

UCC FINANCING STATEMENT

FOLLOW INSTRUCTIONS (front and back) CAREFULLY

A. NAME & PHONE OF CONTACT AT FILER [optional] **2007 000189**

B. SEND ACKNOWLEDGMENT TO: (Name and Address)

Cadwalader, Wickersham & Taft LLP
 227 West Trade Street
 Charlotte, North Carolina 28202
 Attention: John W. Dombey, Esq.

see over size

STATE OF INDIANA
 LAKE COUNTY
 FILED FOR RECORD
 2007 MAR 13 AM 8:57
 MICHAEL A. BROWN
 RECORDER

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
CROSSINGS AT HOBART-I LLC

OR

1b. INDIVIDUAL'S LAST NAME FIRST NAME MIDDLE NAME SUFFIX

1c. MAILING ADDRESS CITY STATE POSTAL CODE COUNTRY
 1800 Moler Road Columbus OH 43207 USA

1d. SEE INSTRUCTIONS ADD'L INFO RE ORGANIZATION DEBTOR 1e. TYPE OF ORGANIZATION Limited Liability Company 1f. JURISDICTION OF ORGANIZATION Ohio 1g. ORGANIZATIONAL ID #, if any LL9245 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 FIRST NAME MIDDLE NAME SUFFIX

2c. MAILING ADDRESS CITY STATE POSTAL CODE COUNTRY

2d. SEE INSTRUCTIONS ADD'L INFO RE ORGANIZATION DEBTOR 2e. TYPE OF ORGANIZATION 2f. JURISDICTION OF ORGANIZATION 2g. ORGANIZATIONAL ID #, if any 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
Deutsche Banc Mortgage Capital, L.L.C.

OR

3b. INDIVIDUAL'S LAST NAME FIRST NAME MIDDLE NAME SUFFIX

3c. MAILING ADDRESS CITY STATE POSTAL CODE COUNTRY
 60 Wall Street, 10th Floor New York NY 10005 USA

4. This FINANCING STATEMENT covers the following collateral:
 See Schedule A attached hereto and made a part hereof for a description of Collateral.
 See Exhibit A attached hereto and made a part hereof for a description of Real Property.

File with Lake County, Indiana.

5. ALTERNATIVE DESIGNATION [if applicable]: LESSEE/LESSOR CONSIGNEE/CONSIGNOR BAILEE/BAILOR SELLER/BUYER AG. LIEN NON-UCC FILING

6. This FINANCING STATEMENT is to be filed [for record] (or recorded) in the REAL ESTATE RECORDS. Attach Addendum. 7. Check to REQUEST SEARCH REPORT(S) on Debtor(s) [optional] (ADDITIONAL FEE) All Debtors Debtor 1 Debtor 2

8. OPTIONAL FILER REFERENCE DATA
 File with Lake County, Indiana. (DB/Crossings at Hobart_INc) **NCS 271794**

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UCC FINANCING STATEMENT ADDENDUM

FOLLOW INSTRUCTIONS (front and back) CAREFULLY

9. NAME OF FIRST DEBTOR (1a or 1b) ON RELATED FINANCING STATEMENT **2007 000189**

| | | | |
|--|----------------------------|------------|---------------------|
| 9a. ORGANIZATION'S NAME CROSSINGS AT HOBART-I LLC | | | |
| OR | 9b. INDIVIDUAL'S LAST NAME | FIRST NAME | MIDDLE NAME, SUFFIX |

10. MISCELLANEOUS:

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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. SEE INSTRUCTIONS | 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:

See Exhibit A attached hereto and made a part hereof for a description of Real Property.

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

16. Additional collateral description:

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

**SCHEDULE A TO UCC-1 FINANCING STATEMENT
BETWEEN CROSSINGS AT HOBART-I LLC, AS DEBTOR AND
DEUTSCHE BANC MORTGAGE CAPITAL, L.L.C., AS SECURED PARTY**

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Description of Collateral

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All right, title, interest and estate of Debtor now owned, or hereafter acquired, and to the following property, rights, interests and estates:

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A. All that certain real property described in Exhibit A attached hereto (the "Premises"), together with all of the easements, rights and appurtenances now or hereafter in any way appertaining thereto, either at law or in equity, whether now owned or hereafter acquired by Debtor;

B. All structures, buildings and improvements of every kind and description now or at any time hereafter located on the Premises (the "Improvements");

C. All easements, rights-of-way, strips and gores of land, vaults, streets, ways, alleys, passages, sewer rights, and other emblements now or hereafter located on the Premises or under or above the same or any part thereof, and all estates, rights, interests and appurtenances, reversions and remainders whatsoever, in any way belonging or appertaining to the Mortgaged Property or any part thereof, whether now owned or hereafter acquired by Debtor;

D. All water, ditches, wells, reservoirs and drains and all water, ditch, well, reservoir and drainage rights which are appurtenant to, located on, under or above or used in connection with the Premises or the Improvements, or any part thereof, whether now existing or hereafter created or acquired by Debtor;

E. All minerals, crops, timber, trees, shrubs, flowers and landscaping features now or hereafter located on, under or above the Premises;

