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STATE OF INDIANA  
LAKE COUNTY  
FILED FOR RECORD

<sup>1</sup>Document Prepared By  
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Lisa Marchetti, Esq.  
Chapman and Cutler LLP  
111 West Monroe Street  
Chicago, Illinois 60603

NOTARIAL CERTIFIED  
PROFESSIONAL

SPACE ABOVE THIS LINE RESERVED FOR  
RECORDER'S USE ONLY

**FOR THE PROTECTION OF THE OWNER, THIS  
RELEASE SHALL BE FILED WITH THE  
RECORDER OR REGISTRAR OF TITLES IN  
WHOSE OFFICE THE CONSTRUCTION  
MORTGAGE AND SECURITY AGREEMENT  
WITH ASSIGNMENT OF RENTS WAS FILED.**



KNOW ALL MEN BY THESE PRESENTS, that HARRIS TRUST AND SAVINGS BANK, an Illinois banking corporation ("*Mortgagee*") in consideration of one dollar, and other good and valuable consideration, the receipt whereof is hereby acknowledged, does hereby release all the right, title, interest, claim, or demand whatsoever it may have acquired in, through or by a certain Construction Mortgage and Security Agreement with Assignment of Rents from V3 Lake Hills, L.L.C., a Delaware limited liability company to Mortgagee dated as of November 14, 2003 and recorded in the Office of the Recorder of Deeds of Lake County, Indiana, as document number 2003 124141 and recorded on November 24, 2003 (the "*Mortgage*") the premises, and only the premises, herein described, situated in the County of Lake, State of Indiana, as follows, to-wit:

SEE EXHIBIT A ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.

<sup>1</sup> 1644842.doc

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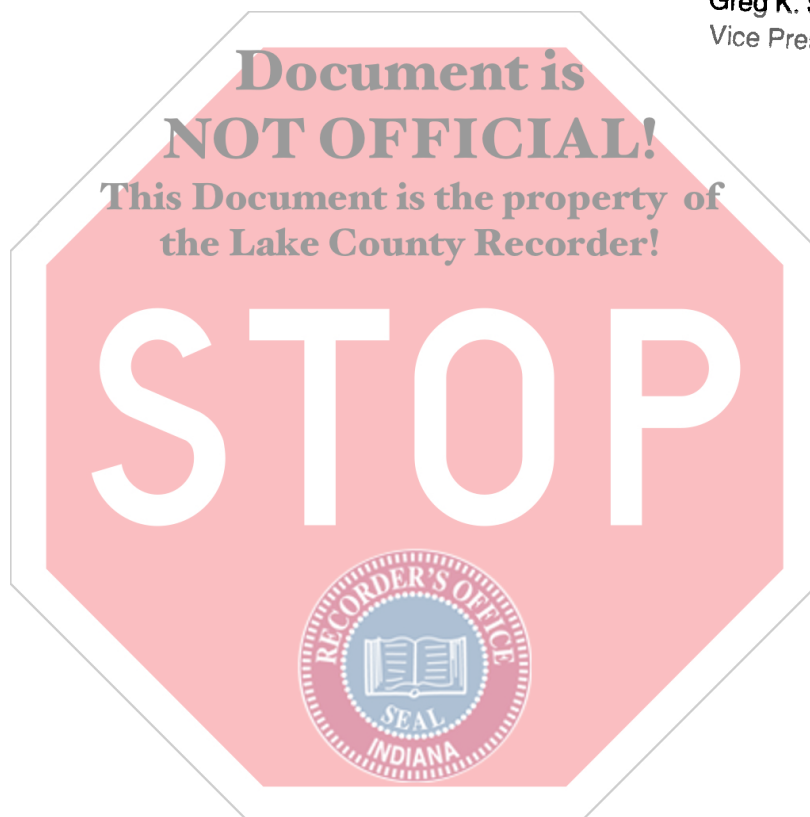
together with all the appurtenances and privileges thereunto belonging or appertaining. It is expressly understood and agreed that this partial release is in no way to operate to discharge the lien of said Mortgage, or any supplements or amendments thereto, upon any other of the premises described therein, but it is only to release the portion particularly described herein and none other; and that the remaining or unreleased portions of the premises in said Mortgage, or any supplements or amendments thereto, are to remain as security for the payment of the indebtedness secured to be paid thereby and for the full performance of all covenants, conditions and obligations contained in said Mortgage and in any supplements or amendments thereto.

IN WITNESS WHEREOF, said Mortgagee has caused these presents to be signed by its authorized officer this 27 day of February, 2004.

HARRIS TRUST AND SAVINGS BANK

By \_\_\_\_\_  
Name: Greg K. Steele  
Title: \_\_\_\_\_

Greg K. Steele  
Vice President

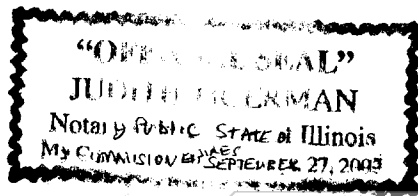


STATE OF ILLINOIS )  
 ) SS  
COUNTY OF COOK )

The foregoing instrument was acknowledged before me this 27<sup>th</sup> day of February, 2004, by GREG K. STEELE, the VICE PRESIDENT of Harris Trust and Savings Bank, an Illinois banking corporation, on behalf of the corporation.

