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LAKE COUNTY
FILED FOR RECORD

2004 055102

2004 JUN 10 11:00 AM

MOT

SEND TAX STATEMENTS TO:
INDUSTRY CONSULTING
P.O. Box 810490
DALLAS, TX 75381-0490

KEY NOS.: 9-88-11, 9-88-12,
9-88-13, 9-309-12,
9-309-14, 9-310-5,
9-310-6, 9-310-7

TRUSTEE'S DEED

THIS INDENTURE WITNESSETH, that BANK ONE TRUST COMPANY, N.A., as Trustee Under the Walter A. Breyfogle Marital Trust, established pursuant to Section 4.01(b) and Article IV of the Amended and Restated Walter A. Breyfogle Trust Agreement dated November 1, 1979, as amended, in Lake County, in the State of Indiana, as the holder of an undivided Sixty-Eight and 75/100ths percent (68.75%) interest (the "Transferor's Interest") in the whole of the following-described real estate in Lake County, in the State of Indiana, to-wit:

SEE "EXHIBIT A" ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE

(the "Real Estate"), hereby conveys, releases and quitclaims to:

BANK ONE TRUST COMPANY, N.A., AS TRUSTEE UNDER THE WALTER A. BREYFOGLE RESIDUARY TRUST, ESTABLISHED PURSUANT TO SECTION 4.01(a) AND ARTICLE V OF THE AMENDED AND RESTATED WALTER A. BREYFOGLE TRUST AGREEMENT DATED NOVEMBER 1, 1979, AS AMENDED

of Lake County, Indiana, for and in consideration of TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged:

AN UNDIVIDED FOURTEEN AND 284/1000THS PERCENT (14.284%) OF THE TRANSFEROR'S INTEREST, WHICH CONSTITUTES AN UNDIVIDED NINE AND 82/100THS PERCENT (9.82%) INTEREST IN THE WHOLE

of said Real Estate.

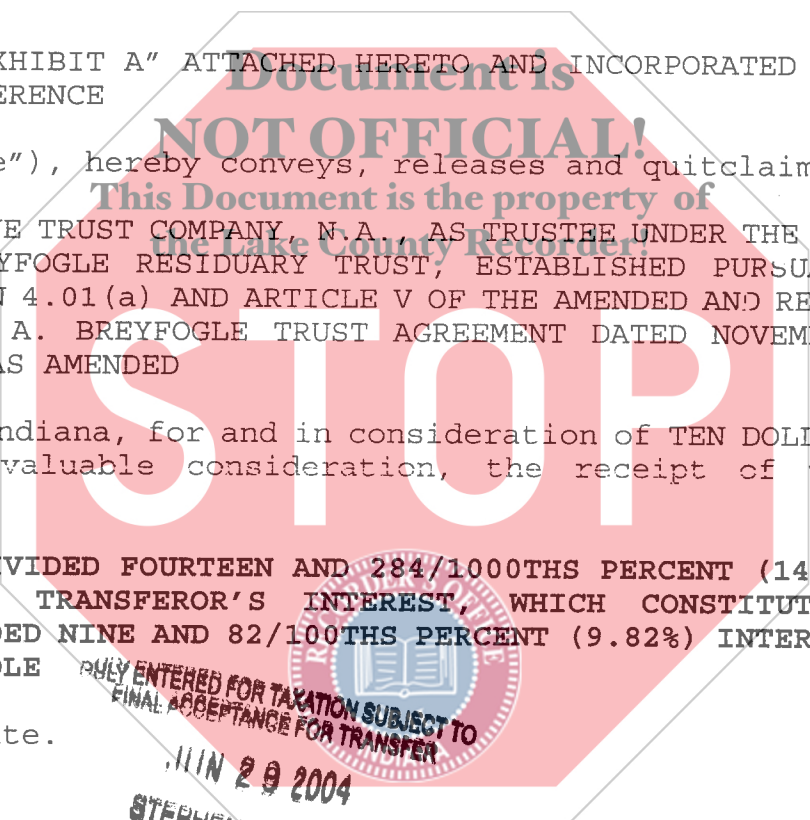
ONLY ENTERED FOR TAXATION SUBJECT TO FINAL ACCEPTANCE FOR TRANSFER

JUN 29 2004

STEPHEN R. STIGLICH
LAKE COUNTY AUDITOR

002421

2200
CR
11/6/16
JS



The conveyance herein results in the following ownership of the Real Estate: Bank One Trust Company, N.A., as Trustee under the Walter A. Breyfogle Marital Trust, an undivided Fifty-Eight and 93/100ths percent (58.93%) interest; and Bank One Trust Company, N.A., as Trustee under the Walter A. Breyfogle Residuary Trust, an undivided Forty-One and 07/100ths percent (41.07%) interest (inclusive of the interest conveyed herein and the interest conveyed pursuant to a Trustee's Deed recorded September 30, 2003 as Document No. 2003 104038 in the Office of the Recorder of Lake County, Indiana).

