



STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD

2005 000106

2005 FEB - 7 PM 12:13

MICHAEL V. BROWN
RECORDER

UCC FINANCING STATEMENT

FOLLOW INSTRUCTIONS (front and back) CAREFULLY

| |
|---|
| A. NAME & PHONE OF CONTACT AT FILER [optional] Diligenz, Inc. 1-800-858-5294 |
| B. SEND ACKNOWLEDGMENT TO: (Name and Address) 10954217 Diligenz, Inc. 6500 Harbour Heights Pkwy, Suite 400 Mukilteo, WA 98275 |
| <i>see attachments</i> Filed In: Indiana Lake |

THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY

1. DEBTOR'S EXACT FULL LEGAL NAME - insert only one debtor name (1a or 1b) - do not abbreviate or combine names

| | | | | | |
|---|-----------------------------------|-----------------------------------|--|---|-------------------------------|
| 1a. ORGANIZATION'S NAME WESTFIELD AMERICA, INC. | | | | | |
| OR | 1b. INDIVIDUAL'S LAST NAME | | | | |
| 1c. MAILING ADDRESS 11601 WILSHIRE BLVD., 11TH FLOOR | | CITY LOS ANGELES | STATE CA | POSTAL CODE 90025 | COUNTRY USA |
| 1d. TAX ID #: SSN OR EIN | ADD'L INFO RE ORGANIZATION DEBTOR | 1e. TYPE OF ORGANIZATION Corp. | 1f. JURISDICTION OF ORGANIZATION MO | 1g. ORGANIZATIONAL ID #, if any 00043102 | <input type="checkbox"/> NONE |

2. ADDITIONAL DEBTOR'S EXACT FULL LEGAL NAME - insert only one debtor name (2a or 2b) - do not abbreviate or combine names

| | | | | | |
|--------------------------|-----------------------------------|--------------------------|----------------------------------|---------------------------------|-------------------------------|
| 2a. ORGANIZATION'S NAME | | | | | |
| OR | 2b. INDIVIDUAL'S LAST NAME | | | | |
| 2c. MAILING ADDRESS | | CITY | STATE | POSTAL CODE | COUNTRY |
| 2d. TAX ID #: SSN OR EIN | ADD'L INFO RE ORGANIZATION DEBTOR | 2e. TYPE OF ORGANIZATION | 2f. JURISDICTION OF ORGANIZATION | 2g. ORGANIZATIONAL ID #, if any | <input type="checkbox"/> NONE |

3. SECURED PARTY'S NAME (or NAME of TOTAL ASSIGNEE of ASSIGNOR S/P) - insert only one secured party name (3a or 3b)

| | | | | | |
|---|----------------------------|----------------|-------------|----------------------|----------------|
| 3a. ORGANIZATION'S NAME California First Leasing Corporation | | | | | |
| OR | 3b. INDIVIDUAL'S LAST NAME | | | | |
| 3c. MAILING ADDRESS 18201 Von Karman Avenue, Suite 800 | | CITY Irvine | STATE CA | POSTAL CODE 92612 | COUNTRY USA |

4. This FINANCING STATEMENT covers the following collateral:

Ref: Lease Schedule No. 04 to Lease Agreement Order No. CL-00750

This is a precautionary filing in case the equipment described on the addendum and/or Exhibit "A" is considered to be a fixture.

Fixture Filing to be filed in the Real Estate Records.

Some of the equipment covered by this statement is or may become affixed to the Real Property.

See the Addendum and/or Exhibit "A" for the description of Equipment.

See attachment, UCC, and/or Addendum for name of record owner, and legal description of Real Property.

Westfield America, Inc. is the Lessee

Lessee's Address: 11601 Wilshire Boulevard, 11th Floor, Los Angeles, CA 90025

Property (equipment) presently located at: Southlake Mall, 2109 Southlake Mall, Merrillville, IN 46410

| | | | | | | |
|---|--|--|--|---------------------------------------|-----------------------------------|---|
| 5. ALTERNATIVE DESIGNATION (if applicable): | <input type="checkbox"/> LESSEE/LESSOR | <input type="checkbox"/> CONSIGNEE/CONSIGNOR | <input type="checkbox"/> BAILEE/BAILOR | <input type="checkbox"/> SELLER/BUYER | <input type="checkbox"/> AG. LIEN | <input type="checkbox"/> NON-UCC FILING |
| 6. <input checked="" type="checkbox"/> This FINANCING STATEMENT is to be filed (for record) (or recorded) in the REAL ESTATE RECORDS. Attach Addendum (if applicable) | 7. Check to REQUEST SEARCH REPORT(S) on Debtor(s) (OPTIONAL FEE) | | <input type="checkbox"/> All Debtors | <input type="checkbox"/> Debtor 1 | <input type="checkbox"/> Debtor 2 | |
| 8. OPTIONAL FILER REFERENCE DATA | | | | | | |

Lake County-IN CL-00750/04 (F/F-Final Form) SB

10954217

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MICHAEL BROWN
REC'D

UCC FINANCING STATEMENT ADDENDUM

FOLLOW INSTRUCTIONS (front and back) CAREFULLY

9. NAME OF FIRST DEBTOR (1a or 1b) ON RELATED FINANCING STATEMENT

| | | | |
|--|----------------------------|------------|---------------------|
| 9a. ORGANIZATION'S NAME WESTFIELD AMERICA, INC. | | | |
| OR | 9b. INDIVIDUAL'S LAST NAME | FIRST NAME | MIDDLE NAME, SUFFIX |
| | | | |

10. MISCELLANEOUS:

THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY

11. ADDITIONAL DEBTOR'S EXACT FULL LEGAL NAME - insert only one name (11a or 11b) - do not abbreviate or combine names

| | | | | | | |
|--------------------------|-----------------------------|-----------------------------------|---------------------------|-----------------------------------|----------------------------------|-------------------------------|
| 11a. ORGANIZATION'S NAME | | | | | | |
| OR | 11b. INDIVIDUAL'S LAST NAME | | FIRST NAME | MIDDLE NAME | SUFFIX | |
| | | | | | | |
| 11c. MAILING ADDRESS | | | CITY | STATE | POSTAL CODE | COUNTRY |
| | | | | | | |
| 11d. TAX ID #: | SSN OR EIN | ADD'L INFO RE ORGANIZATION DEBTOR | 11e. TYPE OF ORGANIZATION | 11f. JURISDICTION OF ORGANIZATION | 11g. ORGANIZATIONAL ID #, if any | <input type="checkbox"/> NONE |
| | | | | | | |

