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2006 015231

LAKE COUNTY  
FILED FOR REC'D  
2006 FEB 27 AM 11:20  
MAYOR TOWN

2006

**SPECIAL WARRANTY DEED**

RE-RECORD TO FOLLOW SEQUENCE.

2510319034

THIS INDENTURE WITNESSETH, That THE BANK OF NEW YORK TRUSTEE UNDER THE POOLING AND SERVICING AGREEMENT DATED AS NOVEMBER 30, 1997, SERIES 1997-D (Grantor), CONVEYS AND SPECIALLY WARRANTS to KERRUSO KONSTRUCTION KOMPANY, LLC, (Grantee), for the sum of Ten and No/100--Dollars (\$10.00) and other valuable consideration, the receipt of which is hereby acknowledged, the following described real estate in Lake County, in the State of Indiana:

Lots Numbered 17 and 18 in Block Number 3 in Hiney's First Addition, an Addition to the City of Gary, as per plat thereof, recorded in Plat Book 13, page 14, in the Office of the Recorder of Lake County, Indiana.

Grantor further certifies that there is no Gross Income Tax due in the State of Indiana at this time in respect to this conveyance.

Subject to real estate property taxes for 2005, due and payable in 2006 and subject to real estate property taxes payable thereafter. Taxing Unit: Gary-Calumet Township. Property ID: 25-45-0055-0017

Subject to any and all easements, agreements and restrictions of record. The address of such real estate is commonly known as 4554 Polk Street, Gary, Indiana 46408.

Grantees' Post office mailing address is 2931 Jewett Ave, Highland, IN 46322  
Tax bills should be sent to Grantee at such address unless otherwise indicated below.

Grantor covenants that it is seized and possessed of said land and has a right to convey it, and warrants title against the lawful claims of all persons claiming by, through, and under it, but not further otherwise.

The undersigned person(s) executing this deed on behalf of Grantor represent(s) and certifies/certify that she/he/they is/are (a) duly elected officer(s) of Grantor and has/have been fully empowered, by proper entity resolution of Grantor, to execute and deliver this Deed; that Grantor has full entity capacity to convey the real estate described herein; and that all necessary entity action for the making of such conveyance has been taken and done.

Hold For: Precise

DULY ENTERED FOR TAX PURPOSES  
FINAL ACCEPTANCE FOR TRANSFER

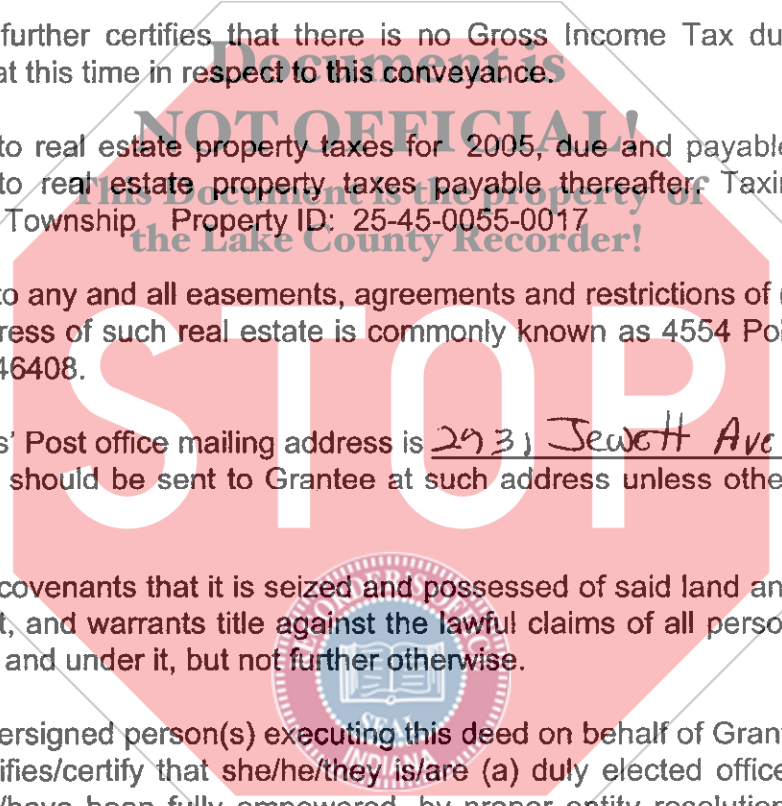
FEB 27 2006

PEGGY HOLINGA KATONA  
LAKE COUNTY AUDITOR

Investors Titlecorp  
8910 Purdue Road, Suite 150  
Indianapolis, IN 46268  
(317) 870-2250  
Fax (317) 870-2260

