

TRANSFER AND RELEASE OF EASEMENTS AGREEMENT

CM620060457

The Lake George Development Group, L.L.C. ("Group"), an Illinois limited liability company, was the recipient of the benefit of certain easements described below and now wishes to transfer to, release and fully terminate said easement rights at the request of, and hereby quitclaim unto, the City of Hammond, Indiana for the use and benefit of its Department of Redevelopment (the "City"), said easement rights all pursuant to a certain Real Estate Purchase Agreement between the Group and the City dated as of September 20, 2005 pertaining to the transfer to the City of specified fee interests in certain real estate located in the vicinity of 125th and Calumet Avenue in Hammond, Indiana, together with the transfer to and release of certain easement rights.

WITNESSETH:

A. Whereas, certain easements were previously granted for the benefit of the Group by virtue of Document No. 697078 dated February 4, 1983 (recorded February 14, 1983 with the Lake County, Indiana Recorder) and by Document No. 734510 dated November 7, 1983 (recorded November 21, 1983 with the Lake County, Indiana Recorder) in order to provide certain access and egress rights as described as Exhibit A for the benefit of selected properties now or formerly owned by the Group (the "Primary Easements");

B. Whereas, additional easements were purportedly granted benefiting the Group by virtue of Document No. 661359 dated February 17, 1982 (recorded March 5, 1982 with the Lake County, Indiana Recorder) and also by virtue of Document recorded July 9, 1998 as Document No. 98052064 (collectively the "Additional Easements").

C. Whereas, the City desires that the Group transfer to, quitclaim unto, the City, release and terminate its right as to the Primary Easements and the Additional Easements.

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MOHEL A. BROWN
RECORDER

STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD

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FILED

FEB 15 2006

PEGGY HOLINGA-KATONA
LAKE COUNTY AUDITOR

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Chicago Title Insurance Company

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(collectively, the "Easements") in order to facilitate the continued use, ownership and enjoyment by the City of the municipal golf course known as "Lost Marsh" at approximately 125th and Calumet Avenue in Hammond, Indiana.

D. The Group now desires to transfer to release, terminate and quitclaim unto the City its rights as to the Easements, which Easements shall thereupon be null and void as to the Group and shall thereafter confer no rights or benefits in favor of the Group.

NOW THEREFORE, the Group, in consideration of the payment of Ten Dollars, and other good and valuable consideration, the receipt of which is hereby acknowledged, for itself and its successors and assigns, hereby transfers to, releases, terminates and quitclaims unto the City, its successors and assigns, any and all right, title and interest in and to the Easements which had benefited the Group.

IN WITNESS WHEREOF, the Group has signed this Release of Easements Agreement this 3 day of February, 2006.

THE LAKE GEORGE DEVELOPMENT GROUP,
L.L.C.

By: 
Name: Martin Kennedy
Title: Acting Manager

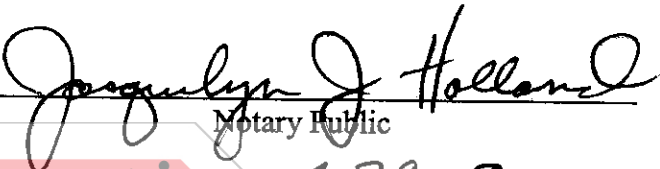


ACKNOWLEDGEMENTS

STATE OF ILLINOIS)
) SS:
COUNTY OF COOK)

BEFORE ME, a Notary Public in and for said County and State, personally appeared Martin Kennedy, Acting Manager of The Lake George Development Group, L.L.C., personally known to me to be the same person whose name is subscribed to the foregoing instrument, and acknowledged that as such Manager, he did sign the foregoing Release of Easement Agreement as the duly authorized Manager of said company and that the same was his free and voluntary act and as the free and voluntary act and deed of the company.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal this 3rd day of February, 2006.


Notary Public

My commission expires: 4-29-09

JACQUELYN J. HOLLAND
Notary Public, State of Indiana
County of Lake

My Commission Expires Apr. 29, 2009

After Recording, Mail to: Glenn Kuchel
Green & Kuchel
5930 Hohman Avenue
Suite 102
Hammond, IN 46320

Instrument Prepared by: John L. Senica
McGuireWoods, LLP
77 West Wacker Drive
Suite 4100
Chicago, IL 60601-1815
Indiana Atty. No.: 20504-45