12. ADDITIONAL SECURED PARTY'S or ASSIGNOR S/P'S NAME - insert only one name (12a or 12b)

| | | | | | | |
|--------------------------|-----------------------------|--|------------|-------------|-------------|---------|
| 12a. ORGANIZATION'S NAME | | | | | | |
| OR | 12b. INDIVIDUAL'S LAST NAME | | FIRST NAME | MIDDLE NAME | SUFFIX | |
| | | | | | | |
| 12c. MAILING ADDRESS | | | CITY | STATE | POSTAL CODE | COUNTRY |
| | | | | | | |

13. This FINANCING STATEMENT covers timber to be cut or as-extracted collateral, or is filed as a fixture filing.

14. Description of real estate:

16. Additional collateral description:
Supplier: Kone, Inc.
Invoice No: 16460467
(06) FURNISHED AND INSTALLED ESCALATOR SAFETY BRUSHES ON THE SKIRTS OF THE SIX ESCALATORS

Plus all replacement parts, substitutions, additions, attachments, modifications, updates, upgrades, revisions, new versions, enhancements, accessories and the proceeds thereof.

15. Name and address of a RECORD OWNER of above-described real estate (if Debtor does not have a record interest):

17. Check only if applicable and check only one box.
Debtor is a Trust or Trustee acting with respect to property held in trust or Decedent's Estate

18. Check only if applicable and check only one box.
 Debtor is a TRANSMITTING UTILITY
 Filed in connection with a Manufactured-Home Transaction — effective 30 years
 Filed in connection with a Public-Finance Transaction — effective 30 years

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MICHAEL A. BROWN
RECORDER

LEGAL DESCRIPTION

Parcel 1: Part of the Southwest Quarter and the West half of the Southeast Quarter of Section 23, Township 35 North, Range 8 West of the Second Principal Meridian, in Hobart-Ross Township, Lake County, Indiana, bounded and described as follows: Commencing at the Southwest corner of said Section 23; thence North 87 degrees 54 minutes 24 seconds East, 40.00 feet to the Easterly right-of-way of Mississippi Street; thence North 2 degrees 42 minutes 00 seconds West, along the Easterly right-of-way of Mississippi Street, 376.01 feet; thence North 68 degrees 21 minutes 41 seconds East, 904.18 feet to the point of beginning; thence North 21 degrees 38 minutes 19 seconds West, 71.31 feet; thence along the arc of a 350 foot radius curve, concave to the Northeast, whose chord bears North 58 degrees 57 minutes 55 seconds West, 188.62 feet; thence South 46 degrees 40 minutes 00 seconds West, 251.51 feet; thence North 43 degrees 20 minutes 00 seconds West, 334.48 feet; thence North 46 degrees 40 minutes 00 seconds East, 255.69 feet; thence along the arc of a 350 foot radius curve, concave to the Northeast, whose chord bears North 26 degrees 43 minutes 53 seconds West, a chord distance of 94.17 feet; thence North 19 degrees 00 minutes 00 seconds West, 78.00 feet; thence along the arc of a 350 foot radius curve, concave to the East, whose chord bears North 4 degrees 42 minutes 06 seconds West, a chord distance of 172.88 feet; thence North 9 degrees 35 minutes 46 seconds East, 177.00 feet; thence along the arc of a 35 foot radius curve, concave to the Southwest, whose chord bears North 35 degrees 24 minutes 14 seconds West, a chord distance of 49.50 feet; thence North 80 degrees 24 minutes 14 seconds West, 103.84 feet; thence along the arc of a 370 foot radius curve, concave to the South, whose chord bears North 86 degrees 33 minutes 07 seconds West, a chord distance of 79.25 feet; thence South 87 degrees 18 minutes 00 seconds West, 225.00 feet to the Easterly right-of-way of Mississippi Street; thence along the Easterly right-of-way of Mississippi Street North 2 degrees 42 minutes 00 seconds West, 80.00 feet; thence North 87 degrees 18 minutes 00 seconds East, 225.00 feet; thence along the arc of a 450 foot radius curve, concave to the South, whose chord bears South 86 degrees 33 minutes 07 seconds East, a chord distance of 98.39 feet; thence South 80 degrees 24 minutes 14 seconds East, 103.84 feet; thence along the arc of a 35 foot radius curve, concave to the Northeast, whose chord bears North 57 degrees 16 minutes 30 seconds East, a chord distance of 47.13 feet; thence along the arc of a 340 foot radius curve, concave to the Southeast, whose chord bears North 32 degrees 13 minutes 26 seconds East, a chord distance of 201.90 feet; thence along the arc of a 450 foot radius curve, concave to the Northwest, whose chord bears North 39 degrees 44 minutes 54 seconds East, a chord distance of 152.39 feet; thence North 80 degrees 00 minutes 00 seconds West, 185.00 feet; thence North 30 degrees 00 minutes 00 seconds East, 552.88 feet to a point on the Southerly right-of-way line of U.S. Route #30; thence along the arc of a 53,817.23 foot radius curve, concave to the South, whose chord bears North 88 degrees 30 minutes 23 seconds East, a chord distance of 3.03 feet; thence South 1 degree 21 minutes 47 seconds East, 29.84 feet to a point of curve; thence along the arc of a 300.68 foot radius curve, concave to the East, whose chord bears South 19 degrees 45 minutes 47 seconds East, a chord distance of 189.82 feet; thence along the arc of a 35 foot radius curve, concave to the West, whose chord bears South 4 degrees 04 minutes 54 seconds East, a chord distance of 39.23 feet; thence South 30 degrees 00 minutes 00 seconds West, 154.98 feet; thence South 17 degrees 52 minutes 00 seconds East, 416.47 feet; thence North 72 degrees 08 minutes 00 seconds East, 292.00 feet; thence South 62 degrees 52 minutes 00 seconds East, 105.36 feet; thence North 72 degrees 08 minutes 00 seconds East, 355.70 feet; thence North 17 degrees 52 minutes 00 seconds West, 95.71 feet; thence North 72 degrees 08 minutes 00 seconds East, 222.80 feet; thence North 17 degrees 52 minutes 00 seconds West, 312.59 feet; thence South 88 degrees 38 minutes 13 seconds West, 179.55 feet; thence North 1 degree 21 minutes 47 seconds West, 48.50 feet; thence North 88 degrees 38 minutes 13 seconds East, 105.80 feet; thence along the arc of a 35 foot radius curve, concave to the Northwest, whose chord bears North 43 degrees 38 minutes 13 seconds East, a chord distance of 49.50 feet; thence North 1 degree 21 minutes 47 seconds West, 78.99 feet; thence South 88 degrees 38 minutes 13 seconds West, 100.00 feet; thence North 1 degree 21 minutes 47 seconds West, 30.00 feet to the South right-of-way line of U. S. Route #30; thence North 88 degrees 38 minutes 13 seconds East, 180.00 feet along the Southerly right-of-way line of U. S. Route #30; thence South 1 degree 21 minutes 47 seconds East, 108.93 feet; thence along the arc of a 35 foot radius curve, concave to the Northeast, whose chord bears South 46 degrees 21 minutes 47 seconds East, a chord distance of 49.50 feet; thence North 88 degrees 38 minutes 13 seconds East, 196.21 feet; thence South 17 degrees 52 minutes 00 seconds East, 392.71 feet; thence South 72 degrees 08 minutes 00 seconds West, 254.00 feet; thence South 17 degrees 52 minutes 00 seconds East, 666.70 feet; thence North 72 degrees 08

