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2007 076581

STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD
2007 SEP 25 AM 8:54
MICHAEL A. BROWN
RECORDER

Cross Reference:
Instrument No.: 2004 014296

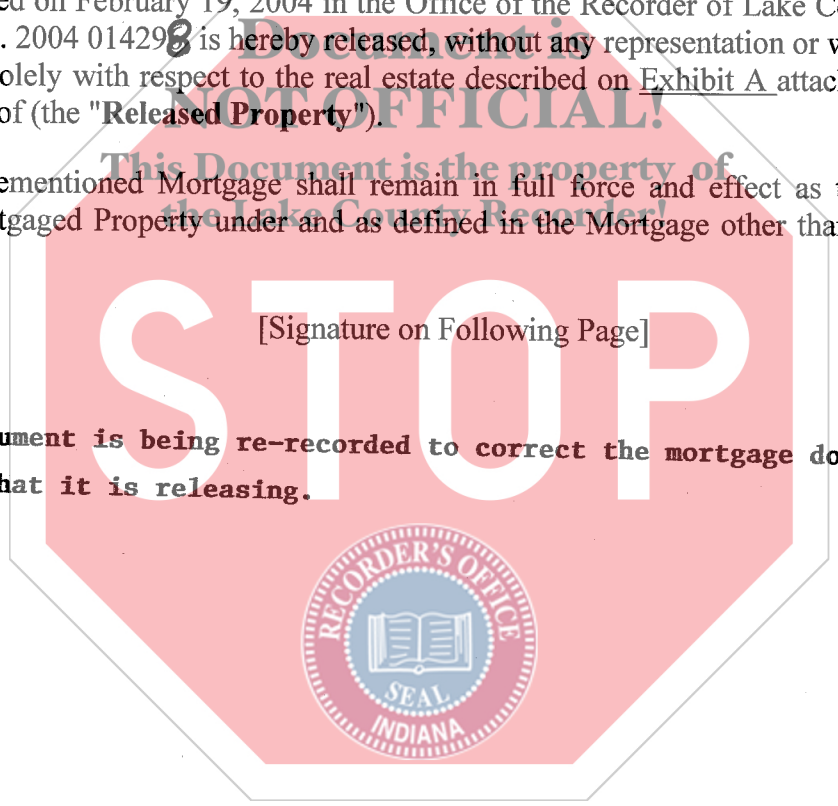
PARTIAL RELEASE OF MORTGAGE AND FIXTURE FILING WITH FINANCING STATEMENT

This is to certify that for value received, the Mortgage and Fixture Filing with Financing Statement ("**Mortgage**") executed by THE MAJESTIC STAR CASINO, LLC, an Indiana limited liability company ("**Mortgagor**"), in favor of WELLS FARGO FOOTHILL, INC., a California corporation as arranger and administrative agent for certain lenders (in such capacity, together with its successors and assigns in such capacity, "**Mortgagee**") dated as of February 11, 2004 and recorded on February 19, 2004 in the Office of the Recorder of Lake County, Indiana, as Document No. 2004 014296 is hereby released, without any representation or warranty of any kind or nature, solely with respect to the real estate described on Exhibit A attached hereto and made a part hereof (the "**Released Property**").

The aforementioned Mortgage shall remain in full force and effect as to all property included as Mortgaged Property under and as defined in the Mortgage other than the Released Property.

[Signature on Following Page]

This document is being re-recorded to correct the mortgage document number that it is releasing.



STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD
2007 DEC 27 AM 9:20
MICHAEL A. BROWN
RECORDER

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IN WITNESS WHEREOF, Mortgagee has caused this Partial Release of Mortgage and Fixture Filing with Financing Statement to be executed on the day and year set forth below, to be effective as of the 11 day of May, 2007.

