

2002 012289

2002 FEB 4 10:48

**Spécial Warranty Deed**

C620012429 pnel

Chicago Title Insurance Company

This indenture witnesseth, that Peachtree Properties, LLC, an Indiana limited liability company (Grantor), of c/o Steven Carter Mileusnich, 8250 Utah Street, Merrillville, Indiana 46410, County of Lake, in the State of Indiana, conveys to Horizon Development of Indiana, Inc., an Indiana corporation (Grantee), of 8762 Louisiana, Suite D, Merrillville, Indiana, for the sum of Ten and No/100 Dollars (\$10.00) and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the following described real estate in Lake County, State of Indiana:

See attached Exhibit A

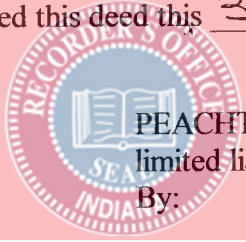
To have and to hold the Real Estate to Grantee and Grantee's successors and assigns forever. Grantor covenants and warrants that said Real Estate is free of any encumbrance made or suffered by said Grantor (except any set forth above), and that Grantor and Grantor's successors shall warrant and defend the same to said Grantee and said Grantee's successors and assigns forever, against the lawful claims and demands of all persons claiming by, through, or under the said Grantor, but against none other.

Subject to: acts done or suffered by Grantee and Permitted Exceptions as shown in Exhibit B.

Tax bills should be sent to Grantee at such address unless otherwise indicated below.

Grantor certifies under oath that no Indiana Gross Income Tax is due or payable with respect to the transfer made by this deed.

In witness whereof, Grantor has executed this deed this 30th day of January, 2002. FEB 4 2002



PEACHTREE PARTNERS, LLC, an Indiana limited liability company  
By: Terra Development, Inc., an Indiana corporation, Manager

By: [Signature]  
Steven C. Mileusnich, Vice President

27-  
[Handwritten initials]

State of Indiana  
County of Lake

**Acknowledgment**

Before me, a Notary Public in and for said County and State, personally appeared Steven C. Mileusnich who acknowledged the execution of the foregoing Special Warranty Deed, and who, having been duly sworn, stated that any representations therein contained are true and acknowledged to me that he executed the same in his authorized capacity as Vice President of Terra Development, Inc., the Manager of Peachtree Partners, LLC and that he signed and delivered the said instrument as his own free and voluntary act and as the free and voluntary act of said corporation and limited liability company.

Witness my hand and Notarial Seal this 20<sup>th</sup> day of January, 2002

My commission expires:  
11-30-09

Signature: *Cynthia E. Colvin*  
Printed Cynthia E. Colvin, Notary Public  
Resident of Porter County, Indiana.

This instrument prepared by Jeffrey P. Gray, Wildman, Harrold, Allen & Dixon, 225 West Wacker Drive, Chicago, Illinois 60606-1229.

Return deed to Mark S. Lucas, Lucas, Holcomb & Madrea, 300 East 90<sup>th</sup>, Merrillville, Indiana 46410.

Send tax bills to: 8762 Louisiana Suite 101  
Merrillville IN 46410



## EXHIBIT A

### LEGAL DESCRIPTION FOR FIRST CLOSING

LEGAL DESCRIPTION: (DEED OF RECORD)

PARCEL 1: THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 35 NORTH, RANGE 8 WEST OF THE 2ND P.M., IN LAKE COUNTY, INDIANA, EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCELS TO-WIT:

(A) BEGINNING AT THE NORTHWEST CORNER OF SAID HALF QUARTER SECTION, RUNNING THENCE SOUTH 10 RODS; THENCE EAST 23 RODS; THENCE NORTH 10 RODS; THENCE WEST 23 RODS TO THE PLACE OF BEGINNING, AND

(B) BEGINNING AT A POINT ON THE NORTH LINE OF SAID SOUTHEAST QUARTER LYING 379.50 FEET EAST OF THE NORTHWEST CORNER OF SAID EAST HALF; THENCE EAST ALONG SAID NORTH LINE, 350.00 FEET; THENCE SOUTH 00 DEGREES 24 MINUTES 04 SECONDS EAST AND PARALLEL WITH THE EAST LINE OF SAID SOUTHEAST QUARTER, 465.00 FEET; THENCE WEST AND PARALLEL WITH SAID NORTH LINE, 408.22 FEET; THENCE NORTH 00 DEGREES 14 MINUTES 58 SECONDS WEST AND PARALLEL WITH SAID WEST LINE, 300.00 FEET; THENCE EAST 55.00 FEET; THENCE NORTH 00 DEGREES 14 MINUTES 58 SECONDS WEST, 185.00 FEET TO THE PLACE OF BEGINNING, AND