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minutes 00 seconds East, 736.50 feet; thence along the arc of a 712 foot radius curve, concave to the West, whose chord bears North 6 degrees 49 minutes 08 seconds West, a chord distance of 322.07 feet; thence North 87 degrees 14 minutes 16 seconds East, 83.44 feet; thence due South 353.91 feet; thence South 8 degrees 47 minutes 44 seconds West, 174.01 feet; thence South 68 degrees 21 minutes 41 seconds West, 700.00 feet; thence South 21 degrees 38 minutes 19 seconds East, 210.00 feet; thence South 68 degrees 21 minutes 41 seconds West, 130.00 feet; thence North 21 degrees 38 minutes 19 seconds West, 210.00 feet; thence South 68 degrees 21 minutes 41 seconds West, 48.58 feet; thence North 17 degrees 52 minutes 00 seconds West, 479.41 feet; thence South 72 degrees 08 minutes 00 seconds West, 73.73 feet; thence North 17 degrees 52 minutes 00 seconds West, 120.00 feet; thence South 72 degrees 08 minutes 00 seconds West, 270.00 feet; thence South 17 degrees 52 minutes 00 seconds East, 116.00 feet; thence South 72 degrees 08 minutes 00 seconds West, 87.86 feet; thence South 20 degrees 19 minutes 09 seconds West, 100.51 feet; thence South 72 degrees 08 minutes 00 seconds West, 451.23 feet; thence South 17 degrees 52 minutes 00 seconds East, 466.71 feet; thence South 68 degrees 21 minutes 41 seconds West, 183.84 feet to the point of beginning.

Also commencing at the Southwest corner of said Section 23; thence North 2 degrees 42 minutes 00 seconds West, 2402.02 feet along the West line of Section 23; thence North 87 degrees 54 minutes 28 seconds East, 330.00 feet; thence North 2 degrees 42 minutes 00 seconds West, 200.93 feet to a point on the Southerly right-of-way line of U.S. Route #30; thence along the arc of a 53,617.23 foot radius curve, concave to the South, whose chord bears North 88 degrees 11 minutes 44 seconds East, a chord distance of 510.01 feet; thence continuing along said right of way line, along the arc of a 53,617.23 foot radius curve, concave to the South whose chord bears North 88 degrees 28 minutes 52 seconds East, a chord distance of 24.63 feet; thence continuing along said right-of-way line, along the arc of a 53,617.23 foot radius curve, concave to the South whose chord bears North 88 degrees 30 minutes 23 seconds East, a chord distance of 3.03 feet; thence continuing along said right-of-way line, along the arc of a 53,617.23 foot radius curve, concave to the South, whose chord bears North 88 degrees 32 minutes 52 seconds East, a chord distance of 80.00 feet to the point of beginning, being on the Southerly right-of-way line of U. S. Route #30; thence continuing along said right-of-way line, along the arc of a 53,617.23 foot radius curve, concave to the South, whose chord bears North 88 degrees 35 minutes 33 seconds East, a chord distance of 50.24 feet; thence North 88 degrees 38 minutes 13 seconds East, 49.76 feet; thence South 1 degree 21 minutes 47 seconds East, 30.00 feet; thence South 88 degrees 38 minutes 13 seconds West, 100.00 feet; thence North 1 degree 21 minutes 47 seconds West, 29.98 feet to the point of beginning.

Parcel 2: Part of the Southwest Quarter of Section 23, Township 35 North, Range 8 West of the Second Principal Meridian, in Hobart-Ross Township, Lake County, Indiana, bounded and described as follows: Commencing at the Southwest corner of said Section 23; thence North 2 degrees 42 minutes 00 seconds West, 361.86 feet along the West line of Section 23; thence North 68 degrees 21 minutes 41 seconds East, 1,425.90 feet to the point of beginning; thence continuing North 68 degrees 21 minutes 41 seconds East, 700.00 feet; thence South 21 degrees 38 minutes 19 seconds East, 210.00 feet; thence South 68 degrees 21 minutes 41 seconds West, 700.00 feet; thence North 21 degrees 38 minutes 19 seconds West, 210.00 feet to the point of beginning.