The conveyance herein is made subject to:

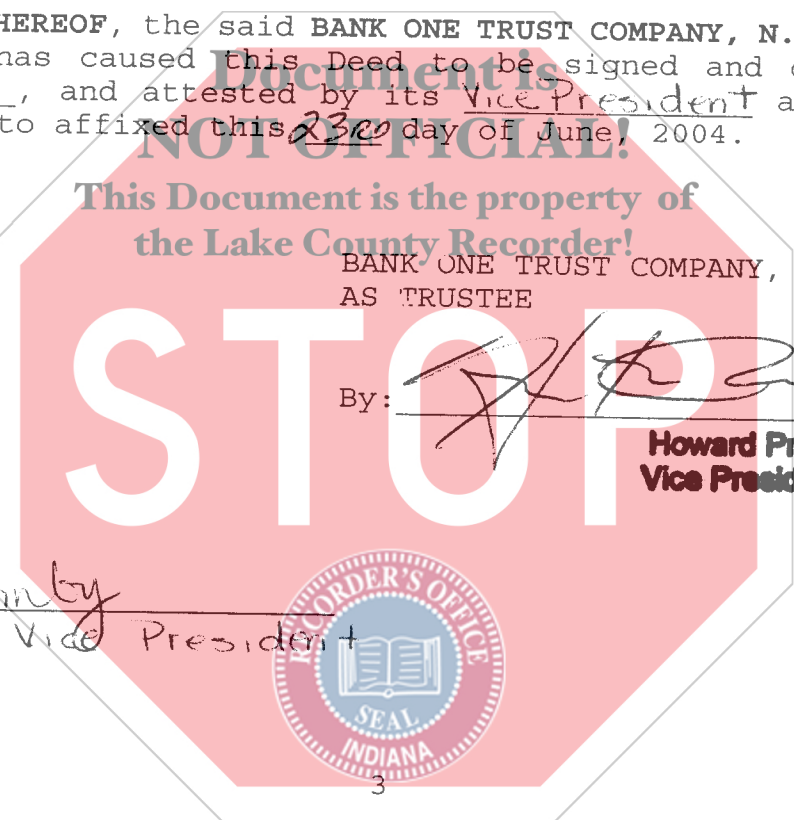
1. All easements, liens, encumbrances and restrictions of record.
2. Real estate taxes for 2002 due and payable in 2003 and all subsequent real estate taxes which become due and payable.

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 TRUST COMPANY, N.A. formerly NBD Bank, N.A., formerly known as Gainer Bank, N.A., Successor by Merger to Gary National Bank, Hoosier State Bank, The Commercial Bank of Crown Point, 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 TRUST COMPANY, 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 in BANK ONE TRUST COMPANY, 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 TRUST COMPANY, 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 TRUST COMPANY, N.A., as Trustee of aforesaid Trust has caused this Deed to be signed and delivered by its VICE PRESIDENT, and attested by its Vice President and its corporate seal to be hereunto affixed this 23rd day of June, 2004.



Disclosure exempt pursuant to No. 7

BANK ONE TRUST COMPANY, N.A.
AS TRUSTEE

By:

[Handwritten Signature]

**Howard Preis
Vice President**

ATTEST:

[Handwritten Signature]
Donna Bramby, Vice President

State of ILLINOIS)
) SS:
County of COOK)