F. All building materials, supplies and equipment now or hereafter placed on the Premises or in the Improvements;

G. All furniture, furnishings, fixtures, goods, equipment, inventory or personal property owned by Debtor and now or hereafter located on, attached to or used in and about the Improvements, including, but not limited to, all machines, engines, boilers, dynamos, elevators, stokers, tanks, cabinets, awnings and all appliances, communication, plumbing, heating, air conditioning, lighting, ventilating, refrigerating, disposal and incinerating equipment, and sprinkler and fire and theft protection equipment, and all fixtures and appurtenances thereto, and such other goods and chattels and personal property owned by Debtor as are now or hereafter used or furnished in operating the Improvements, or the activities conducted therein, and all building materials and equipment hereafter situated on or about the Premises or Improvements, and all warranties and guaranties relating thereto, and all additions thereto and substitutions and replacements therefor (exclusive of any of the foregoing owned or leased by tenants of space in the Improvements except to the extent any of the same constitute fixtures) (collectively, the "Equipment"). To the extent any portion of the Equipment is not deemed real

property or Fixtures under applicable law, it shall be deemed to be personal property, and the Mortgage shall be deemed to constitute a security agreement for the purposes of creating a security interest therein in favor of Secured Party under the Uniform Commercial Code of the state in which the Premises are located (the "UCC");

H. All leases (including, without limitation, oil, gas and mineral leases), licenses, concessions and occupancy agreements of all or any part of the Premises or the Improvements (each, a "Lease" and collectively, "Leases"), whether written or oral, now or hereafter entered into and all rents, royalties, issues, profits, bonus money, revenue, income, rights and other benefits, including, without limitation, monies, fees or consideration payable under the Leases in connection with termination of such Leases by the applicable tenant ("Early Termination Fees") (collectively, the "Rents and Profits") of the Premises or the Improvements, now or hereafter arising from the use or enjoyment of all or any portion thereof or from any present or future Lease or other agreement pertaining thereto or any of the General Intangibles and all cash or securities deposited to secure performance by the tenants, lessees or licensees (each, a "Tenant" and collectively, "Tenants"), as applicable, of their obligations under any such Leases, whether said cash or securities are to be held until the expiration of the terms of said Leases or applied to one or more of the installments of rent coming due prior to the expiration of said terms, subject, however, to the provisions contained in Section 6.1 of the Security Instrument;

I. All contracts and agreements now or hereafter entered into covering any part of the Premises or the Improvements (collectively, the "Contracts") and all revenue, income and other benefits thereof, including, without limitation, management agreements, service contracts, maintenance contracts, equipment leases, personal property leases and any contracts or documents relating to construction on any part of the Premises or the Improvements (including all architectural renderings, models, specifications, plans, drawings, surveys, tests, reports, data, bonds and governmental approvals) or to the management or operation of any part of the Premises or the Improvements;

J. All water taps, sewer taps, certificates of occupancy, permits, licenses, franchises, certificates, consents, approvals and other rights and privileges now or hereafter obtained in connection with the Premises or the Improvements and all present and future warranties and guaranties relating to the Improvements or to any equipment, fixtures, furniture, furnishings, personal property or components of any of the foregoing now or hereafter located or installed on the Premises or the Improvements;

K. All present and future funds, accounts, instruments, accounts receivable, documents, claims, general intangibles (including, without limitation, trademarks, trade names, service marks and symbols now or hereafter used in connection with any part of the Premises or the Improvements, all names by which the Premises or the Improvements may be operated or known, all rights to carry on business under such names, and all rights, interest and privileges which Debtor has or may have as developer or declarant under any covenants, restrictions or declarations now or hereafter relating to the Premises or the Improvements) (collectively, the "General Intangibles");

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L. All insurance policies or binders now or hereafter relating to the Mortgaged Property, including any unearned Insurance Premiums thereon;

M. All cash funds, deposit accounts and other rights and evidence of rights to cash, now or hereafter created or held by Secured Party pursuant to this Debtor or any other of the Loan Documents, including, without limitation, all funds now or hereafter on deposit in the Impound Account, the Rollover Reserve, the Payment Reserve, the Replacement Reserve and the Repair and Remediation Reserve and all notes or chattel paper now or hereafter arising from or by virtue of any transactions related to the Premises or the Improvements;

N. All present and future monetary deposits given by Debtor to any public or private utility with respect to utility services furnished to any part of the Premises or the Improvements;

O. All proceeds, products, substitutions and accessions (including claims and demands therefor) of the conversion, voluntary or involuntary, of any of the foregoing into cash or liquidated claims, including, without limitation, proceeds of insurance and condemnation awards; and

P. All other or greater rights and interests of every nature in the Premises and the Improvements and in the possession or use thereof and income therefrom, whether now owned or hereafter acquired by Debtor.

This UCC-1 Financing Statement is filed in connection with that certain Mortgage and Security Agreement given by the Debtor for the benefit of the Secured Party (the "Mortgage") covering the fee estate of Debtor in the Premises and intended to be duly recorded in the county in which the Premises is located.