Parcel 3: Part of the Southwest Quarter and the West half of the West half of the Southeast Quarter of Section 23, Township 35 North, Range 8 West of the Second Principal Meridian, in Hobart-Ross Township, Lake County, Indiana, bounded and described as follows: Commencing at the Southwest corner of said Section 23; thence North 2 degrees 42 minutes 00 seconds West, 361.86 feet along the West line of Section 23; thence North 68 degrees 21 minutes 41 seconds East, 2,255.90 feet to the point of beginning; thence continuing North 68 degrees 21 minutes 41 seconds East, 670.00 feet; thence South 21 degrees 38 minutes 19 seconds East, 210.00 feet; thence South 68 degrees 21 minutes 41 seconds West, 670.00 feet; thence North 21 degrees 38 minutes 19 seconds West, 210.00 feet to the point of beginning.

Parcel 4: Part of the Southwest Quarter of Section 23, Township 35 North, Range 8 West of the Second Principal Meridian, in Hobart-Ross Township, Lake County, Indiana, bounded and described as follows: Beginning at the Southwest corner of said Section 23; thence North 87 degrees 54 minutes 24 seconds East, 40.00 feet to the Easterly right-of-way line of Mississippi Street; thence North 2 degrees 42 minutes 00 seconds West along the Easterly right-of-way line of Mississippi Street, 376.01 feet; thence North 68 degrees 21 minutes 41 seconds East, 904.18 feet; thence North 21 degrees 38 minutes 19 seconds West, 71.31 feet; thence along the arc of a 350 foot radius curve, concave to the Northeast, whose chord bears North 58 degrees 57 minutes 55 seconds West, a chord distance of 188.62 feet; thence South 46 degrees 40 minutes 00 seconds West, 251.51 feet; thence North 43 degrees 20 minutes 00 seconds West, 334.48 feet to the place of beginning; thence North 46 degrees 40 minutes 00 seconds East, 255.89 feet; thence along the arc of a 350 foot radius curve, concave to the Northeast, whose chord

bears North 26 degrees 43 minutes 53 seconds West, a chord distance of 94.17 feet; thence North 19 degrees 00 minutes 00 seconds West, 78.00 feet; thence along the arc of a 350 foot radius curve, concave to the East, whose chord bears North 11 degrees 32 minutes 20 seconds West, a chord distance of 90.90 feet; thence South 46 degrees 40 minutes 00 seconds West, 362.64 feet; thence South 43 degrees 20 minutes 00 seconds East, 238.58 feet to the place of beginning.

Parcel 5: Part of the Southwest Quarter of Section 23, Township 35 North, Range 8 West of the Second Principal Meridian, in Hobart-Ross Township, Lake County, Indiana, bounded and described as follows: Commencing at the Southwest corner of said Section 23; thence North 2 degrees 42 minutes 00 seconds West, 2,402.02 feet along the West line of said Section 23; thence North 87 degrees 54 minutes 28 seconds East, 330.00 feet; thence North 2 degrees 42 minutes 00 seconds West, 200.93 feet to a point on the Southerly right-of-way line of U.S. Route #30; thence along the arc of a 53,617.23 foot radius curve, concave to the South, whose chord bears North 88 degrees 11 minutes 44 seconds East, a chord distance of 510.01 feet; thence continuing along said right of way line, along the arc of a 53,617.23 foot radius curve, concave to the South whose chord bears North 88 degrees 28 minutes 52 seconds East, a chord distance of 24.63 feet; thence continuing along said right-of-way line, along an arc of a 53,617.23 foot radius curve, concave to the South, whose chord bears North 88 degrees 30 minutes 23 seconds East, a chord distance of 3.03 feet; thence continuing along said right-of-way line, along the arc of a 53,617.23 foot radius curve, concave to the South, whose chord bears North 88 degrees 32 minutes 52 seconds East, a chord distance of 80.00 feet; thence continuing along said right-of-way line, along the arc of a 53,617.23 foot radius curve, concave to the South, whose chord bears North 88 degrees 36 minutes 33 seconds East, a chord distance of 50.24 feet; thence North 88 degrees 38 minutes 13 seconds East, 49.76 feet to the point of beginning, being on the Southerly right-of-way line of U.S. Route #30; thence South 1 degree 21 minutes 47 seconds East, 30.00 feet; thence South 88 degrees 38 minutes 13 seconds West, 100.00 feet; thence along the arc of a 220.68 foot radius curve, concave to the East, whose chord bears South 18 degrees 34 minutes 00 seconds East, a chord distance of 130.54 feet; thence along the arc of a 35 foot radius curve, concave to the North, whose chord bears South 75 degrees 53 minutes 48 seconds East, a chord distance of 45.11 feet; thence along the arc of a 250 foot radius curve, concave to the South, whose chord bears North 76 degrees 18 minutes 24 seconds East, a chord distance of 106.77 feet; thence North 88 degrees 38 minutes 13 seconds East, 570.53 feet; thence along the arc of a 35 foot radius curve, concave to the Northwest whose chord bears North 43 degrees 38 minutes 13 seconds East, a chord distance of 49.50 feet; thence North 1 degree 21 minutes 47 seconds West, 78.93 feet; thence South 88 degrees 38 minutes 13 seconds West, 100.00 feet; thence North 1 degree 21 minutes 47 seconds West, 30.00 feet to a point on the Southerly right-of-way line of U.S. Route #30; thence South 88 degrees 38 minutes 13 seconds West, 591.53 feet along the Southerly right-of-way line of U.S. Route #30 to the point of beginning.