Given under my hand and Notarial Seal this 27<sup>th</sup> day of February, 2004.

Judith T. Gorman  
Notary Public



**EXHIBIT A**  
**(to Partial Release)**

**DESCRIPTION OF RELEASED PROPERTY**

Parcel 1:

That part of the Southeast Quarter of the Northeast Quarter of Section 28, Township 35 North, Range 9 West of the 2nd Principal Meridian in Lake County, Indiana, described as follows: Commencing at the Southeast corner of said Southeast Quarter of the Northeast Quarter of Section 28; Thence North 00 degrees 40 minutes 45 seconds West along the East line of said Section 28, a distance of 540.05 feet for the place of beginning; thence North 89 degrees 19 minutes 52 seconds West and parallel with the South line of said Southeast Quarter of the Northeast Quarter of Section 28, to a line 745.00 feet West of and parallel with the East line of said Northeast Quarter of Section 28; thence North 00 degrees 40 minutes 45 seconds West along said line, a distance of 161.28 feet to the intersection with a line 620.00 feet South as measured along the East line of said Northeast Quarter of Section 28 and parallel with the North line of said Southeast Quarter of the Northeast Quarter of Section 28; thence North 30 degrees 36 minutes 52 seconds East, a distance of 224.64 feet; thence South 89 degrees 26 minutes 26 seconds East and parallel with the North line of said Southeast Quarter of the Northeast Quarter of Section 28, a distance of 405.46 feet to the West line of property described in Deed recorded as Document No. 228014, in the Office of the Recorder of Lake County, Indiana; thence South 00 degrees 40 minutes 45 seconds East and parallel with the East line of said Northeast Quarter of Section 28, a distance of 194.50 feet; thence South 89 degrees 26 minutes 26 seconds East and parallel with the North line of said Southeast Quarter of the Northeast Quarter of Section 28, a distance of 223.00 feet to the East line of said Section 28; thence South 00 degrees 40 minutes 45 seconds East along said East line of the Northeast Quarter of Section 28, a distance of 163.45 feet more or less to the point of beginning.

Parcel 2:

That part of Blocks 9, 10 and 11 along with the adjoining Driveways in Lake Hills Subdivision, as per plat thereof, recorded in Plat Book 21 page 32, in the Office of the Recorder of Lake County, Indiana and part of the Southeast Quarter of the Northeast Quarter of Section 28, Township 35 North, Range 9 West of the 2nd Principal Meridian, in Lake County, Indiana, described as follows: Beginning at the Northeast corner of said Southeast Quarter of the Northeast Quarter of Section 28; thence North 89 degrees 26 minutes 26 seconds West along the North line of said Southeast Quarter, a distance of 332.85 feet; thence South 00 degrees 40 minutes 45 seconds East and parallel with the East line of said Southeast Quarter, a distance of 200.50 feet; thence South 89 degrees 26 minutes 26 seconds East, a distance of 109.85 feet; thence South 00 degrees 40 minutes 45 seconds East, a distance of 225.00 feet; thence North 89 degrees 26 minutes 26 seconds West, a distance of 405.46 feet; thence North 30 degrees 36 minutes 52 seconds East, a distance of 260.95 feet; thence North 00 degrees 40 minutes 45 seconds West, a distance of 199.58 feet to the north line of said Southeast Quarter of the Northeast Quarter of Section 28; thence North 34 degrees 09 minutes 42 seconds East, a distance of 108.05 feet to a line that is 150.00 feet North of as measured along the East line of the Northeast Quarter of Section 28 and parallel with the North line of said Southeast Quarter of the Northeast Quarter of Section 28; thence South 89 degrees 26 minutes 26 seconds East, a distance of 390.00 feet to the East line of the Northeast Quarter of Section 28; thence South 00 degrees 40 minutes 45 seconds East, a distance of 150.00 feet to the place of beginning.

THAT PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 35 NORTH, RANGE 9 WEST OF THE SECOND PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 28; THENCE SOUTH ALONG THE EAST LINE OF SAID SECTION 28, A DISTANCE OF 400.50 FEET; THENCE WEST AND PARALLEL WITH THE NORTH LINE OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 28, A DISTANCE OF 218.00 FEET FOR THE PLACE OF BEGINNING; THENCE NORTH AND PARALLEL WITH EAST LINE OF SAID SECTION 28, A DISTANCE OF 200.00 FEET; THENCE WEST AND PARALLEL WITH THE NORTH LINE OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 28, A DISTANCE OF 5.00 FEET; THENCE SOUTH AND PARALLEL WITH EAST LINE OF SAID SECTION 28, A DISTANCE OF 200.00 FEET; THENCE EAST AND PARALLEL WITH THE NORTH LINE OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 28, 5.00 FEET TO THE PLACE OF BEGINNING.