2007 000189

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**EXHIBIT A TO UCC-1 FINANCING STATEMENT
BETWEEN CROSSINGS AT HOBART-I LLC, AS DEBTOR AND
DEUTSCHE BANC MORTGAGE CAPITAL, L.L.C., AS SECURED PARTY**

(Attach Legal Description)

2007 000189

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EXHIBIT "A"

2007 MAR 13 AM 8:57

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Real property in the City of **Hobart**, County of **Lake**, State of **Indiana**, described as follows:

Parcel I: (Fee Simple)

Part of the North 1/2, Section 23, Township 35 North, Range 8 West of the 2nd P.M., in Lake County, Indiana, described as:

Commencing at the Northwest corner of said Section 23, thence South 02° 42' 00" East along the West line of said Section 23 a distance of 842.20 feet to the Southerly right-of-way line of the Chesapeake and Ohio Railroad, thence South 62° 42' 00" East along said South line 1615.41 feet, thence South 27° 18' 00" West, 748.26 feet, thence South 88° 25' 00" West, 134.54 feet to the point of beginning of this described parcel thence continuing South 88° 25' 00" West, 326.65 feet, thence South 01° 35' 00" East, 193.56 feet to the Northerly line of U.S. Highway #30, thence Easterly along the Northerly line of said Highway, 309.65 feet, thence North 01° 35' 00" West, 43.06 feet, thence North 88° 25' 00" East, 17.0 feet; thence North 01° 35' 00" West, 150 feet to the point of beginning. Except that part conveyed to the State of Indiana by Warranty Deed recorded September 19, 1978 as Document No. 491229 described as follows: A part of the Northwest Quarter of Section 23, Township 35 North, Range 8 West, Lake County, Indiana, described as follows: Commencing at the Northwest corner of said Section, thence South 0° 01' 00" West 2,287.90 feet along the West line of said Section to the Southwest corner of the owner's land, thence South 89° 59' 00" East 350.00 feet to the corner of the owner's land, thence South 0° 01' 00" West 196.90 feet along the West line of the owner's land to the North boundary of U.S.R. 30, thence along the boundary of said U.S.R. 30 Easterly 463.51 feet along an arc to the right and having a radius of 53,814.79 feet and subtended by a long chord having a bearing of South 89° 02' 50" East and a length of 463.51 feet to the point of beginning of this description, thence North 1° 11' 58" East 10.00 feet, thence South 88° 46' 26" East 50.01 feet, thence South 1° 15' 10" West 10.00 feet to the North boundary of U.S.R. 30, thence along the boundary of said U.S.R. 30 Westerly 50.00 feet along an arc to the left and having a radius of 53,814.79 feet and subtended by a long chord having a bearing of North 88° 46' 26" West and a length of 50.00 feet to the point of beginning.

Parcel II: (Fee Simple)

Part of the North 1/2 Section 23, Township 35 North Range 8 West of the 2nd P.M., in Lake County, Indiana, described as:

Commencing at the Northwest corner of said Section 23, thence South 02° 42' 00" East along the West line of said Section 23 a distance of 842.20 feet to the Southerly right-of-way line of the Chesapeake and Ohio Railroad, thence South 62° 42' 00" East along said Southerly right-of-way 1845.00 feet to the point of beginning of this described parcel, thence South 27° 18' 00" West, 274.33 feet; thence South 62° 42' 00" East, 4.0 feet; thence South 27° 18' 00" West, 80.00 feet; thence South 62° 42' 00" East, 26.41 feet; thence South 27° 18' 00" West 275.00 feet; thence North 62° 42' 00" West, 260.0 feet; thence South 27° 18' 00" West, 339.51 feet more or less to the Northerly line of U.S. Highway #30; thence on a curve to the right with a radius of 53,817.23 feet a distance of 87.67 feet to the point of curve; thence North 88° 37' 48" East along the Northerly line of said Highway a distance of 1931.83 feet to the Southerly line of the Chesapeake and Ohio Railroad; thence North 62° 42' 00" West, 1542.08 feet to the point of beginning. Except that part conveyed to the State

of Indiana by Warranty Deed Recorded September 19, 1978 as Document No. 491229 described as follows:

Part of the Northwest Quarter of Section 23, Township 35 North Range 8 West, Lake County, Indiana, described as follows: Commencing at the Northwest corner of said Section; thence South 0° 01' 00" West 2,287.90 feet along the West line of said Section; thence South 89° 59' 00" East 350.00 feet; thence South 0° 01' 00" West 196.90 feet to the North boundary of U.S.R. 30; thence along the boundary of said U.S.R. 30 Easterly 651.76 feet along an arc to the right and having a radius of 53,814.79 feet and subtended by a long chord having a bearing of South 88° 56' 49" East and a length of 651.76 feet; thence South 88° 36' 00" East 688.03 feet along said boundary to the point of beginning of this description; thence North 1° 24' 00" East 10.00 feet; thence South 88° 36' 00" East 40.00 feet; thence South 1° 24' 00" West 10.00 feet to the North boundary of U.S.R. 30; thence North 88° 36' 00" West 40.00 feet along the boundary of said U.S.R. 30 to the point of beginning.

Parcel III: (Non-Exclusive Easement Rights for parking lot, utility crossovers and driveways set out in Document recorded September 15, 1989 as Document No. 058076 and as amended by Amendment to Parking Lot, Utility Crossovers and Driveways Easement Agreement, recorded June 7, 1990 as Instrument No. 104644, over, upon and across the following described tract: Also known as Northern Indiana Public Service Company Parcel) Part of the North 1/2, Section 23, Township 35 North, Range 8 West of the 2nd Principal Meridian, in Ross Township, Lake County, Indiana, described as follows: Beginning at the intersection of the North Right-of-way line of U.S. Highway #30 and the Northeastern right-of-way of the abandoned C & O Railroad, thence North 59° 57' 30" West along said Northeastern Railroad right of way, 1724.96 feet; thence South 30° 02' 30" West, 100 feet thence South 59° 57' 30" East along the Southwestern right-of-way of said abandoned railroad right-of-way, 1542.08 feet more or less to the North right-of-way line of U.S. Highway #30; thence South 88° 37' 42" East, 208.44 feet to the point of beginning.