Parcel 6: Part of the Southwest Quarter of Section 23, Township 35 North, Range 8 West of the Second Principal Meridian, in Hobart-Ross Township, Lake County, Indiana, bounded and described as follows: Commencing at the Southwest corner of said Section 23; thence North 2 degrees 42 minutes 00 seconds West, 2,402.02 feet along the West line of said Section 23; thence North 87 degrees 54 minutes 28 seconds East 330.00 feet; thence North 2 degrees 42 minutes 00 seconds West, 200.93 feet to a point on the Southerly right-of-way line of U.S. Route #30; thence along the arc of a 53,617.23 foot radius curve, concave to the South, whose chord bears North 88 degrees 11 minutes 44 seconds East, a chord distance of 510.01 feet; thence continuing along said right-of-way line, along the arc of a 53,617.23 foot radius curve, concave to the South, whose chord bears North 88 degrees 28 minutes 52 seconds East, a chord distance of 24.63 feet; thence continuing along said right-of-way line, along the arc of a 53,617.23 foot radius curve, concave to the South, whose chord bears North 88 degrees 30 minutes 23 seconds East, a chord distance of 3.03 feet; thence continuing along said right-of-way line, along the arc of a 53,617.23 foot radius curve, concave to the South, whose chord bears North 88 degrees 32 minutes 52 seconds East, a chord distance of 80.00 feet; thence continuing along said right-of-way along the arc of a 53,617.23 foot radius curve, concave to the South, whose chord bears North 88 degrees 36 minutes 33 seconds East, a chord distance of 50.24 feet; thence North 88 degrees 38 minutes 13 seconds East, 821.69 feet to the point of beginning being on the Southerly right-of-way line of U.S. Route #30; thence South 1 degree 21 minutes 47 seconds East, 108.93 feet; thence along the arc of a 35 foot radius curve, concave to the Northeast, whose chord bears South 46 degrees 21 minutes 47 seconds East, a chord distance of 49.50 feet; thence North 88 degrees 38 minutes 13 seconds East, 573.00 feet; thence along the arc of a 400 foot radius curve, concave to the South, whose chord bears South 82 degrees 58 minutes 47 seconds East, a chord distance of 117.10 feet; thence along the arc of a 35.0 foot radius curve, concave to the Northwest, whose chord bears North 62 degrees 43 minutes 12 seconds East, a chord distance of 47.52 feet; thence along the arc of a 385.68 foot radius curve, concave to the West, whose chord bears North 9 degrees 18 minutes 10 seconds East, a chord distance of 142.77 feet to a point on the Southerly right-of-way line of U.S. Route #30; thence South 88 degrees 38 minutes 13 seconds West, 793.00 feet along the

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Southerly right-of-way line of U.S. Route #30 to the point of beginning.

Parcel 7: Part of the Northeast Quarter of the Southwest Quarter and the Northwest Quarter of the Southeast Quarter of Section 23, Township 35 North, Range 8 West of the Second Principal Meridian, in Hobart-Ross Township, Lake County, Indiana, bounded and described as follows: Commencing at the Southwest corner of said Section 23; thence North 2 degrees 42 minutes 00 seconds West, 2,402.02 feet along the West line of Section 23; thence North 87 degrees 54 minutes 28 seconds East, 330.00 feet; thence North 2 degrees 42 minutes 00 seconds West, 200.93 feet to a point on the Southerly right-of-way line of U.S. Route #30; thence along the arc of a 53,617.23 foot radius curve, concave to the South, whose chord bears North 88 degrees 11 minutes 44 seconds East, a chord distance of 510.01 feet; thence continuing along said right-of-way line, along the arc of a 53,617.23 foot radius curve, concave to the South whose chord bears North 88 degrees 29 minutes 52 seconds East, a chord distance of 24.63 feet; thence continuing along said right-of-way line, along an arc of a 53,617.23 foot radius curve, concave to the South, whose chord bears North 88 degrees 30 minutes 23 seconds East, a chord distance of 23.03 feet; thence continuing along said right-of-way line, along the arc of a 53,617.23 foot radius curve, concave to the South, whose chord bears North 88 degrees 32 minutes 52 seconds East, a chord distance of 80.00 feet; thence continuing along said right-of-way line, along the arc of a 53,617.23 foot radius curve, concave to the South, whose chord bears North 88 degrees 36 minutes 33 seconds East, a chord distance of 50.24 feet; thence North 88 degrees 38 minutes 13 seconds East, 1,694.69 feet to the place of beginning being on the Southerly right-of-way line of U.S. Route #30; thence North 88 degrees 38 minutes 13 seconds East, 160.00 feet along the Southerly right-of-way line of U.S. Route #30; thence South 1 degree 21 minutes 47 seconds East, 296.44 feet; thence South 88 degrees 38 minutes 13 seconds West, 87.90 feet; thence North 54 degrees 36 minutes 32 seconds West, 122.00 feet; thence along the arc of a 35 foot radius curve, concave to the East, whose chord bears North 16 degrees 30 minutes 01 second West, a chord distance of 43.20 feet; thence along the arc of a 465.68 foot radius curve, concave to the West, whose chord bears North 10 degrees 07 minutes 22 seconds East, a chord distance of 185.45 feet to the place of beginning.

Parcel 8: Part of the West half of the West half of the Southeast Quarter of Section 23, Township 35 North, Range 8 West of the Second Principal Meridian, in Hobart-Ross Township, Lake County, Indiana, bounded and described as follows: Commencing at the Southwest corner of said Section 23; thence North 02 degrees 42 minutes 00 seconds West, 361.86 feet along the Westerly line of Section 23; thence North 68 degrees 21 minutes 41 seconds East, 2,955.80 feet; thence North 09 degrees 47 minutes 44 seconds East, 174.01 feet; thence North 00 degrees 00 minutes 00 seconds East, 275.87 feet to the point of beginning of this description; thence continuing North 00 degrees 00 minutes 00 seconds West, 219.13 feet; thence North 17 degrees 52 minutes 00 seconds West, 245.70 feet; thence North 54 degrees 36 minutes 33 seconds West, 44.97 feet; thence North 88 degrees 38 minutes 13 seconds East, 87.90 feet; thence North 01 degree 21 minutes 47 seconds West, 296.44 feet to a point on the Southerly right-of-way line of U.S. Route #30; thence North 88 degrees 38 minutes 13 seconds East along the Southerly right-of-way line of U.S. Route #30, 130.00 feet; thence South 01 degree 21 minutes 47 seconds East, 53.02 feet; thence South 61 degrees 21 minutes 47 seconds East, 98.97 feet; thence North 88 degrees 38 minutes 13 seconds East, 255.33 feet to the Easterly line of the West half of the West half of the Southeast Quarter of Section 23; thence South 02 degrees 45 minutes 44 seconds East along the Easterly line of the West half of the West half of the Southeast Quarter of Section 23, 675.70 feet; thence South 88 degrees 38 minutes 13 seconds West, 474.83 feet to the point of beginning of this description.

