SEND TAX STATMENTS TO: Gary and Cheryl Pickering 5040-D Spinnaker Lane Crown Point, IN 46307

2002 04668

MORALD W. CARTER THIS INDENTURE WITNESSETH, that Bank One, N. A., under the Provisions of a Trust Agreement dated May 30, 1990 and known as Trust Number 358 in Lake County, in the State of Indiana, convey, releases and quitclaims to:

Gary Pickering and Cheryl Pickering, Husband and Wife

of <u>Lake</u> County, State of <u>Indiana</u>, for and in consideration of TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the following described real estate in <u>Lake</u> County, in the State of <u>Indiana</u>, to wit:

See attached

Subject to easements, liens, encumbrances and restrictions of record

HORTHWEST INDIANA TITLE SE 162 Westington 8th Lowell, Inch 219-696-0100

It is expressly understood and agreed by the parties hereto, anything herein to the contrary notwithstanding, that each and all of the covenants, undertakings, representations and agreements herein made are made and intended not as personal covenants, undertakings, representations and agreements of the Trustee, individually, or for the purpose of binding it personally, but this instrument is executed and delivered by Bank One, N. A. formerly known as NBD Bank, N. A., formerly known as Gainer Bank, N.A. Successor by Merger to Gary National Bank, Hoosier State Bank, The Commercial Bank, and Northern Indiana Bank and Trust, and INB National Bank, f/k/a INB National Bank Northwest, f/k/a Lowell National Bank, as Trustee, solely in the exercise of the powers conferred upon it as such Trustee under said agreement and no personal liability or personal responsibility is assumed by, nor shall at any time be asserted or enforced against the Bank One, N. A or it's Successive Interests on account hereof, or on account of any covenant, undertaking, representation, warranty or agreement herein contained, either expressed or implied, all such personal liability, if any, being hereby expressly waived and released by the parties hereto or holder hereof, and by all persons claiming by or through or under said parties or holder hereof.

It is further understood that the aforesaid Trustee has no right or power whatsoever to manage, control or operate the associated property in any way or to any extent and is not entitled at any time to share or receive for any purpose, directly or indirectly, the rents, issues, profits or proceeds of the property or any lease or sale or any disposition thereof.

> DULY ENTERED FOR TAXA THOM FINAL ACCEPTANTE O

> > **APR** 2 9 2002

It is also understood and agreed that said Trustee merely holds naked title to the property, and that nothing contained herein shall be construed as creating any liability on Bank One, N. A.., or it's Successive Interests, personally under the provisions of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), or the Indiana Responsible Property Transfer Law (the Act) as amended from time to time or any other Federal, State or local law, rule or regulation. Bank One, N. A., personally is not a "Transferor" under the Act and makes no representations concerning any possible environmental defects.

IN WITNESS WHEREOF, the said BANK ONE, N.A., as Trustee of aforesaid Trust has caused this Deed to be signed by its <u>First Vice President</u>, and attested by its <u>Assistant Vice President</u>, and its corporate seal to be hereunto affixed this <u>24th</u> day of <u>April</u>, <u>2002</u>.

BANK, ONE TRUST COMPANY, NA AS TRUSTEE Martin C. Terry First Vice President **Document** is ATTEST: ocument is the property of Alexander Koleff the Lake County Recorder! Assistant Vice President STATE OF Indiana __, COUNTY OF ___Lake Before me, a Notary Public, in and for said County and State, this day of County, 2002, personally appeared Martin C. Terry and Alexander Koleff of Bank One Trust Company, NA., who acknowledged the execution of the foregoing instrument as the free and voluntary act of said corporation, GIVEN under my hand and notarial seal this 24th OFFICIAL SEA PAULA TOTH My Commission Expires: NOTARY PUBLIC - INDIANA PORTER COUNTY County of Residence: My Comm. Expires Feb. 27, 2009

This instrument was prepared by Bank One Trust Company, NA, 8585 Broadway Suite 396, Merrillville, Indiana 46410

LEGAL DESCRIPTION

UNIT 5040-D IN BUILDING 5, LAKE HOLIDAY CONDOMINIUM, A HORIZONTAL PROPERTY REGIME, AS PER DECLARATION RECORDED SEPTEMBER 18, 1981, AS DOCUMENT NO. 644346 AND AS AMENDED BY FIRST AMENDMENT TO DECLARATION RECORDED SEPTEMBER 10, 1982 AS DOCUMENT NO. 677329 AND AS AMENDED BY SECOND AMENDMENT RECORDED FEBRUARY 27, 1989 AS DOCUMENT NO. 024499 AND AS AMENDED BY THIRD AMENDMENT RECORDED MAY 23, 1989 AS DOCUMENT NO. 038016 AND AS RE-RECORDED ON JUNE 1, 1989 AS DOCUMENT NO. 039603 AND AS AMENDED BY FOURTH AMENDMENT RECORDED SEPTEMBER 26, 1989 AS DOCUMENT NO. 059778 AND AS AMENDED BY FIFTH AMENDMENT TO DECLARATION RECORDED FEBRUARY 9, 1990 AS DOCUMENT NO. 083896 AND AS AMENDED BY SIXTH AMENDMENT DATED APRIL 13, 1990, AND RECORDED APRIL 20, 1990, AS DOCUMENT NO. 096200 AND AS AMENDED BY SEVENTH AMENDMENT DATED SEPTEMBER 26, 1990 AND RECORDED OCTOBER 1, 1990 AS DOCUMENT NO. 126504 AND AS AMENDED BY CERTIFICATE OF CORRECTION DATED OCTOBER 5, 1990 AND RECORDED OCTOBER 5, 1990 AS DOCUMENT NO. 127452 AND AS AMENDED BY EIGHTH AMENDMENT TO DECLARATION DATED MARCH 21, 1991, AND RECORDED MARCH 26, 1991, AS DOCUMENT NO. 91013792 IN THE RECORDER OF DEEDS OF LAKE COUNTY, INDIANA, TOGETHER WITH UNDIVIDED INTEREST IN THE COMMON AREAS APPERTAINING THERETO AND GARAGE NO. G-5.