Note: The instruments creating said easements provide that it is "to be used for parking, ingress and egress by Grantee's employees, agents, representatives, subcontractors, lessees, and business invitees and others using the parking lot as part of the business purpose related to the construction and use of the shopping malls being built by Grantee on land adjacent to said Easement Properties" and run to the benefit of the parties thereto and their respective successors and assigns.

Parcel IV: (Non-Exclusive Easement Rights for Common Facilities and Common Utility Facilities as set out in Declaration of Easements, Covenants and Conditions recorded January 30, 1979 as Document No. 513561, and as amended by Supplemental Agreement recorded January 30, 1979 as Document No. 513565; by Amendment to Declaration of Easements, Covenants and Conditions recorded March 20, 1987 as Document No. 907788, and by Supplemental Agreement recorded March 20, 1987 as Document No. 907791 over, upon and across the following described tract, also known as: Toys "R" Us Parcel.) Part of the North half of Section 23, Township 35 North Range 8 West of the 2nd P.M., Lake County, Indiana, described as commencing at the Northwest corner of said Section 23; thence South 02° 42' 00" East along the West line of said Section 23, 842.20 feet to the South right-of-way line of the Chesapeake and Ohio Railroad, thence South 62° 42' 00" East along said South line, 1652.33 feet to the place of beginning; thence continuing South 62° 42' 00" East along said South line, 192.67 feet; thence South 27° 18' 00" West, 274.33 feet, thence South 62° 42' 00" East 4.00 feet; thence South 27° 18' 00" West, 80.00 feet; thence South 62° 42' 00" East, 26.41 feet; thence South 27° 18' 00" West, 275.00 feet; Thence North 62° 42' 00" West, 260.00 feet; thence North 27° 18' 00" East, 275.00 feet; thence South 62° 42' 00" East, 36.92 feet; thence North 27° 18' 00" East, 354.33 feet to the place of beginning. (Said Easement benefits all parcels described in Schedule A hereof.)

Parcel V: (Non-Exclusive Easement Rights for vehicular and pedestrian ingress and egress, parking and drainage as set out in Dedication of Easements, Covenants and Conditions recorded January 30, 1979 as Document No. 513561, and as amended by Supplemental Agreement recorded January 30, 1979 as Document No. 513565 by Amendment to

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Declaration of Easements, Covenants and Conditions recorded March 20, 1987 as Document No. 907788 and by Supplemental Agreement recorded March 20, 1987 as Document No. 907791, over, upon and across the following described tract, also known as Merrillville Plaza Associates Parcel.)

Part of the North 1/2 of Section 23, Township 35 North Range 8 West of the 2nd Principal Meridian of the Ross Township, Lake County, Indiana, lying Southwesterly of the 100 foot right-of-way of the Chesapeake and Ohio Railroad and North of the 200 foot right-of-way of U.S. Highway No. 30, described as follows:

Commencing at the Northwest corner of said Section 23; thence South 02° 42' 00" East along the West line of said Section 23 a distance of 1,258.66 feet to the point of beginning of this described parcel; thence North 87° 18' 00" East, 721.33 feet more or less to the South line of said 100 foot wide Chesapeake and Ohio Railroad right-of-way, thence South 62° 42' 00" East along said South right-of-way, 819.41 feet to a point, 1,652.33 feet South 62° 42' 00" East from the West line of said Section 23 and measured along the South line of said railroad right-of-way; thence South 27° 18' 00" West, 354.33 feet; thence North 62° 42' 00" West, 36.92 feet; thence South 27° 18' 00" West, 614.54 feet more or less to the Northerly right-of-way line of U.S. Highway #30; thence Westerly along the Northerly line of said Highway, 44.97 feet; thence North 01° 35' 00" West 43.06 feet; thence North 88° 25' 00" East, 17.0 feet; thence North 01° 35' 00" West, 150 feet; thence South 88° 25' 00" West, 326.65 feet; thence South 01° 35' 00" East, 193.56 feet to the Northerly right-of-way of U.S. Highway No. 30; thence Westerly along the Northerly line of said Highway, 210 feet to the East line of the American Oil Property described in Deed Recorded in Deed Record 1288, Page 199, thence North 02° 42' 00" West, 191.812 feet along said East line, thence South 87° 18' 00" West, 350 feet to a point on the West line of said Section 23, that is 2,287.90 feet South of the Northwest corner of said Section 23, thence North 02° 42' 00" West, 1,029.24 feet to the point of beginning. (Easements benefit all parcels described in Schedule A hereof, except drainage easement which benefits only Parcels I, II and IV.)

Parcel VI: (Intentionally omitted.)

