

3

STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD

~~2005051739~~ Cross Reference Document Number ~~2005-044693~~ and 2005020437

MICHAEL A. JOHNSON
RECORDER

CM 20051177

PARTIAL RELEASE OF MORTGAGE

THIS IS TO CERTIFY that the Amended and Restated Real Estate Mortgage and Security Agreement (and Fixture Filing) executed by I-65 PARTNERS, LLC, an Indiana limited liability company (Mortgagor"), in favor of FIFTH THIRD BANK, a Michigan banking corporation ("Mortgagee"), dated May 15, 2005 and recorded June 1, 2005, in the Office of the Recorder of Lake County, Indiana, as Document Number 2005-044693, and that certain Real Estate Mortgage and Security Agreement (and Fixture Filing) executed by Mortgagor in favor of Mortgagee, dated March 9, 2005 and recorded March 17, 2005, in the Office of the Recorder of Lake County, Indiana, as Document Number 2005020437, are each hereby partially released solely as to the real estate more particularly described as follows:

See Exhibit A attached hereto and made a part hereof.

IN WITNESS WHEREOF, Mortgagee has caused this Partial Release of Mortgage to be executed by its duly authorized representative this 1st day of June, 2005.

**This Document is the property of
the Lake County Recorder!**

FIFTH THIRD BANK, a Michigan banking
corporation

By: Jeffrey K. Lockhart
Jeffrey K. Lockhart, Vice President



Chicago Title Insurance Company



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STATE OF INDIANA)
) SS:
COUNTY OF MARION)


Before me, a Notary Public in and for said County and State, personally appeared Jeffrey K. Lockhart, known to me to be a Vice President of **FIFTH THIRD BANK**, a Michigan banking corporation, and acknowledged the execution of the foregoing for and on behalf of said banking corporation.

Witness my hand and Notarial Seal, this 1st day of June, 2005.



Notary Public - Signature

My Commission Expires: _____
Notary Public - _____
My County of Residence: _____





This instrument was prepared by, and after recording should be returned to, Dennis A. Johnson, Attorney At Law, BARNES & THORNBURG, 11 South Meridian Street, Indianapolis, Indiana 46204-3535.

EXHIBIT A

LEGAL DESCRIPTION: PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 34 NORTH, RANGE 8 WEST OF THE SECOND PRINCIPAL MERIDIAN, LAKE COUNTY, INDIANA, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 3 MARKED BY A BRASS PLUG IN CONCRETE, THENCE NORTH 00 DEGREES 33 MINUTES 01 SECOND WEST, 369.66 FEET ALONG THE WEST LINE OF SAID QUARTER, QUARTER; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, 277.62 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, 135.72 FEET TO THE POINT OF BEGINNING; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, 422.50 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, 170.00 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, 65.00 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, 169.01 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, 139.34 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, 12.50 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, 2.84 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, 59.50 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, 0.50 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, 321.21 FEET TO THE CENTER LINE OF BEAVER DAM DITCH LATERAL NUMBER ONE; THENCE SOUTH ALONG SAID CENTER LINE APPROXIMATED BY THE FOLLOWING TWO MEANDER COURSES: 1.) SOUTH 00 DEGREES 26 MINUTES 41 SECONDS WEST, 50.78 FEET; 2.) SOUTH 01 DEGREES 20 MINUTES 39 SECONDS WEST, 262.79 FEET; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, 99.05 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, 4.63 FEET; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, 21.27 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, 1.70 FEET; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, 234.50 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, 11.50 FEET; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, 30.83 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, 11.50 FEET; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, 22.90 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE WEST AND HAVING A RADIUS OF 150.00 FEET AND A CHORD THAT BEARS SOUTH 21 DEGREES 05 MINUTES 04 SECONDS WEST, 68.77 FEET; THENCE SOUTH 69.39 FEET ALONG SAID CURVE; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, 131.36 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, 32.50 FEET; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, 161.01 FEET TO THE POINT OF BEGINNING, CONTAINING 6.47 ACRES MORE OR LESS.