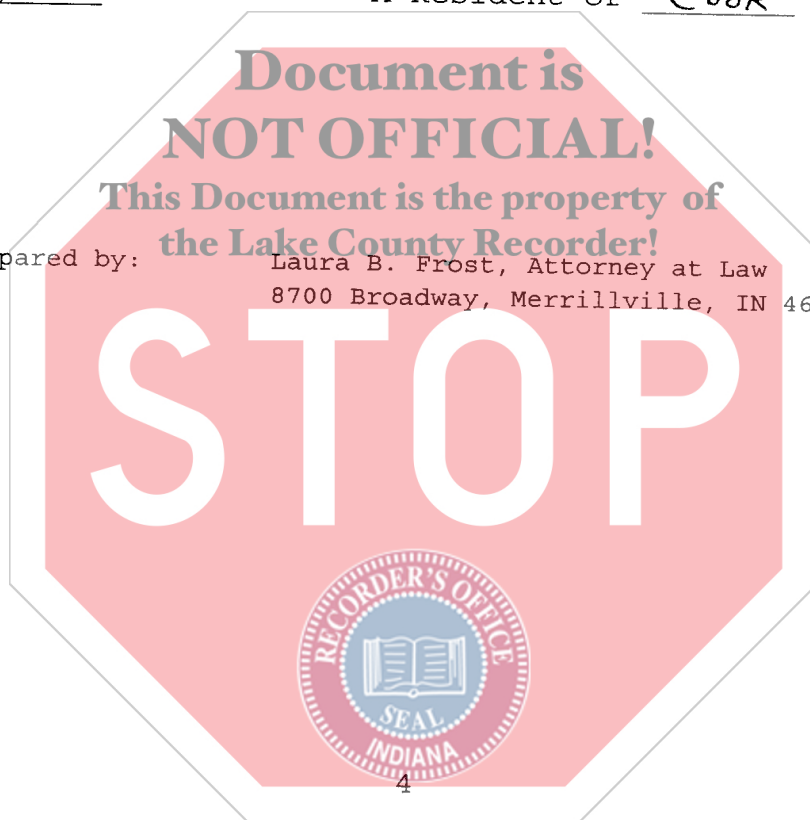
Before me, a Notary Public, in and for said County and State, personally appeared HOWARD PREIS and DONNA BRUMBY of BANK ONE TRUST COMPANY, N.A., Merrillville, Indiana, who acknowledged the execution of the foregoing instrument as the free and voluntary act of said corporation, and being duly sworn upon oath stated that the facts alleged herein are true to the best of their knowledge and belief.

GIVEN under my hand and notarial seal this 23RD day of June, 2004.

My Commission Expires:

OCT. 20, 2004

Bonnie Wayne
BONNIE J WAYNE, Notary Public
A Resident of COOK County



This instrument prepared by:
37403.2

Laura B. Frost, Attorney at Law
8700 Broadway, Merrillville, IN 46410

"EXHIBIT A"

Part of Lots 2, 3, 4, 5, 6, 7, 10, 11, 12, 13, and 14 in Smith's Addition of Outlots to the City of Crown Point, as per plat thereof, recorded in Miscellaneous Record "A" page 290, in the Office of the Recorder of Lake County, Indiana, more particularly described as follows: Commencing at the Northeast corner of Section 5, Township 34 North, Range 8 West of the Second Principal Meridian; thence South 00 degrees 09 minutes 00 seconds West along the East line of the Northeast Quarter of said Section 5 a distance of 579.84 feet to a point on the East line of Lot 13 of Smith's Addition of Outlots and 141.58 feet North of the Southeast corner of said Lot 13; thence North 89 degrees 51 minutes 00 seconds West a distance of 30.00 feet to a point of curve; thence Southwesterly along a curve to the left with a radius of 1314.58 feet a distance of 199.61 feet to a point of tangent; thence South 81 degrees 27 minutes 00 seconds West a distance of 434.71 feet to a point on the West line of said Lot 13 and 55.42 feet North of the Southwest corner thereof; thence South 00 degrees 07 minutes 45 seconds West along the West line of said Lots 13, 12, and 5 a distance of 741.47 feet to a point 25.93 feet South of the Northwest corner of said Lot 5; thence North 81 degrees 27 minutes 00 seconds East 665.95 feet to a point on the East line of Section 5 and 80.17 feet North of the Southeast corner of Lot 12 of Smith's Addition of Outlots; thence South 00 degrees 09 minutes 00 seconds West along the East line of said Section 5, 1358.05 feet to a point that is 42.02 feet North of the Southeast corner of the Northeast Quarter of said Section 5; thence North 89 degrees 51 minutes 00 seconds West, 30.00 feet to the intersection of the West right-of-way of Indiana Street and the North right-of-way of Summit Street; thence South 85 degrees 09 minutes 55 seconds West, along said North right-of-way, 230.23 feet; thence South 00 degrees 35 minutes 42 seconds West, 20.00 feet to the South line of the Northeast Quarter of said Section 5; thence North 89 degrees 24 minutes 18 seconds West, along the South line of the Northeast Quarter of said Section 5, 397.71 feet to the Southeast corner of said Lot 3; thence North 00 degrees 07 minutes 12 seconds East, along the East line of said Lot 3 a distance of 109.75 feet; thence North 89 degrees 52 minutes 48 seconds West, 258.64 feet more or less to the Easterly right-of-way line of the Chicago and Erie Railroad; thence Northwesterly along said Easterly right-of-way line on a curve to the right with a radius of 3058.78 feet, a distance of 848.29 feet to a point of tangent; thence continuing along said Easterly right-of-way line North 28 degrees 59 minutes 50 seconds West, 313.00 feet to the center line of Merrillville Road; thence North 19 degrees 36 minutes 15 seconds East, along the center line of Merrillville Road, 1743.87 feet to the North line of said Section 5; thence South 89 degrees 32 minutes 33 seconds East, 995.53 feet more or less to the point of beginning.