Parcel 9: Part of the West half of the West half of the Southeast Quarter of Section 23, Township 35 North, Range 8 West of the Second Principal Meridian, in Hobart-Ross Township, Lake County, Indiana, bounded and described as follows: Commencing at the Southwest corner of said Section 23; thence North 87 degrees 54 minutes 24 seconds East, 3,323.36 feet along the South line of Section 23; thence North 2 degrees 45 minutes 44 seconds West, 2,554.45 feet along the East line of the West half of the West half of the Southeast Quarter of Section 23 to a point on the Southeasterly right-of-way line of the Chesapeake & Ohio Railroad and the point of beginning; thence North 62 degrees 41 minutes 15 seconds West, 30.34 feet along the Southwesterly right-of-way line of the Chesapeake & Ohio Railroad to a point on the Southerly right-of-way line of U.S. Route #30; thence South 88 degrees 38 minutes 13 seconds West, 312.27 feet along the Southerly right-of-way line of U.S. Route #30; thence South 01 degree 21 minutes 47 seconds East, 53.02 feet; thence South 61 degrees 21 minutes 47 seconds East, 98.97 feet; thence North 88 degrees 38 minutes 13 seconds East, 255.33 feet to the Easterly line of the West half of the West half of the Southeast Quarter of Section 23; thence North 02 degrees 45 minutes 44 seconds West along the East line of the West half of the West half of the Southeast Quarter of Section 23, 87.97 feet to the point of beginning.

Parcel 10: Part of the Southwest Quarter of Section 23, Township 35 North, Range 8 West of the Second Principal

Meridian, in Hobart-Ross Township, Lake County, Indiana, bounded and described as follows: Commencing at the Southwest corner of said Section 23; thence North 2 degrees 42 minutes 00 seconds West, 361.86 feet along the West line of Section 23; thence North 68 degrees 21 minutes 41 seconds East, 513.42 feet to the point of beginning; thence along the arc of a 350 foot radius curve, concave to the Southwest, whose chord bears North 66 degrees 43 minutes 26 seconds West, a chord distance of 148.83 feet; thence along the arc of a 200 foot radius curve, concave to the Northeast, whose chord bears North 51 degrees 45 minutes 00 seconds West, a chord distance of 183.15 feet; thence North 24 degrees 30 minutes 00 seconds West, 110.44 feet; thence North 46 degrees 40 minutes 00 seconds East, 176.65 feet; thence South 43 degrees 20 minutes 00 seconds East, 334.48 feet; thence North 46 degrees 40 minutes 00 seconds East, 251.51 feet; thence along the arc of a 350 foot radius curve, concave to the Northeast, whose chord bears South 58 degrees 57 minutes 55 seconds East, a chord distance of 188.62 feet; thence South 21 degrees 38 minutes 19 seconds East, 71.31 feet; thence South 68 degrees 21 minutes 41 seconds West, 433.05 feet to the point of beginning.

Parcel 11: Part of the Southwest Quarter of the Southwest Quarter of Section 23, Township 35 North, Range 8 West of the Second Principal Meridian in Hobart-Ross Township, Lake County, Indiana, bounded and described as follows: Commencing at the Southwest corner of said Section 23; thence North 87 degrees 54 minutes 24 seconds East, 40.00 feet to the Easterly right-of-way of Mississippi Street; thence North 2 degrees 42 minutes 00 seconds West along the Easterly right-of-way of Mississippi Street 763.68 feet to the point of beginning; thence continuing North 2 degrees 42 minutes 00 seconds West, 287.04 feet; thence North 87 degrees 18 minutes 00 seconds East, 38.88 feet; thence North 46 degrees 40 minutes 00 seconds East, 95.27 feet; thence South 43 degrees 20 minutes 00 seconds East, 236.58 feet; thence South 46 degrees 40 minutes 00 seconds West, 176.65 feet; thence South 65 degrees 30 minutes 00 seconds West, 142.69 feet to the point of beginning.

Parcel 12: Part of the Northwest Quarter of the Southwest Quarter of the Southwest Quarter of Section 23, Township 35 North, Range 8 West of the Second Principal Meridian, in Hobart-Ross Township, Lake County, Indiana, bounded and described as follows: Commencing at the Southwest corner of said Section 23; thence North 87 degrees 54 minutes 24 seconds East, 40.00 feet to the Easterly right-of-way of Mississippi Street; thence along said right-of-way of Mississippi Street, North 2 degrees 42 minutes 00 seconds West, 1,050.72 feet to the point of beginning of this description; thence continuing North 2 degrees 42 minutes 00 seconds West, 448.35 feet; thence North 44 degrees 10 minutes 00 seconds East, 260.33 feet; thence North 87 degrees 18 minutes 00 seconds East, 35.02 feet; thence along the arc of a 370 foot radius curve, concave to the South, whose chord bears South 89 degrees 33 minutes 07 seconds East, a chord distance of 79.25 feet; thence South 80 degrees 24 minutes 16 seconds East, 103.84 feet; thence along the arc of a 65 foot radius curve, concave to the Southwest, whose chord bears South 35 degrees 24 minutes 14 seconds East, a chord distance of 49.50 feet; thence South 9 degrees 35 minutes 46 seconds West, 177.00 feet; thence along the arc of a 350 foot radius curve, concave to the East, whose chord bears South 2 degrees 45 minutes 34 seconds West, a chord distance of 83.33 feet; thence South 46 degrees 40 minutes 00 seconds West, 457.91 feet; thence South 87 degrees 18 minutes 00 seconds West, 38.88 feet to the Easterly right-of-way line of Mississippi Street and the point of beginning.