Parcel VII: (Fee Simple)

Part of the North 1/2, Section 23, Township 35 North, Range 8 West of the 2nd Principal Meridian, in Ross Township, Lake County, Indiana, described as follows: Beginning at the intersection of the North right-of-way line of U.S. Highway No. 30 and the East line of the West 1/2, West 1/2, Northeast 1/4 of said Section 23, thence South 88° 37' 48" West along the North right-of-way line of said highway a distance of 178.62 feet more or less to the Northeastern right-of-way line of the abandoned C & O Railroad; thence North 62° 42' West along said railroad right-of-way, 1724.96 feet; thence North 27° 18' East 20.00 feet; thence North 88° 37' 48" East, 1661.95 feet more or less to the East line of the West 1/2, West 1/2, Northeast 1/4 of said Section 23; thence South 02° 45' 46" East 845.37 feet more or less to the point of beginning.

Parcel VIII: (Fee Simple)

The Southeast Quarter of the Northeast Quarter of Section 23, Township 35 North Range 8 West of the 2nd P.M., and the East half of the Southwest Quarter of the Northeast Quarter of Section 23, Township 35 North Range 8 West of the 2nd P.M. lying North of the Northerly right-of-way line of U.S. Highway No. 30 Excepting that part of the Southeast Quarter of the Northeast Quarter of said Section 23, described as follows: Commencing at the intersection of the North right-of-way line of the U.S. Highway #30 with the East line of the Northeast Quarter of said Section 23; thence West along the North line of U.S. Highway No. 30, a distance of 180 feet; thence North parallel to the East line of the Northeast Quarter of said Section 23, a distance of 150 feet; thence East parallel to the North line of U.S. Highway No. 30, a distance of 180 feet to the East line of the Northeast Quarter of said Section 23; thence South 150 feet to the point of beginning, in Lake County, Indiana.

Also excepting therefrom that portion described as follows:

2007-000989

STATE OF INDIANA
LAKE COUNTY
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Commencing at the point of intersection of the North right-of-way line of U.S. Highway No. 30 with the East line of the Northeast 1/4 of said Section 23, thence North 2° 48' 02" West on the East line of the Northeast 1/4 of said Section 23, a distance of 150.0 feet; thence West parallel to the North line of U.S. Highway 30, a distance of 60.01 feet to a point on a line 60.00 feet West of and parallel to the East line of the Northeast 1/4 of said Section 23, said point being the point of beginning of the hereinafter described tract; thence continuing West on a line parallel to the North line of U.S. Highway 30, a distance of 140.0 feet to a point; thence North 2° 48' 02" West on a line parallel to the East line of the Northeast 1/4 of said Section 23, a distance of 95.17 feet; thence South 88° 37' 48" West, a distance of 166.44 feet to a point, thence South 1° 22' 12" East, a distance of 246.32 feet to a point on the North right-of-way line of U.S. Highway 30, thence Westerly on the North right-of-way line of U.S. Highway 30, a distance of 233.50 feet on the arc of a circle whose chord has a bearing of South 88° 20' 00" West, a chord length of 233.50 feet and a radius of 98117.96 feet to a point; thence North 1° 22' 12" West, a distance of 762.53 feet to a point; thence North 88° 37' 48" East, a distance of 28.64 feet to a point; thence North 1° 22' 12" West, a distance of 282.84 feet to a point; thence South 88° 37' 48" West, a distance of 50.00 feet to a point; thence North 1° 22' 12" West, a distance of 160.00 feet to a point on the North line of the Southeast 1/4 of the Northeast 1/4 of said Section 23, thence North 87° 54' 56" East on the last described line, a distance of 537.27 feet to a point on a line 60.0 feet West of and parallel to the East line of the Northeast 1/4 of said Section 23; thence South 2° 48' 02" East on a line 60.0 feet West of and parallel to the East line of the Northeast 1/4 of said Section 23, a distance of 1058.72 feet to the point of beginning.

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Also excepting therefrom that portion described as follows:

Commencing at the point of intersection of the North right-of-way line of U.S. Highway No. 30 with the East line of the Northeast 1/4 of said Section 23, thence North 2° 48' 02" West on the East line of the Northeast 1/4 of said Section 23, a distance of 150.0 feet; thence West parallel to the North line of U.S. Highway 30, a distance of 50.01 feet to a point on a line 50.0 feet West of and parallel to the East line of the Northeast 1/4 of said Section 23, thence continuing West on a line parallel to the North line of U.S. Highway 30, a distance of 150.0 feet to a point; said point being the point of beginning of the hereinafter described tract; thence North 2° 48' 02" West on a line parallel to the East line of the Northeast 1/4 of said Section 23, a distance of 95.17 feet; thence South 88° 37' 48" West, a distance of 166.44 feet to a point; thence South 1° 22' 12" East, a distance of 246.32 feet to a point on the North right of way line of U.S. Highway 30, thence Easterly on the North right of way line of U.S. Highway 30, a distance of 172.56 feet on the arc of a circle whose chord has a bearing of North 88° 12' 53" East, a chord length of 172.56 feet and a radius of 98117.96 feet to a point; thence North 2° 48' 02" West, a distance of 149.98 feet to the point of beginning.