(C) COMMENCE AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 17, THENCE WEST ALONG THE NORTH LINE THEREOF, 35.00 FEET; THENCE SOUTH 00 DEGREES 24 MINUTES 04 SECONDS EAST, 465.06 FEET; THENCE SOUTH 04 DEGREES 52 MINUTES 36 SECONDS EAST, 60.23 FEET TO THE PLACE OF BEGINNING; THENCE SOUTH 00 DEGREES 24 MINUTES 04 SECONDS EAST, 675.15 FEET; THENCE SOUTHERLY ALONG A CIRCULAR CURVE WHICH IS CONVEX TO THE EAST WHOSE RADIUS EQUALS 2518.997 FEET, TANGENT EQUALS 101.15 FEET, DEFLECTION ANGLE EQUALS 04 DEGREES 35 MINUTES 56 SECONDS, A DISTANCE OF 202.19 FEET ALONG SAID CURVE; THENCE SOUTH 85 DEGREES 48 MINUTES 08 SECONDS EAST, 38.09 FEET TO THE EAST LINE OF SAID SECTION 17; THENCE SOUTH 00 DEGREES 24 MINUTES 04 SECONDS EAST ALONG SAID EAST LINE, 1063.10 FEET; THENCE SOUTH 89 DEGREES 35 MINUTES 56 SECONDS WEST, 155.00 FEET; THENCE NORTH 00 DEGREES 24 MINUTES 04 SECONDS WEST, 1944.15 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, 125.00 FEET TO THE PLACE OF BEGINNING, AND

(D) BEGINNING AT THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER; THENCE SOUTH 00 DEGREES 24 MINUTES 04 SECONDS WEST ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER, 1409.59 FEET; THENCE NORTH 85 DEGREES 48 MINUTES 08 SECONDS WEST, 38.09 FEET; THENCE NORTHERLY ALONG A CIRCULAR CURVE WHICH IS CONVEX TO THE EAST WHOSE RADIUS EQUALS 2518.997 FEET, TANGENT EQUALS 101.15 FEET, DEFLECTION ANGLE EQUALS 04 DEGREES 35 MINUTES 56 SECONDS, A DISTANCE OF 202.19 FEET ALONG SAID CURVE; THENCE NORTH 00 DEGREES 24 MINUTES 04 SECONDS WEST, 675.15 FEET; THENCE NORTH 04 DEGREES 52 MINUTES 36 SECONDS WEST, 60.23 FEET; THENCE NORTH 00 DEGREES 24 MINUTES 04 SECONDS WEST, 465.06 FEET TO THE NORTH LINE OF SAID SOUTHEAST QUARTER; THENCE EAST ALONG SAID NORTH LINE, 35.00 FEET TO THE PLACE OF BEGINNING.

(E) A PARCEL OF LAND LYING IN THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 35 NORTH, RANGE 8 WEST OF THE 2ND P.M., IN THE TOWN OF MERRILLVILLE, LAKE COUNTY, INDIANA, WEST OF AND ADJACENT TO SAVANNAH RIDGE UNIT 1, AS SAME APPEARS OF RECORD IN THE OFFICE OF THE RECORDER OF LAKE COUNTY, INDIANA, DESCRIBED AS BEGINNING AT THE NORTHWEST CORNER OF SAID UNIT 1; THENCE SOUTH 00 DEGREES 24 MINUTES 04 SECONDS EAST, ALONG THE WEST LINE OF SAID WEST LINE OF SAID UNIT 1 (WEST LINE OF GRANT STREET), 465.00 FEET; THENCE CONTINUING ALONG SAID WEST LINE, SOUTH 04 DEGREES 52 MINUTES 36 SECONDS EAST, 60.23 FEET; THENCE WEST, PARALLEL WITH THE NORTH 00 DEGREES 24 MINUTES 04 SECONDS WEST, PARALLEL WITH THE WEST LINE OF SAID SOUTHEAST QUARTER, 125.00 FEET; THENCE NORTH 00 DEGREES 24 MINUTES 04 SECONDS WEST, PARALLEL WITH THE WEST LINE OF SAID UNIT 1, 80.01 FEET; THENCE EAST, 20.00 FEET; THENCE NORTH 00 DEGREES 24 MINUTES 04 SECONDS WEST, 465.06 FEET TO THE NORTH LINE OF SAID SOUTHEAST QUARTER; THENCE EAST, 100.00 FEET TO THE POINT OF BEGINNING, (COMMONLY KNOWN AS LOTS #1, #11, 180 AND VARIOUS RIGHT-OF-WAYS IN SAVANNAH RIDGE ADDITION TO MERRILLVILLE, UNRECORDED).

