISTRICT OF THE CITY OF HAMMOND, BOARD OF SANITARY COMMISSIONERS, by its attorney, G. Edward McHie, and shows the Court as follows:

1. That on motion of the Plaintiff, the following named defendants have been dismissed from this cause of action by Orders of this Court:

Billboards, Inc.
Peter Benjamin, Auditor of Lake County
Indiana Bell Telephone Company
Northern Indiana Public Service Company
Indiana Harbor Belt Railway Company

2. That defendant, Peggy Holinga-Katona, Treasurer of Lake County has filed herein a Stipulation for the entry of an agreed judgment quieting title against said defendant.

3. That service of summons was made upon the following named defendants by certified mail, return receipt requested, on August 17, 1999,

Guracq, Inc.
Bearing & Drive Systems, Inc.
Illiana Transit Warehouse Corporation

Acting Chief, Special Procedures Branch, Internal Revenue Service
James E. Rogers, Jr., District Director, Internal Revenue Service
Janet Reno, Attorney General, U.S. Department of Justice
Dave Capp, U.S. Attorney,
Peggy Holina-Katona, Treasurer of Lake County, Indiana
which summonses and the returns thereon are in the following words and
figures, to-wit: (H.I.);

4. Comes further the plaintiff, by counsel, and shows the Court that
the following named defendants could not be found within the State and
that their whereabouts are unknown and that personal service upon them
was not able to be effectuated:

H. CHEMICAL, also know as H.T. CHEMICAL, Lessee under the terms of
an unrecorded Lease dated June 20, 1984; All unknown persons or
entities doing business under the assumed or trade name of H.
CHEMICAL or H.T. CHEMICAL; All unknown Heirs, Devisees, Legatees,
Administrators, Executors, Personal Representatives, Surviving Joint
Owners, Assigns, Grantees, Successors in Interest, husband or wife,
widower or widow of any person or persons doing business under the
assumed or trade name of H. CHEMICAL or H.T. CHEMICAL; ALL unknown
Successors in Interest, Assigns and Grantees of the entity known as
H. CHEMICAL or H.T. Chemical; ANY and all persons who might have
some possible interest in the entity known as H. CHEMICAL or H.T.
CHEMICAL; ALL unknown heirs, devisees, legatees, Administrators,
Executors, Personal Representatives, Surviving Joint Owners,
Assigns, Grantees, Successors in Interest, husband or wife, widower
or widow of any tenants in possession, or of any tenants having any
right or interest in the real estate described herein; ALL persons,
corporations, partnerships, or other entities in possession of the
real estate described herein,

comes further the Plaintiff and shows the Court that said defendants were
duly served with summons by publication appearing in the Crown Point Star
on August 26, 1999, September 2, 1999 and on September 9, 1999, which
service by publication and the Publisher's Affidavit of such publication
are in the following words and figures, to-wit: (H.I.)

5. Comes further the Plaintiff and shows the Court that all
defendants, except Peggy Holinga-Katona, Treasurer of Lake County, have
failed to appear o;r otherwise plead herein and that more than thirty

(30) days have passed since the date of the last publication against the defendants named in Paragraph 4 above. Defendant Peggy Holinga, Katona, Treasurer of Lake County has consented to the entry of this judgment.

Upon motion of the Plaintiff, all defendants, except Peggy Holinga-Katona, are duly called in open court three times and having failed to answer, upon motion of the Plaintiff, said Defendants and all of them are hereby wholly and totally defaulted.

And this cause being now at issue, is submitted to the Court for hearing and trial without the intervention of a jury and the Court having heard the evidence and being duly advised in the premises, NOW FINDS AND ORDERS AS FOLLOWS:

1. That the Plaintiff is the owner in fee simple of the following described real estate, located in Lake County, Indiana, to-wit:

26-37-0077-0009

Pt. NW. NW. S.31 T.37 R.9

7.5725 A.

Subj. to easement

more particularly described as follows:

Key No. 37-77-9 (Tax Unit No. 26)