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Also excepting therefrom that portion described as follows:

That part of the South East 1/4 of the North East 1/4 of Section 23, Township 35 North, Range 8 West of the 2nd Principal Meridian lying North of the Northerly right-of-way line of U.S. Highway No. 30 bounded and described as follows: Commencing at the point of intersection of the North right of way line of U.S. Highway No. 30 with the East line of the Northeast 1/4 of said Section 23, thence North 2° 48' 02" West on the East line of the Northeast 1/4 of said Section 23, a distance of 150.0 feet; thence West parallel to the North line of U.S. Highway 30, (said parallel line having a bearing of South 88° 06' 00" West) a distance of 180.0 feet to the point of beginning; thence continuing South 88° 06' 00" West on said line parallel to the North line of U.S. Highway 30, a distance of 20.01 feet to a point; thence South 2° 48' 02" East on a line parallel to the East line of the Northeast 1/4 of said Section 23, a distance of 149.98 feet; to a point on the North right of way line of U.S. Highway 30, thence Easterly on the North right of way line of U.S. Highway 30, a distance of 20.01 feet on the arc of a circle whose chord has a bearing of North 88° 09' 31" East, a chord length of 20.01 feet and a radius of 98117.96 feet to a point; thence North 2° 48' 02" West

on a line parallel to the East line of the Northeast 1/4 of said Section 23, a distance of 150.00 feet to the point of beginning. All in Lake County, Indiana.

Also excepting therefrom that portion described as follows:

That part of the Southeast 1/4 of the North East 1/4 of Section 23, Township 35 North, Range 8 West of the 2nd Principal Meridian lying North of the Northerly right-of-way line of U.S. Highway No. 30 bounded and described as follows: Commencing at the point of intersection of the North right of way of U.S. Highway No. 30 with the East line of the Northeast 1/4 of said Section 23, thence North 2° 48' 02" West on the East line of the Northeast 1/4 of said Section 23, a distance of 150.0 feet to the point of beginning; thence West parallel to the North line of U.S. Highway 30, a distance of 60.01 feet to a point on a line 60.0 feet West of and parallel to the East line of the Northeast 1/4 of said Section 23; thence North 2° 48' 02" West on a line parallel to the East line of the Northeast 1/4 of said Section 23, a distance of 1058.72 feet to a point on the North line of the Southeast 1/4 of the Northeast 1/4 of said Section 23, thence North 87° 54' 56" East of the last described line, a distance of 60.01 feet to a point on the East line of the Northeast 1/4 of said Section 23; thence South 2° 48' 02" East on the East line of the Northeast 1/4 of said Section 23, a distance of 1058.91 feet to the point of beginning. All in Lake County, Indiana.

Parcel IX: (Non-Exclusive Easement Rights appurtenant for roadways, walkways, ingress and egress and parking facilities as created by Easement Document dated May 17, 1990, recorded August 1, 1990 as Document No. 114786 over the following described land:)

That part of the South East 1/4 of the North East 1/4 of Section 23, Township 35 North, Range 8 West of the 2nd Principal Meridian lying North of the Northerly right-of-way line of U.S. Highway No. 30 bounded and described as follows: Commencing at the point of intersection of the North right of way line of U.S. Highway No. 30 with the East line of the Northeast 1/4 of said Section 23, thence North 2° 48' 02" West on the East line of the Northeast 1/4 of said Section 23, a distance of 150.0 feet; thence West parallel to the North line of U.S. Highway 30, a distance of 50.01 feet to the point on a line 50.0 feet West of and parallel to the East line of the Northeast 1/4 of said Section 23, said point being the point of beginning of the hereinafter described tract; thence continuing West on a line parallel to the North line of U.S. Highway 30, a distance of 150.0 feet to a point; thence North 2° 48' 02" West on a line parallel to the East line of the Northeast 1/4 of said Section 23, a distance of 95.17 feet; thence South 88° 37' 48" West, a distance of 166.44 feet to a point; thence South 1° 22' 12" East, a distance of 246.32 feet to a point on the North right of way line of U.S. Highway 30, thence Westerly on the North right of way line of U.S. Highway 30, a distance of 233.50 feet on the arc of a circle whose chord has a bearing of South 88° 20' 00" West, a chord length of 233.50 feet and a radius of 98117.96 feet to a point; thence North 1° 22' 12" West, a distance of 762.53 feet to a point; thence North 88° 37' 48" East, a distance of 28.64 feet to a point; thence North 1° 22' 12" West, a distance of 282.84 feet to a point; thence South 88° 37' 48" West, a distance of 50.00 feet to a point; thence North 1° 22' 12" West, a distance of 160.0 feet to a point on the North line of the Southeast 1/4 of the Northeast 1/4 of said Section 23, thence North 87° 54' 56" East on the last described line, a distance of 547.27 feet to a point on a line 50.0 feet West of and parallel to the East line of the Northeast 1/4 of said Section 23; thence South 2° 48' 02" East on a line 50.0 feet West of and parallel to the East line of the Northeast 1/4 of said Section 23, a distance of 1058.75 feet to the point of beginning, all in Lake County, Indiana. (Said Easement benefits Parcel VIII.)

Parcel X: (Fee Simple)

That part of the Northeast Quarter of Section 23, Township 35 North, Range 8 West of the Second Principal Meridian, in Lake County, Indiana, described as follows:

Commencing at the point of intersection of the North right-of-way line of U.S. Highway #30 with the West line of the East Half of the Southwest Quarter of the Northeast Quarter of said

Section 23; thence North 02 degrees 45 minutes 46 seconds West along said West line of the East Half of the Southwest Quarter of the Northeast Quarter of said Section 23, a distance of 845.37 feet to the Point of Beginning of the described parcel; thence South 88 degrees 37 minutes 48 seconds West a distance of 190.00 feet; thence North 02 degrees 45 minutes 46 seconds West a distance of 341.37 feet to a point on the North line of the South Half of the Northeast Quarter of said Section 23; thence North 87 degrees 54 minutes 56 seconds East along said North line a distance of 189.96 feet to a point on the West line of the East Half of the Southwest Quarter of the Northeast Quarter of said Section 23; thence South 02 degrees 45 minutes 46 seconds East along said West line a distance of 343.74 feet to the Point of Beginning, containing 1.494 acres, more or less.