EXHIBIT A

LEGAL DESCRIPTION FOR FIRST CLOSING

(F) PART OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 35 NORTH, RANGE 8 WEST OF THE 2ND P.M., LAKE COUNTY, INDIANA, DESCRIBED AS COMMENCING AT THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER: THENCE SOUTH 00 DEGREES 24 MINUTES 04 SECONDS EAST, ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER, 1200.00 FEET: THENCE SOUTH 89 DEGREES 35 MINUTES 58 SECONDS WEST, 155.00 FEET: THENCE SOUTH 00 DEGREES 24 MINUTES 04 SECONDS EAST, AND PARALLEL WITH SAID EAST LINE, 661.00 FEET TO THE POINT OF BEGINNING: THENCE CONTINUING SOUTH 00 DEGREES 24 MINUTES 04 SECONDS EAST, 595.00 FEET: THENCE NORTH 89 DEGREES 33 MINUTES 14 SECONDS WEST, 125.00 FEET: THENCE NORTH 88 DEGREES 33 MINUTES 14 SECONDS WEST, 125.00 FEET: THENCE NORTH 00 DEGREES 24 MINUTES 04 SECONDS WEST, 125.00 FEET: THENCE SOUTH 89 DEGREES 33 MINUTES 14 SECONDS EAST, 1.51 FEET: THENCE NORTH 00 DEGREES 24 MINUTES 04 SECONDS WEST, 125.00 FEET: THENCE SOUTH 89 DEGREES 33 MINUTES 14 SECONDS EAST, 95.44 FEET: THENCE NORTHERLY ALONG A CIRCULAR, WHICH IS CONVEX TO THE WEST WHOSE RADIUS = 2415.15 FEET, TANGENT = 30.15 FEET, DEFLECTION ANGLE = 01 DEGREES 25 MINUTES 50 SECONDS, A DISTANCE OF 60.30 FEET ALONG SAID CURVE: THENCE NORTH 89 DEGREES 33 MINUTES 14 SECONDS WEST, 134.14 FEET: THENCE NORTH 10 DEGREES 48 MINUTES 40 SECONDS EAST, 279.32 FEET: THENCE NORTHEASTERLY ALONG A CIRCULAR CURVE WHICH IS CONVEX TO THE SOUTHEAST WHOSE RADIUS = 60.00 FEET, TANGENT = 15.88 FEET, DEFLECTION ANGLE = 20 DEGREES 39 MINUTES 22 SECONDS A DISTANCE OF 31.06 FEET ALONG SAID CURVE: THENCE SOUTH 82 DEGREES 23 MINUTES 45 SECONDS EAST, 74.94 FEET TO THE POINT OF BEGINNING.

(G) PART OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 35 NORTH, RANGE 8 WEST OF THE 2ND P.M., LAKE COUNTY, INDIANA, DESCRIBED AS COMMENCING AT THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER: THENCE SOUTH 00 DEGREES 24 MINUTES 04 SECONDS EAST, ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER, 1200.00 FEET: THENCE SOUTH 89 DEGREES 35 MINUTES 58 SECONDS WEST, 155.00 FEET TO THE POINT OF BEGINNING: THENCE SOUTH 00 DEGREES 24 MINUTES 04 SECONDS EAST AND PARALLEL WITH SAID EAST LINE, 600.40 FEET: THENCE NORTH 82 DEGREES 23 MINUTES 45 SECONDS WEST, 61.31 FEET: THENCE NORTHWESTERLY ALONG A CIRCULAR CURVE WHICH IS CONVEX TO THE NORTHEAST WHOSE RADIUS = 60.00 FEET, TANGENT = 12.34 FEET, DEFLECTION ANGLE = 23 DEGREES 14 MINUTES 32 SECONDS A DISTANCE OF 24.34 FEET ALONG SAID CURVE: THENCE NORTH 10 DEGREES 48 MINUTES 40 SECONDS EAST, 311.51 FEET: THENCE NORTH 02 DEGREES 30 MINUTES 24 SECONDS EAST, 266.52 FEET TO THE POINT OF BEGINNING.

(H) PART OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 35 NORTH, RANGE 8 WEST OF THE 2ND P.M., IN LAKE COUNTY, INDIANA, DESCRIBED AS COMMENCING AT THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER: THENCE SOUTH 00 DEGREES 24 MINUTES 04 SECONDS EAST, ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER, 2472.89 FEET TO THE POINT OF BEGINNING: THENCE CONTINUING SOUTH 00 DEGREES 24 MINUTES 04 SECONDS EAST ALONG SAID EAST LINE 170.87 FEET TO THE SOUTH LINE OF SAID SECTION 17, THENCE NORTH 89 DEGREES 33 MINUTES 14 SECONDS WEST ALONG SAID SOUTH LINE, 289.02 FEET: THENCE NORTH 00 DEGREES 24 MINUTES 04 SECONDS WEST, 189.07 FEET: THENCE SOUTH 89 DEGREES 33 MINUTES 14 SECONDS EAST, 125.00 FEET: THENCE SOUTH 00 DEGREES 23 MINUTES 54 SECONDS EAST 18.69 FEET: THENCE NORTH 89 DEGREES 35 MINUTES 56 SECONDS EAST 135.60 FEET TO THE POINT OF BEGINNING.

Exhibit B

1. General taxes for the year 2001, payable in 2002, and successive years.
2. Rights of the public, the State of Indiana and the municipality in or to that part of the real estate, if any, taken or used for public roads or highways
3. Public utility easements of record.
4. Applicable building codes and zoning ordinances.