THE WEST 480 FEET OF GOVERNMENT LOT 4, IN THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 37 NORTH, RANGE 9 WEST OF THE 2ND P.M., LYING SOUTH OF THE RIGHT OF WAY OF THE EAST CHICAGO BELT RAILROAD COMPANY (NOW KNOWN AS THE CHICAGO JUNCTION RAILROAD COMPANY), EXCEPTING, HOWEVER, THE WEST 30 FEET OF SAID WEST 480 FEET, NOW A PART OF CALUMET AVENUE, IN THE CITY OF HAMMOND, IN LAKE COUNTY, INDIANA; THE EAST LINE OF SAID WEST 480 FEET BEING PARALLEL WITH AND 480 FEET EAST OF THE WEST LINE OF SAID GOVERNMENT LOT 4, AND THE EAST LINE OF SAID WEST 30 FOOT BEING PARALLEL WITH AND 30 FEET EAST OF THE WEST LINE OF SAID GOVERNMENT LOT 4; SAID RIGHT OF WAY BEING A STRIP OF LAND 100 FEET WIDE RUNNING ACROSS SAID GOVERNMENT LOT 4 AND LYING 50 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTER LINE: BEGINNING AT A POINT ON THE EAST LINE OF SAID LOT, 1297 FEET SOUTH OF THE NORTH LINE OF SAID SECTION, AND RUNNING IN A NORTHWESTERLY DIRECTION

ON A 6 DEGREE CURVE TO THE RIGHT (RADIUS 955.4 FEET) WHICH IS TANGENT AT THE ABOVE DESCRIBED POINT TO A LINE WHOSE MAGNETIC COURSE IS NORTH 82 DEGREES 30 MINUTES WEST FOR A DISTANCE OF 513.5 FEET TO A POINT; THENCE IN A STRAIGHT LINE WHOSE MAGNETIC COURSE IS NORTH 51 DEGREES 34 MINUTES WEST, AND WHICH IS TANGENT TO THE ABOVE DESCRIBED 6 DEGREE CURVE AT THE LAST DESCRIBED POINT FOR A DISTANCE OF 524.7 FEET TO A POINT, THENCE ON A 6 DEGREE CURVE TO THE LEFT (RADIUS 955.4 FEET) AND WHICH IS ALSO TANGENT TO THE ABOVE DESCRIBED STRAIGHT LINE, WHOSE MAGNETIC COURSE IS NORTH 51 DEGREES 34 MINUTES WEST FOR A DISTANCE OF 278 FEET TO A POINT ON THE WEST LINE OF SAID SECTION, WHICH POINT IS 548.3 FEET SOUTH FROM THE NORTHWEST CORNER OF SAID SECTION 31, AS SAID RIGHT OF WAY IS DESCRIBED IN THE INSTRUMENT OF APPROPRIATION FILED MARCH 9, 1892 AND RECORDED IN ORDER BOOK 3, PAGE 367 TO 371, LAKE CIRCUIT COURT, LAKE COUNTY, INDIANA; AND INCLUDING ALSO IN SUCH RIGHT OF WAY A STRIP OF LAND 66 FEET WIDE ACROSS SAID GOVERNMENT LOT 4, THE NORTHERLY LINE OF SAID LAST STRIP BEING PARALLEL WITH AND 50 FEET SOUTHERLY FROM THE CENTER LINE OF SAID 100 FOOT STRIP OF LAND FIRST DESCRIBED ABOVE, ACCORDING TO INSTRUMENT OF APPROPRIATION FILED IN THE EAST CHICAGO BELT RAILROAD COMPANY VS JOHN M. AYER AND OTHERS, IN THE LAKE CIRCUIT COURT OF LAKE COUNTY, INDIANA, WHEREIN AN ORDER OF AWARD IS ENTERED AND RECORDED IN SAID COURT IN ORDER BOOK 7, PAGE 421 TO 429, ALL IN THE CITY OF HAMMOND, LAKE COUNTY, INDIANA.

The street and county address for the above real property is:
5009 Calumet Avenue, Hammond, Lake County, Indiana 46327

2. That the Plaintiff acquired title to said real estate pursuant to an order of this Court ordering the Auditor of Lake County, Indiana to issue a Tax Deed to Plaintiff, which Order was entered in Cause No. 45-CO1-9509-MI-01606; that the Auditor of Lake County, Indiana did execute and deliver a tax deed dated January 26, 1998 conveying said real estate to Plaintiff, and said tax deed was duly recorded on February 12, 1998 as Document No. 98010337.