Parcel XI

A Non-exclusive easement as created by a Grant of Non-Exclusive Easement and Use of Real Property recorded November 4, 1999 as Instrument No. 99091387 for the benefit of Parcel X.

The above Fee Parcels have now been described by modernized perimeter legal descriptions designated Parcel A, Parcel B and Parcel C as created within a survey by Old Republic Site Management Services Project No. 2006-12-0037 dated January 25, 2007 and last revised February 12, 2007 and Merlyn J. Jenkins & Associates Inc., The Crossings at Hobart dated January 25, 2007 and last revised February 12, 2007, more particularly described as follows:

THE CROSSINGS AT HOBART

PARCEL "A"

All that certain lot or parcel of ground situate in Hobart, County of Lake, State of Indiana, bounded and described as follows:

Beginning at a point located on the North right-of-way line of U.S. Route 30, said point being situate North eighty-eight degrees two minutes and fifty-four seconds East (N 88 degrees 02'54" E) a distance of five hundred sixty and three hundredths feet (560.03') from a point located at the intersection of the East right-of-way line of Mississippi Street with the aforementioned North right-of-way line of U.S. Route 30; THENCE FROM THE PLACE OF BEGINNING, North one degree thirty-five minutes and no seconds West (N 1 degree 35'00" W) for a distance of one hundred ninety-three and fifty-six hundredths feet (193.56') to a point; thence, North eighty-eight degrees twenty-five minutes and no seconds East (N 88 degrees 25'00" E) for a distance of three hundred twenty-six and sixty-five hundredths feet (326.65') to a point; thence, South one degree thirty-five minutes and no seconds East (S 1 degree 35'00" E) for a distance of one hundred fifty and no hundredths feet (150.00') to a point; thence, South eighty-eight degrees twenty-five minutes and no seconds West (S 88 degrees 25'00" W) for a distance of seventeen and no hundredths feet (17.00') to a point; thence, South one degree thirty-five minutes and no seconds East (S 1 degree 35'00" E) for a distance of forty-three and six hundredths feet (43.06') to a point; thence along the aforementioned North right-of-way line of U.S. Route 30, South eighty-eight degrees nineteen minutes and twenty-seven seconds West (S 88 degrees 19'27" W) for a distance of three hundred nine and sixty-five hundredths feet (309.65') to the place of beginning. Containing 62,408.44 Square Feet (1.433 Acres).

PARCEL "B"

All that certain lot or parcel of ground situate in Hobart, County of Lake, State of Indiana, bounded and described as follows:

Beginning at a point located on the North right-of-way line of U.S. Route 30, said point being situate North eighty-eight degrees two minutes and fifty-four seconds East (N 88 degrees

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02'54" E) a distance of five hundred sixty and three hundredths feet (560.03'), North eighty-eight degrees nineteen minutes and twenty-seven seconds East (N 88 degrees 19'27" E) a distance of three hundred nine and sixty-five hundredths feet (309.65') and North eighty-eight degrees thirty-one minutes and eleven seconds East (N 88 degrees 31'11" E) a distance of forty-four and ninety-nine hundredths feet (44.99') from a point located at the intersection of the East right-of-way line of Mississippi Street with the aforementioned North right-of-way line of U.S. Route 30; THENCE FROM THE PLACE OF BEGINNING, North twenty-seven degrees eighteen minutes and no seconds East (N 27 degrees 18'00" E) for a distance of three hundred thirty-nine and fifty-one hundredths feet (339.51') to a point; thence, South sixty-two degrees forty-two minutes and no seconds East (S 62 degrees 42'00" E) for a distance of two hundred sixty and no hundredths feet (260.00') to a point; thence, North twenty-seven degrees eighteen minutes and no seconds East (N 27 degrees 18'00" E) for a distance of two hundred seventy-five and no hundredths feet (275.00') to a point; thence, North sixty-two degrees forty-two minutes and no seconds West (N 62 degrees 42'00" W) for a distance of twenty-six and forty-one hundredths feet (26.41') to a point; thence, North twenty-seven degrees eighteen minutes and no seconds East (N 27 degrees 18'00" E) for a distance of eighty and no hundredths feet (80.00') to a point; thence, North sixty-two degrees forty-two minutes and no seconds West (N 62 degrees 42'00" W) for a distance of four and no hundredths feet (4.00') to a point; thence, North twenty-seven degrees eighteen minutes and no seconds East (N 27 degrees 18'00" E) for a distance of two hundred seventy-four and thirty-three hundredths feet (274.33') to a point; thence, South sixty-two degrees forty-two minutes and no seconds East (S 62 degrees 42'00" E) for a distance of one thousand five hundred forty-two and eight hundredths feet (1,542.08') to a point; thence along the aforementioned North right-of-way line of U.S. Route 30, South eighty-eight degrees thirty-seven minutes and forty-eight seconds West (S 88 degrees 37'48" W) for a distance of one thousand nine hundred thirty-one and eighty-three hundredths feet (1,931.83') to a point; thence further along the same, around a curve having an angle of zero degrees five minutes and thirty-five seconds (00 degrees 05'35"), a radius of fifty-three thousand eight hundred seventeen and twenty-three hundredths feet (53,817.23'), a tangent of forty-three and seventy-two hundredths feet (43.72'), an arc of eighty-seven and forty-four hundredths feet (87.44'), for a chord course of South eighty-eight degrees thirty-four minutes and fifty-three seconds West (S 88 degrees 34'53" W) for a chord distance of eighty-seven and forty-four hundredths feet (87.44') to the place of beginning. Containing 704,989.23 Square Feet (16.184 Acres).