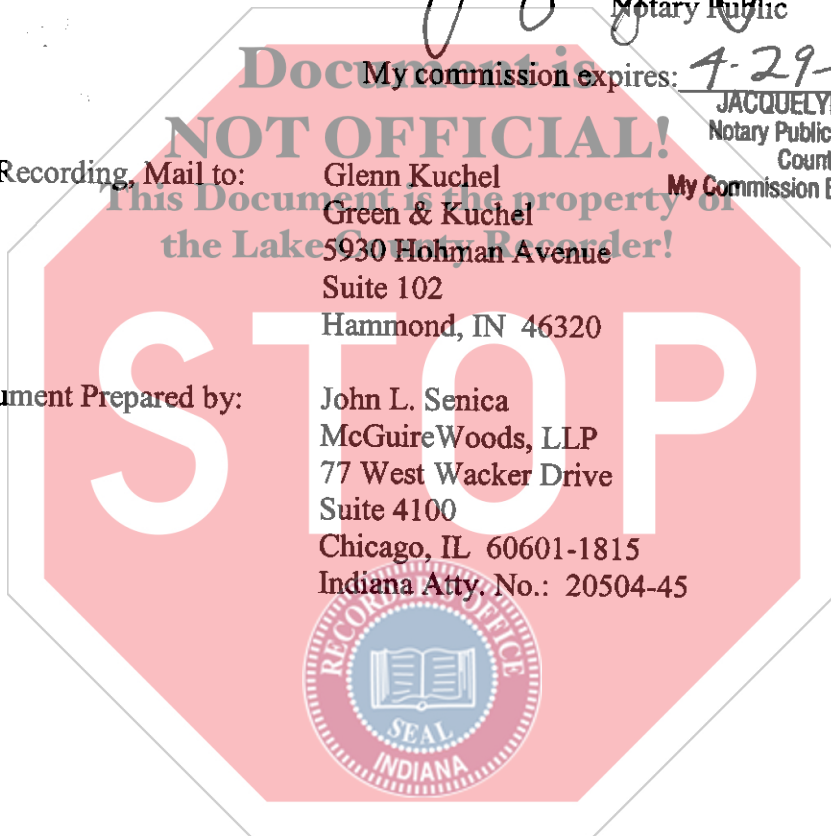


EXHIBIT A

LEGAL DESCRIPTION – EASEMENTS BEING RELEASED

Release of 20-Foot Easement

Easement for Electrical Lines and Gas Mains dated February 4, 1983 recorded February 14, 1983 with the Lake County, Indiana Recorder as Document No. 697078, made by Robertsdale Foundation, Inc., granting to Northern Indiana Public Service Company, an Indiana Corporation, and to its successors and assigns, an easement, right and authority, from time to time, to construct, erect, maintain, operate, repair, replace and renew towers and poles and connections therefore, to operate by means thereof a system for such transportation and distribution of gas, to be used for light, heat, power and other purposes in, upon, along and over a strip of land described as follows:

A strip of land in the Northeast Quarter of Section 18, Township 37 North, Range 9 West of the Second Principal Meridian, being 20 feet wide, described as follows:

“The East 20 feet of the West 253.39 feet by parallel lines to the most Westerly line of Block Three, Robertsdale Industrial Park, to the City of Hammond, recorded in Plat Book 54, page 35, in the Office of the Recorder of Lake County, Indiana.”

Access to the above described strip of land over the adjoining land of the grantor is hereby granted.

Release of 15-Foot Easement (a/k/a/ 15 foot easement in the mobile homes parcel)

“Easement for ingress and egress dated November 7, 1983 and recorded November 21, 1983 with the Lake County, Indiana Recorder as Document No. 734510, made by Robertsdale Foundation, Inc., an Indiana Not-For-Profit Corporation, does hereby grant and release to the existing and future owners, their successors and assigns, of the property future owners, their successors and assigns, of the property adjacent to and on both sides of the land over which the easement passes, a non-exclusive easement over and through real estate situated in Section 18, Township 37 North, Range 9 West of the Second Principal Meridian, in the County of Lake, State of Indiana, described as follows:

“Being an easement of the West 15 feet by parallel lines of the following described parcel of land lying in Block Three, Robertsdale Industrial Park to the City of Hammond, as recorded in Liber 54, page 35 in the Office of the Recorder of Lake County, Indiana, and being more particularly described as follows: Commencing at the Southeasterly corner of said Block Three (said point lies on the South line of the North half of the North half of Section 18, Township 37 North, Range 9 West of the Second Principal Meridian); thence 88 degrees 45 minutes 49 seconds West, along said South line, a distance of 442.58 feet; thence North 00 degrees 45 minutes 13 seconds West, a distance of 270.21 feet to the point of beginning; thence continuing North 00 degrees 45 minutes 13 seconds West, to a line parallel to and 253.39 feet East of the West line of Block Three, a distance of 285.03 feet; thence North 89 degrees 13 minutes 17 seconds East, a distance of 324.15 feet; thence South 00 degrees 47 minutes 09 seconds East, a distance of 256.03 feet; thence South 89 degrees 13 minutes 17 seconds West, a distance of

178.30 feet; thence South 00 degrees 45 minutes 13 seconds East, a distance of 29.00 feet; thence South 89 degrees 13 minutes 17 seconds West, a distance of 145.99 feet to the point of beginning, all in the City of Hammond, Lake County, Indiana.”