~~20x~~ ~~KUSSO~~  
CMA

004152



STATE OF INDIANA  
LAKE COUNTY  
FILED FOR REC'D  
2006 FEB 27 AM 11:19  
MAYOR TOWN

2100  
46320  
\$20

IN WITNESS WHEREOF, Grantor has executed this Deed this 22 day of December, 2005.

**GRANTOR:**

**THE BANK OF NEW YORK AS TRUSTEE UNDER THE POOLING AND SERVICING AGREEMENT DATED AS OF NOVEMBER 30, 1997, SERIES 1997-D**

By \_\_\_\_\_ Signature \_\_\_\_\_ Title \_\_\_\_\_  
By Shallina Hudson Signature Shallina Hudson Title ATP  
By \_\_\_\_\_ Signature \_\_\_\_\_ Title \_\_\_\_\_  
By \_\_\_\_\_ Signature \_\_\_\_\_ Title \_\_\_\_\_

STATE OF NC )  
COUNTY OF Wake ) SS:

Before me, a Notary Public in and for said County and State, personally appeared Shallina Hudson, the ATP of \_\_\_\_\_, and \_\_\_\_\_, the \_\_\_\_\_, respectively, of and for and on behalf of **THE BANK OF NEW YORK AS TRUSTEE UNDER THE POOLING AND SERVICING AGREEMENT DATED AS OF NOVEMBER 30, 1997, SERIES 1997-D**, who acknowledged the execution of the foregoing Deed for and on behalf of said Grantor, and who, having been duly sworn, stated that any representations therein contained are true.

Witness my hand and Notarial Seal this 22 day of December, 2005.  
My Commission Expires: OFFICIAL SEAL Signature Mae Harrington  
Notary Public - North Carolina  
MAE HARRINGTON Printed \_\_\_\_\_  
Wake County  
My Commission Expires Aug. 25, 2007 Notary Public

Residing in \_\_\_\_\_ County, State of \_\_\_\_\_

Return deed to: \_\_\_\_\_  
Send tax bills to: \_\_\_\_\_ **POST OFFICE ADDRESS OF THE GRANTEE**

Prepared from Investors Titlecorp File No.: 25103195H-SM  
This instrument was prepared by **JEFFREY R. SLAUGHTER**, Attorney at Law, 1040 East 86th Street, Suite 42A, Indianapolis, Indiana 46240-1829 / Telephone (317) 844-5355.

The following reservations from and exceptions to this conveyance and the warranty of title made herein shall apply:

1. All easements, rights-of-way and prescriptive rights whether of record or not, pertaining to any portion(s) of the herein described property (hereinafter, the "Property");
2. All valid oil, gas and mineral rights interest or leases, royalty reservations, mineral interest and transfers of interest of any character, in the oil, gas or minerals of record in any county in which any portion of the Property is located;
3. All restrictive covenants, terms, conditions, contracts, provisions, zoning ordinances and other items of record in any county in which any portion of the Property is located, pertaining to any portion(s) of the Property, but only to the extent that same are still in effect;
4. All presently recorded instruments (other than liens and conveyances by, through or under the Grantor) that affect the Property and any portion(s) thereof;

Ad valorem taxes, fees and assessments, if any, for the current year and all prior and subsequent years, the payment of which Grantee assumes (at the time of transfer of title), and all subsequent assessments for this and all prior years due to change(s) in land usage (including but not limited to, the absence of improvements, if any, on the Property), ownership, or both, the payment of which Grantee assumes; and any conditions that would be revealed by a physical inspection and survey of the Property