PARCEL "C"

All that certain lot or parcel of ground situate in Hobart, County of Lake, State of Indiana, bounded and described as follows:

Beginning at a point located on the North right-of-way line of U.S. Route 30, said point being situate North eighty-eight degrees two minutes and fifty-four seconds East (N 88 degrees 02'54" E) a distance of five hundred sixty and three hundredths feet (560.03'), North eighty-eight degrees nineteen minutes and twenty-seven seconds East (N 88 degrees 19'27" E) a distance of three hundred nine and sixty-five hundredths feet (309.65'), North eighty-eight degrees thirty-one minutes and eleven seconds East (N 88 degrees 31'11" E) a distance of forty-four and ninety-nine hundredths feet (44.99'), North eighty-eight degrees thirty-four minutes and fifty-three seconds East (N 88 degrees 34'53" E) a distance of eighty-seven and forty-four hundredths feet (87.44') and North eighty-eight degrees thirty-seven minutes and forty-eight seconds East (N 88 degrees 37'48" E) a distance of two thousand one hundred forty and twenty-seven hundredths feet (2,140.27') from a point located at the intersection of the East right-of-way line of Mississippi Street with the aforementioned North right-of-way line of U.S. Route 30; THENCE FROM THE PLACE OF BEGINNING, North sixty-two degrees forty-two minutes and no seconds West (N 62 degrees 42'00" W) for a distance of one thousand seven hundred twenty-four and ninety-six hundredths feet (1,724.96') to a point; thence, North twenty-seven degrees eighteen minutes and no seconds East (N 27 degrees 18'00" E) for a distance of twenty and no hundredths feet (20.00') to a point; thence, North eighty-eight degrees thirty-seven minutes and forty-eight seconds East (N 88

degrees 37'48" E) for a distance of one thousand four hundred seventy-one and ninety-five hundredths feet (1,471.95') to a point; thence, North two degrees forty-five minutes and forty-six seconds West (N 2 degrees 45'46" W) for a distance of three hundred forty-one and thirty-seven hundredths feet (341.37') to a point; thence, North eighty-seven degrees fifty-four minutes and fifty-six seconds East (N 87 degrees 54'56" E) for a distance of one thousand five hundred eighty-four and seventeen hundredths feet (1,584.17') to a point; thence, South one degree twenty-two minutes and twelve seconds East (S 1 degree 22'12" E) for a distance of one hundred sixty and no hundredths feet (160.00') to a point; thence, North eighty-eight degrees thirty-seven minutes and forty-eight seconds East (N 88 degrees 37'48" E) for a distance of fifty and no hundredths feet (50.00') to a point; thence, South one degree twenty-two minutes and twelve seconds East (S 1 degree 22'12" E) for a distance of two hundred eighty-two and eighty-four hundredths feet (282.84') to a point; thence, South eighty-eight degrees thirty-seven minutes and forty-eight seconds West (S 88 degrees 37'48" W) for a distance of twenty-eight and sixty-four hundredths feet (28.64') to a point; thence, South one degree twenty-two minutes and twelve seconds East (S 1 degree 22'12" E) for a distance of seven hundred sixty-two and fifty-three hundredths feet (762.53') to a point; thence along the aforementioned North right-of-way line of U.S. Route 30, around a curve having an angle of zero degrees twelve minutes and twenty-five seconds (00 degrees 12'25"), a radius of ninety-eight thousand one hundred seventeen and ninety-six hundredths feet (98,117.96'), a tangent of one hundred seventy-seven and twelve hundredths feet (177.12'), an arc of three hundred fifty-four and twenty-four hundredths feet (354.24'), for a chord course of South eighty-eight degrees thirty minutes and eighteen seconds West (S 88 degrees 30'18" W) for a chord distance of three hundred fifty-four and twenty-four hundredths feet (354.24') to a point; thence further along the same, South eighty-eight degrees thirty-seven minutes and forty-eight seconds West (S 88 degrees 37'48" W) for a distance of one thousand two hundred ten and ninety-four hundredths feet (1,210.94') to the place of beginning.

Containing 2,542,604.27 Square Feet (58.370 Acres).

Also together with A Non-exclusive easement as created by a Grant of Non-Exclusive Easement and Use of Real Property recorded November 4, 1999 as Instrument No. 99091387.

APN: 43-53-0011-0006 and 43-53-0011-0007 and 43-53-0011-0018 and 43-53-0011-0019 and 43-53-0011-0049 and 43-53-0011-0050 and 43-53-0011-0051 and 43-53-0011-0061 and 43-53-0011-0057

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