

APPLE VALLEY UTILITIES, INC
1650 E. 181st AVE.
HEBRON, IN 46341

SEND TAX STATEMENTS TO: ~~Apple Valley Utilities, Inc.
3313 N. Schultz Drive
Lansing, MI 48906~~

2003 069639

STATE OF INDIANA
LAKE COUNTY
PUBLIC RECORDS

2003 JUL 7 10 00 AM
APPLE VALLEY UTILITIES, INC
1650 E. 181st AVE.
HEBRON, IN 46341
RECORDER

THIS INDENTURE WITNESSETH, that Bank One, N. A., under the Provisions of a Trust Agreement dated November 19, 1990 and known as Trust Number 375 in Lake County, in the State of Indiana, convey, releases and quitclaims to:

Apple Valley Utilities, Inc.

of Lake County, State of Indiana, 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 Lake County, in the State of Indiana, to wit:

**Outlot "A" Tucson Townhomes, as shown in Plat Book 81,
Page 88, in Lake County, Indiana.**

Subject to easements, liens, encumbrances and restrictions of record

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 its 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.

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 its 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.

DULY ENTERED FOR TAXATION SUBJECT TO
FINAL ACCEPTANCE FOR TRANSFER

JUL 7 2003

STEPHEN R. STIGLICH
LAKE COUNTY AUDITOR

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17-
Q.C.
CK# 2297

IN WITNESS WHEREOF, the said BANK ONE, N.A., as Trustee of aforesaid Trust has caused this Deed to be signed by its Vice President, and attested by its Assistant Vice President, and its corporate seal to be hereunto affixed this 29th day of June, 2001.

BANK, ONE TRUST COMPANY, NA
AS TRUSTEE

BY: *David W. LeBar*
David W. LeBar
Vice President

ATTEST:

Alexander A. Koleff
Alexander A. Koleff
Assistant Vice President

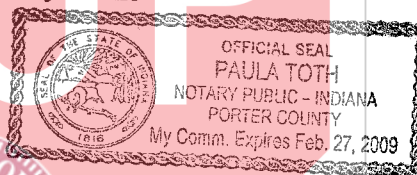
STATE OF Indiana, COUNTY OF Lake

Before me, a Notary Public, in and for said County and State, this, 29th day of June, 2001, personally appeared David W. LeBar 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 29th day of June, 2001..

Paula Toth
Notary Public

My Commission Expires: 2/27/2009
County of Residence: Porter



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

