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2006 MAR 21 AM 9:17

MICHAEL A. BROWN  
RECORDER

**GENERAL WARRANTY DEED**

THIS INDENTURE WITNESSETH that The City of Gary, Indiana, an Indiana municipal corporation ("**Grantor**"), CONVEYS AND WARRANTS to The Majestic Star Casino, LLC, an Indiana limited liability company ("**Grantee**"), for the sum of Three Hundred Fifty-Eight Thousand Three Hundred Six Dollars (\$358,306.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the real estate situated in Lake County, Indiana, which is more particularly described as follows together with all rights and appurtenants thereto (the "**Real Estate**").

A part of the Southwest Quarter of Section 23 and a part of Section 26, all in Township 37 North, Range 9 West, City of Gary, Calumet Township, Lake County, Indiana, said parcel described as follows:

Commencing at the Southwest corner of said Section 23; thence North 00 degrees 39 minutes 45 seconds West (basis of bearing per Lake County Circuit Court Cause Number C780132, Office of the Clerk, Lake County, Indiana), 942.24 feet along the west line of said Section 23 to the former southwestern line of the Pittsburgh, Fort Wayne and Chicago Railroad as recorded in Lake County Deed Book "S", Page 98; thence South 46 degrees 58 minutes 20 seconds East, 750.03 feet along said southwestern line to the point of beginning of this description; thence South 70 degrees 05 minutes 12 seconds East 258.19 feet along the limited access right-of-way line, access control line (L.A. R/W, A.C.L.) of the Indiana Department of Transportation Project for State Road 912, Number MM-850(22), Code Number 1175, Fiscal Year 1975; thence South 47 degrees 12 minutes 42 seconds East, 4,264.85 feet along the L.A. R/W, A.C.L. of the Indiana Department of Transportation Project for State Road 912, Number MM-850(22), Code Number 1175, Fiscal Year 1975, the southwesterly line of a tract of land conveyed to Buffington Harbor Riverboats, L.L.C. as recorded in Lake County Document 95067683, and the southwesterly line of a tract of land conveyed to USX Corp as recorded in Lake County Deed Record 658, Page 271; thence Southeasterly 153.51 feet along an arc to the right on the westerly line of a tract of land conveyed to Conrail (formerly Pittsburgh, Fort Wayne and Chicago Railroad) as recorded in Lake County Deed Book "S", Page 98, having a radius of 722.49 feet and subtended by a long chord having a bearing of South 06 degrees 15 minutes 44 seconds East and a length of 153.22 feet; thence North 47 degrees 12 minutes 42 seconds West 4,618.41 feet along the northeasterly line of a tract of land conveyed to George J. Beemsterboer, Inc. as recorded in Instrument Number 513263, Lake County Recorder's Office to the point of beginning.

DULY ENTERED FOR TAXATION SUBJECT TO  
FINAL ACCEPTANCE FOR TRANSFER

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MAR 17 2006

INDY 1678939v.1

PEGGY HOLINGA KATONA  
LAKE COUNTY AUDITOR

This conveyance is subject to any and all easements, restrictions of record, local, county state and federal laws, regulations and other ordinances limiting or regulating the use of the Real Estate.

Grantee, by acceptance of this General Warranty Deed, for itself, its successors and assigns, covenants and agrees that no sand mining shall occur on the Real Estate.

The undersigned person executing this deed on behalf of Grantor represents and certifies that he is duly qualified to execute and deliver this General Warranty Deed on behalf of Grantor, that Grantor has the full capacity to convey the Real Estate, and that all necessary municipal action for the execution of this General Warranty Deed has been taken and done.

IN WITNESS WHEREOF, Grantor has caused this General Warranty Deed to be executed this 21st day of February, 2006.