3. That the defendant Guracq, Inc., a Delaware corporation, claims an interest in the aforesaid real estate by virtue of being owner of record of said real estate.

4. That the defendant Illiana Transit Warehouse Corporation, an Illinois corporation, claims an interest in the aforesaid real estate by virtue of a mortgage dated August 26, 1988 and recorded August 31, 1988

as Document No. 995211 made by Guracq, Inc. to secure one note for \$625,000.00.

5. That H. Chemical, also known as H.T. Chemical, claims an interest in the aforesaid real estate by virtue of an unrecorded lease dated June 20, 1984 as evidenced on the plat of survey dated September 16, 1985 and resurveyed December 22, 1987 and revised June 23, 1988, made by Rowland A. Fabian, registered land surveyor.

6. That the defendant, Peggy Holinga-Katona, Treasurer of Lake County, Indiana claims an interest in the aforesaid real estate by virtue of a personal property tax judgment against Guracq, Inc. in the amount of \$1,074.21, plus penalty, interest and charges entered in Hammond Judgment Docket 7, page 82 on December 23, 1992.

7. That the defendant Bearing & Drive Systems, Inc. claims an interest in the aforesaid real estate by virtue of being in possession thereof and operating a business thereon.

8. That the interests of all of the Defendants are unfounded and without right and a cloud upon the title of Plaintiff to said real estate in that all of said interests in and to said real estate were extinguished by the aforesaid Tax Deed received by Plaintiff pursuant to the aforesaid Order of the Lake Circuit Court.

9. That the Plaintiff has a superior, exclusive, full and complete title to said real estate as against each of said defendants.

10. That the Plaintiff has fee simple title in and to the aforescribed real state which is superior and exclusive to any interest claimed by any of the Defendants herein.

11. That the Plaintiff is entitled to have the title to the

aforescribed real estate quieted against the claims of all of the Defendants herein as a result of the aforescribed Order for a Tax Deed to Plaintiff, and that the defendants should be enjoined from ever asserting any right, title, or interest in the above described real estate and from, in any manner, interfering with the Plaintiff in its possession and enjoyment of the said real estate.

12. That the Plaintiff, The Sanitary District of the City of Hammond, Board of Sanitary Commissioners is the owner in fee simple and is entitled to the quiet and peaceful possession of the aforescribed real estate and that the asserted interests of any and all of the Defendants herein is without any right whatsoever and said Defendants do not have any right, title, lien or interest in and to said real estate or any part thereof in any manner.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED BY THE COURT that Judgment is hereby entered in favor of the Plaintiff, The Sanitary District of the City of Hammond, Board of Sanitary Commissioners, and against the Defendants

Guracq, Inc.
Bearing & Drive Systems, Inc.
Illiana Transit Warehouse Corporation
Acting Chief, Special Procedures Branch, Internal Revenue Service
James E. Rogers, Jr., District Director, Internal Revenue Service
Janet Reno, Attorney General, U.S. Department of Justice
Dave Capp, U.S. Attorney,
Peggy Holinga-Katona, Treasurer of Lake County, Indiana

H. CHEMICAL, also known as H.T. CHEMICAL, Lessee under the terms of an unrecorded Lease dated June 20, 1984; All unknown persons or entities doing business under the assumed or trade name of H. CHEMICAL or H.T. CHEMICAL; All unknown Heirs, Devisees, Legatees, Administrators, Executors, Personal Representatives, Surviving Joint Owners, Assigns, Grantees, Successors in Interest, husband or wife, widower or widow of any person or persons doing business under the assumed or trade name of H. CHEMICAL or H.T. CHEMICAL; All unknown Successors in Interest, Assigns and Grantees of the entity known as H. CHEMICAL or H.T. CHEMICAL; ANY and all persons who might have some possible interest in the entity known as

H. CHEMICAL or H.T. CHEMICAL; ALL unknown heirs, devisees, legatees, Administrators, Executors, Personal Representative, Surviving Joint Owners, Assigns, Grantees, Successors in Interest, husband or wife, widower or widow of any tenants in possession, or of any tenants having any right or interest in the real estate described herein; ALL persons, corporations, partnerships, or other entities in possession of the real estate described herein.

quieting title in said Plaintiff to the following described real estate, to-wit:

26-37-0077-0009
Pt. NW. NW. S.31 T.37 R.9
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more particularly described as follows:

Key No. 37-77-9 (Tax Unit No. 26)

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THE CITY OF HAMMOND, LAKE COUNTY, INDIANA.