WELLS FARGO FOOTHILL, INC., a California corporation, as arranger and administrative agent for the certain lenders

By: Peter Schuebler

Printed Name: Peter Schuebler

Title: Vice President

STATE OF Massachusetts)
) SS:
COUNTY OF Suffolk)

Before me, a Notary Public in and for the State of MA, personally appeared Peter Schuebler, the Vice President of Wells Fargo Foothill, Inc., a California corporation, as arranger and administrative agent for certain lenders under the Loan Agreement (as defined in the Mortgage), who, having been duly sworn, acknowledged the execution of the foregoing Partial Release of Mortgage and Fixture Filing with Financing Statement for and on behalf of said corporation.

Witness my hand and Notarial Seal this 11 day of May, 2007.



[Signature]
(signature)

Tracy L. Carbone
(printed name)

Notary Public

My Commission Expires: 7/6/2012

County of Residence: Essex

This instrument was prepared by and upon recordation, return to: Kenneth B. Chigges, Esq., ICE MILLER LLP, One American Square, Suite 3100, Indianapolis, IN 46282-0200

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. - Kenneth B. Chigges, Esq.

No: 920068295

LEGAL DESCRIPTION

A parcel of land in the Southwest 1/4 of Section 25, Township 37 North, Range 9 West of the Second Principal Meridian in the City of Gary, Lake County, Indiana, said parcel having been conveyed from Gary Land Company to Universal Atlas Cement Company as recorded in Lake County Deed Record 658 page 271, Parcel 1, said parcel being more particularly described as follows:

Commencing at an iron rail monument at the Northwest corner of the Southwest 1/4 of said Section 25; thence South 00 degrees 52 minutes 39 seconds East (Indiana State Plane NAD83 grid bearing) a distance of 634.21 feet to the Southerly line of the right-of-way conveyed by Gary Land Company to Baltimore and Ohio Chicago Terminal Railroad Company (now CSX Railroad) as recorded in Lake County Deed Record Book 437 page 298; thence South 88 degrees 40 minutes 09 seconds East along said Southerly line a distance of 1254.10 feet to the Southerly line of the 100 foot right of way conveyed by Gary Land Company to Baltimore and Ohio and Chicago Railroad (CSX Railroad) as recorded in Lake County Deed Record Book 221 page 4; thence South 64 degrees 25 minutes 16 seconds East along said Southerly line a distance of 296.23 feet to a point where said Southerly line intersects the Westerly line of the 150 foot right of way conveyed by Gary Land Company to Chicago, Lake Shore and Eastern Railway Company (now Elgin, Joliet and Eastern Railway Company) as recorded in deed record 179 page 350, in the Office of the Recorder of Lake County, Indiana., said point being the point of beginning of this description;

Thence South 59 degrees 58 minutes 44 seconds West along the Westerly line of said 150 foot right of way a distance of 647.00 feet to the Northerly line of the 100 foot right of way conveyed by George T. Cline to the Wabash Railroad Company as recorded in deed record 68 pages 139 to 142, in the Office of the Recorder of Lake County, Indiana.; thence North 43 degrees 34 minutes 57 seconds West along said Northerly line a distance of 4.89 feet to a point of tangent curve; thence 845.11 feet along a curve to the left on said Northerly line, said curve having a radius of 1977.00 feet and subtended by a long chord bearing North 55 degrees 49 minutes 43 seconds West, a distance of 838.69 feet to a point on the Southerly line of the right of way conveyed to Baltimore and Ohio Chicago Terminal Railroad (now CSX Railroad) as recorded in deed record 437 page 298, in the Office of the Recorder of Lake County, Indiana.; thence South 88 degrees 40 minutes 09 seconds East along said Southerly line a distance of 780 feet (801.34 feet measured) to the Westerly corner of a triangular parcel, which was conveyed by Gary Land Company to Baltimore and Ohio and Chicago Railroad Company (now CSX Railroad) as recorded in deed record 221 page 4, in the Office of the Recorder of Lake County, Indiana.; thence South 73 degrees 50 minutes 00 seconds East along the Southerly line of said parcel, a distance of 475.13 feet to the point of beginning.