The City of Gary, Indiana, an Indiana municipal corporation

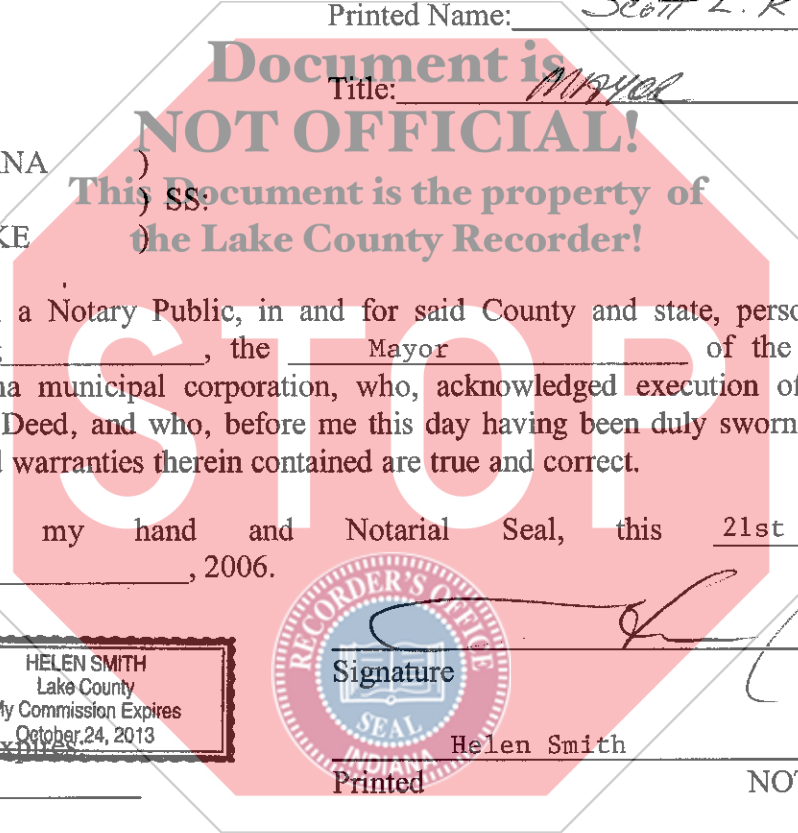
By: [Signature]

Printed Name: Scott L. King

Title: Mayor

STATE OF INDIANA

COUNTY OF LAKE



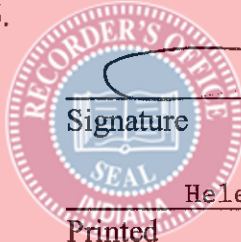
Before me, a Notary Public, in and for said County and state, personally appeared Scott L. King, the Mayor of the City of Gary, Indiana, an Indiana municipal corporation, who, acknowledged execution of the foregoing General Warranty Deed, and who, before me this day having been duly sworn, stated that the representations and warranties therein contained are true and correct.

WITNESS my hand and Notarial Seal, this 21st day of February, 2006.

(SEAL)



My Commission Expires 10-24-13



[Signature]

Printed Helen Smith

NOTARY PUBLIC

County of Residence: Lake

Send tax bills to:

Director of Finance  
The Majestic Star Casino, LLC  
1 Buffington Harbor Drive  
Gary, Indiana 46406



This instrument prepared by and after recordation return to: Mark D. Grant, Esq., ICE MILLER LLP, One American Square, Suite 3100, Indianapolis, IN 46282-0200; Telephone: (317) 236-2100.



**DECLARATION**

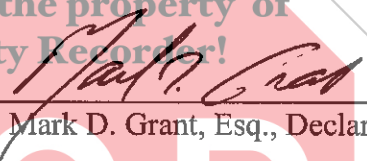
This form is to be signed by the preparer of a document and recorded with each document in accordance with IC 36-2-7.5-5(a).

I, the undersigned prepared of the attached document, in accordance with IC 36-2-7.5, do hereby affirm under the 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.

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

  
\_\_\_\_\_  
Mark D. Grant, Esq., Declarant