Commonly known as: 5009 Calumet Avenue, Hammond, Lake County, Indiana 46327.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED BY THE COURT that the Plaintiff is the owner in fee simple and is entitled to the quiet and peaceful possession of the aforescribed real estate and that the Defendants are without any right whatsoever to said real estate or any interest therein, and said Defendants have no estate, right, title, lien, judgment or interest in and to said real estate or any part thereof.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED BY THE COURT, that the fee simple title of the Plaintiff, The City of Hammond Sanitary District, Board of Sanitary Commissioners is quieted against any interest of the Defendants

Guracq, Inc.
Bearing & Drive Systems, Inc.
Illiana Transit Warehouse Corporation
Acting Chief, Special Procedures Branch, Internal Revenue Service
James E. Rogers, Jr., District Director, Internal Revenue Service
Janet Reno, Attorney General, U.S. Department of Justice
Dave Capp, U.S. Attorney,
Peggy Holinga-Katona, Treasurer of Lake County, Indiana


H. CHEMICAL, also know as H.T. CHEMICAL, Lessee under the terms of an unrecorded Lease dated June 20, 1984; All unknown persons or entities doing business under the assumed or trade name of H. CHEMICAL or H.T. CHEMICAL; All unknown Heirs, Devisees, Legatees, Administrators, Executors, Personal Representatives, Surviving Joint Owners, Assigns, Grantees, Successors in Interest, husband or wife, widower or widow of any person or persons doing business under the assumed or trade name of H. CHEMICAL or H.T. CHEMICAL; ALL unknown Successors in Interest, Assigns and Grantees of the entity known as H. CHEMICAL or H.T. Chemical; ANY and all persons who might have some possible interest in the entity known as H. CHEMICAL or H.T. CHEMICAL; ALL unknown heirs, devisees, legatees, Administrators, Executors, Personal Representatives, Surviving Joint Owners, Assigns, Grantees, Successors in Interest, husband or wife, widower or widow of any tenants in possession, or of any tenants having any

right or interest in the real estate described herein; ALL persons, corporations, partnerships, or other entities in possession of the real estate described herein,

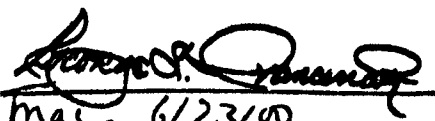
and as against all persons claiming through them and as against all the world, and that each and every defendant and all of the rest of the world are hereby forever enjoined from asserting any right, title, or interest in the above described real estate and from, in any manner, interfering with the Plaintiff's possession and enjoyment thereof

IT IS FURTHER ORDERED, ADJUDGED AND DECREED BY THE COURT, that in accord with the stipulation filed herein by Plaintiff and defendant, Peggy Holinga-Katona, Treasurer of Lake County, Indiana that the Plaintiff owns in fee simple and is entitled to quiet and peaceful possession of the aforescribed real estate as against defendant Peggy Holing-Katona, Treasurer of Lake County, Indiana and that said defendant and all persons or entities claiming under her have no estate, right, title, lien or other interest in or to the aforescribed real estate, or any part thereof by virtue of that certain personal property tax judgment in the amount of \$317.90 against John Haluska entered in Hammond Judgment Docket 7, page 28 on January 23, 1991, and said defendant and all persons or entities claiming under her are permanently enjoined from asserting any adverse claim to Plaintiff's title to the aforescribed real estate.

ALL OF WHICH IS ORDERED, ADJUDGED AND DECREED this 23 day of June, 2000.



JUDGE, LAKE CIRCUIT COURT



Mag. 6/23/00

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CERTIFICATION OF CLERK

As legal custodian I hereby certify that the above and foregoing is a true and complete copy of the original on file with this office in the cause stated thereon.

Witness my hand and the seal of the court this
3rd day of May 2011

[Signature]
Clerk of the Lake Circuit and Superior Courts

By: [Signature]
Deputy Clerk