Parcel 13: Part of the Northwest Quarter of the Southwest Quarter of Section 23, Township 35 North, Range 8 West of the Second Principal Meridian, in Hobart-Ross Township, Lake County, Indiana, bounded and described as follows: Commencing at the Southwest corner of said Section 23; thence North 87 degrees 54 minutes 24 seconds East, 40.00 feet to the Easterly right-of-way line of Mississippi Street; thence North 2 degrees 42 minutes 00 seconds West along the Easterly right-of-way line of Mississippi Street, 1,757.06 feet; thence North 87 degrees 18 minutes 00 seconds East, 225.00 feet; thence along the arc of a 450 foot radius curve, concave to the South, whose chord bears South 86 degrees 33 minutes 07 seconds East, a chord distance of 96.39 feet; thence South 80 degrees 24 minutes 14 seconds East, 41.83 feet to the point of beginning of this description; thence along the arc of a 235.52 foot radius curve, concave to the East, whose chord bears North 20 degrees 15 minutes 39 seconds East, a chord distance of 349.78 feet; thence South 60 degrees 00 minutes 00 seconds East, 167.50 feet; thence along the arc of a 450 foot radius curve, concave to the Northwest, whose chord bears South 44 degrees 13 minutes 15 seconds West, a chord distance of 82.74 feet; thence along the arc of a 340 foot radius curve, concave to the Southeast, whose chord bears South 32 degrees 13 minutes 26 seconds West, a chord distance of 201.90 feet; thence along the arc of a 35 foot radius curve, concave to the Northwest, whose chord bears South 57 degrees 16 minutes 30 seconds West, a chord distance of 47.13 feet; thence North 80 degrees 24 minutes 14 seconds West, 62.01 feet to the point of beginning.

Parcel 14: (Fringe Land #5): Part of the West half of the Southeast Quarter of Section 23, Township 35 North, Range 8 West of the Second Principal Meridian, in Hobart-Ross Township, Lake County, Indiana, described as

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follows: Commencing at the Southwest corner of said Section 23; thence North 02 degrees 42 minutes 00 seconds West, 361.86 feet along the Westerly line of Section 23; thence North 68 degrees 21 minutes 41 seconds East, 2,955.90 feet to the point of beginning; thence North 09 degrees 47 minutes 44 seconds East, 174.01 feet; thence North 00 degrees 00 minutes 00 seconds West, 275.87 feet; thence North 88 degrees 38 minutes 13 seconds East, 474.83 feet to the Easterly line of the West half of the West half of the Southeast Quarter of Section 23; thence South along the Easterly line of the West half of the West half of the Southeast Quarter of Section 23 to a point 1,536.76 feet North of the South line of Section 23; thence South 68 degrees 21 minutes 41 seconds West, 555.70 feet to the place of beginning.

Parcel 15: Part of the Northwest Quarter of the Southwest Quarter of Section 23, Township 35 North, Range 8 West of the Second Principal Meridian in Hobart-Ross Township, Lake County, Indiana, bounded and described as follows:

Commencing at the Southwest corner of said Section 23; thence North 87 degrees 54 minutes 24 seconds East, 40.00 feet; thence North 02 degrees 42 minutes 00 seconds West along the Easterly right-of-way line of Mississippi Street 1,935.70 feet; thence North 06 degrees 45 minutes 44 seconds East along the Easterly right-of-way line of Mississippi Street, a distance of 13.26 feet to the point of beginning, thence continuing North 06 degrees 45 minutes 44 seconds East along said Easterly right-of-way line of Mississippi Street, a distance of 77.98 feet to a point; thence North 02 degrees 42 minutes 00 seconds West along said East right-of-way line of Mississippi Street parallel with the West line of Section 23, a distance of 115.65 feet; thence, departing said Easterly right-of-way North 44 degrees 39 minutes 48 seconds East, 25.61 feet; thence North 88 degrees 03 minutes 13 seconds East, 211.59 feet to a point of curve; thence, along a 500.00 foot radius curve, concave to the Southwest, whose chord bears South 75 degrees 58 minutes 23 seconds East, 275.19 feet; thence South 30 degrees 00 minutes 00 seconds West, 20.00 feet to a point of curve; thence along a 235.52 foot radius curve, concave to the Southeast, whose chord bears South 46 degrees 13 minutes 11 seconds West, 176.39 feet; thence South 88 degrees 03 minutes 13 seconds West, 333.05 feet to the Easterly right-of-way line of Mississippi Street and the point of beginning of this description.

Parcel 16: (Kohl's Parcel). Part of the Northwest Quarter of the Southwest Quarter of Section 23, Township 35 North, Range 8 West of the Second Principal Meridian, in Hobart-Ross Township, Lake County, Indiana, bounded and described as follows:

Commencing at the Southwest corner of said Section 23; thence North 87 degrees 54 minutes 24 seconds East, 40.0 feet to the East right-of-way line of Mississippi Street; thence, North 2 degrees 42 minutes 00 seconds West, along said East right-of-way line parallel with the West line of said Section 23, a distance of 1935.70 feet to a point; thence North 06 degrees 45 minutes 44 seconds East along said East right-of-way line of Mississippi Street, a distance of 81.24 feet; thence North 02 degrees 42 minutes 00 seconds West along said East right-of-way line of Mississippi Street parallel with said West line of Section 23, a distance of 115.65 feet to the point of beginning; thence continuing North 02 degrees 42 minutes 00 seconds West along said East right-of-way line of Mississippi Street parallel with West line of Section 23, a distance of 369.35 feet; thence North 10 degrees 46 minutes 07 seconds East along said East right-of-way line of Mississippi Street, a distance of 72.53 feet; thence North 65 degrees 48 minutes 32 seconds East along said East right-of-way line of Mississippi Street, a distance of 63.76 feet to the Southerly right-of-way line of U.S. Route 30 (Lincoln Highway); thence Easterly 742.70 feet along the Southerly right-of-way line of said U.S. Route 30, being a 53,617.23 foot radius curve, concave to the South, whose chord bears North 88 degrees 05 minutes 59 seconds East, a distance of 742.70 feet; thence South 30 degrees 00 minutes 00 seconds West, a distance of 552.88 feet; thence South 60 degrees 00 minutes 00 seconds East, a distance of 185.00 feet to a point of curve; thence 70.28 feet along a 450.00 foot radius curve, concave to the Northwest, whose chord bears South 34 degrees 28 minutes 27 seconds West, a distance of 70.21 feet; thence North 60 degrees 00 minutes 00 seconds West, a distance of 167.50 feet; thence North 30 degrees 00 minutes 00 seconds East, a distance of 20.00 feet; thence 278.79 feet along a 500.00 foot radius curve, concave to the South, whose chord bears North 75 degrees 58 minutes 23 seconds West, a distance of 275.19 feet; thence South 88 degrees 03 minutes 13 seconds West, a distance of 211.59 feet; thence South 44 degrees 39 minutes 48 seconds West, a distance of 25.61 feet to the East right-of-way line of Mississippi Street and the point of beginning.