This easement was previously granted for the purpose of the grantees, their successors, assigns, invitees, licensees, tenants, visitors, and agents using the land described above for ingress and egress purposes.

This easement was to be subject to all previous easements granted over the real estate described herein.



EXHIBIT B

**LEGAL DESCRIPTION – ADDITIONAL EASEMENTS BEING
RELEASED BY THE LAKE GEORGE DEVELOPMENT GROUP, L.L.C.**

1982 Utility Maintenance Easement

Declaration of Easements dated February 17, 1982 and recorded March 5, 1982, as Document No. 661359, made by Calumet College, Inc., an Indiana Not-For-Profit Corporation, as follows:

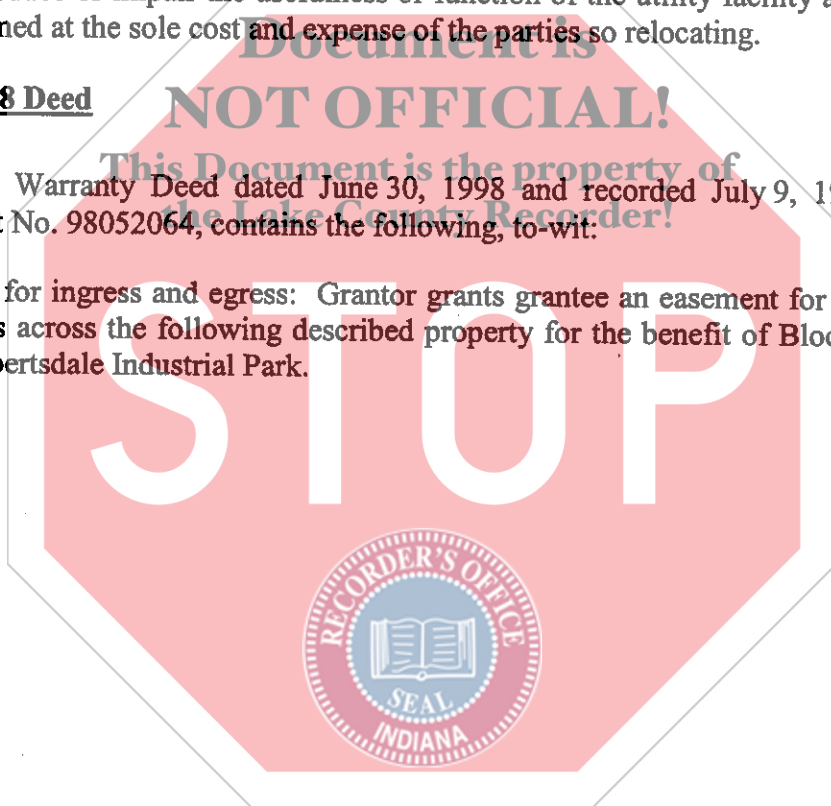
1. All of the real estate in this subdivision is subject to non-exclusive cross-easements running with the land for the benefit of every parcel of real estate for the purpose of maintaining, repairing and using all utilities presently installed.

Each owner may relocate such utility existing as of the date hereof within its own parcel from time to time, at the expense of such owner; provided, however, that such relocation will be performed only on thirty (30) days written notice to all other parties using the utility facilities, and provided, further, that the relocation will not reduce or impair the usefulness or function of the utility facility and will be performed at the sole cost and expense of the parties so relocating.

Easement in 1998 Deed

Corporate Warranty Deed dated June 30, 1998 and recorded July 9, 1998, as Document No. 98052064, contains the following, to-wit:

Easement for ingress and egress: Grantor grants grantee an easement for ingress and egress across the following described property for the benefit of Block Four of the Robertsdale Industrial Park.



DECLARATION

I, the undersigned preparer of the attached document, in accordance with IC 36-2-7.5, do hereby affirm under penalties of perjury:

1. I have reviewed the attached document for the purpose of identifying and, to the extent permitted by law, redacting all Social Security numbers;
2. I have redacted, to the extent permitted by law, each Social Security number in the attached document.

I, the undersigned, affirm under the penalties of perjury, that the foregoing declarations are true.