Parcel 17: The reciprocal and non-exclusive easements and related real estate rights for ingress, egress, pedestrian and vehicular access, support, encroachments, parking, utility and other purposes created and granted as an appurtenance to parcels hereinabove described pursuant to the following document (hereinafter collectively called "Operating Agreements"):

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1. Easement, Restriction and Operating Agreement dated as of the 27th day of June, 1972 by and between Gary Joint Venture, J. C. Penney Company, Inc., and Sears, Roebuck and Co. and recorded November 8, 1972, as Document No. 174993, in the Lake County Records, Volume 1316 at page 578 with the Recorder of Deeds, County of Lake, Indiana.

2. Supplement to said Easement, Restriction and Operating Agreement dated as of the 27th day of June, 1972 by and among like parties, which agreement is not recorded, but incorporated in the said Easement, Restriction and Operating Agreement for all purposes.

2 1/2. A transfer of interest from J. C. Penney Company to Carson Pirtle Scott and Company, a Delaware Corporation, was recorded November 8, 1972, as Document No. 174995, in Lake County Records.

3. A First Amendment to Easement, Restriction and Operating Agreement dated as of the 16th day of April, 1973 and recorded as Document No. 208331 in Lake County Records.

4. Declaration by Gary Joint Venture dated the 7th day of June, 1973 and filed as Document No. 208332 in the Lake County Records.

5. Deed of Declaration dated June 15, 1973, executed by Gary Joint Venture and filed as Document No. 208333 in the Lake County Records.

6. Second Amendment to Easement, Restriction and Operating Agreement, dated as of December 10, 1974 and recorded as Document No. 289791 in the Lake County Records.

7. Amendment to Deed of Declaration, dated as of December 19, 1974, executed by Gary Joint Venture and filed as Document No. 289795 in the Lake County Records.

7 1/2. Declaration dated December 10, 1974, made by and between Gary Joint Venture, a Partnership, Sears, Roebuck and Co., a New York Corporation, and J. C. Penney Company, Inc., a Delaware Corporation, and filed for record as Document No. 289797.

8. Declaration by Gary Joint Venture dated as of June 1, 1977 filed as Document No. 423317 in the Lake County Records.

9. Second Amendment to Deed of Declaration dated as of June 1, 1977, executed by Gary Joint Venture and filed for record as Document No. 423318 in Lake County Records.

10. Easement, Restriction and Operating Agreement dated as of June 1, 1977, by and between Gary Joint Venture and Adcor Realty Corporation and filed for record as Document No. 423320 in the Lake County Records.

11. Supplement to Easement, Restriction and Operating Agreement dated as of June 1, 1977, by and between like parties, which agreement is not recorded, but is incorporated in said Easement, Restriction and Operating Agreement for all purposes.

12. Third Amendment to Easement, Restriction and Operating Agreement dated as of June 1, 1977, by and among Gary Joint Venture, Adcor Realty Corporation, J. C. Penney Company, Inc., Sears, Roebuck and Co., and I-65-US 30 Corp filed as Document No. 423321 in Lake County Records.

13. Third Amendment to Deed of Declaration by Gary Joint Venture dated as of June 24, 1991, filed as Document No. 91032353, in the Lake County Records.

14. Declaration of Drainage Easements by Gary Joint Venture dated as of June 24, 1991, filed as Document No. 91031994, in the Lake County Records.

in, on, over, upon and under certain adjoining-real property therein more particularly described, together with all of the rights, powers, privileges and benefits under said Operating Agreements accruing to the owner or owners of the parcels above described, their successors, legal representatives and assigns.

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Parcel 18: (Fringe Land Parcel No. 2):

Part of the Northwest Quarter of the Southwest Quarter of Section 23, Township 35 North, Range 8 West of the Second Principal Meridian in Hobart-Ross Township, Lake County, Indiana, bounded and described as follows:

Commencing at the Southwest corner of said Section 23; thence North 87 degrees 54 minutes 24 seconds East, a distance of 40.00 feet; thence North 02 degrees 42 minutes 00 seconds West along the Easterly right-of-way line of Mississippi Street, a distance of 1,757.05 feet to the point of beginning; thence continuing along said Easterly right-of-way line North 02 degrees 42 minutes 00 seconds West, a distance of 178.64 feet; thence North 08 degrees 45 minutes 44 seconds East along the Easterly right-of-way line of Mississippi Street, a distance of 13.28 feet; thence North 88 degrees 03 minutes 13 seconds East a distance of 363.05 feet to a point on a curve; thence along a 235.52 foot radius curve, concave to the Southeast, whose chord bears South 01 degrees 49 minutes 51 seconds East, a distance of 206.18 feet; thence North 80 degrees 24 minutes 14 seconds West, a distance of 41.83 feet to a point of curve; thence along a 450.00 foot radius curve, concave to the South, whose chord bear North 86 degrees 33 minutes 07 seconds West, a distance of 98.39 feet; thence South 87 degrees 18 minutes 00 seconds West, a distance of 225.00 feet to the Easterly right-of-way line of Mississippi Street and the point of beginning of this description.

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MICHAEL A. BROWN
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