

5

STATE OF INDIANA  
LAKE COUNTY  
FILED FOR RECORD

2008 021249

2008 MAR 25 PM 2:16

MICHAEL A. BROWN  
RECORDER

# Environmental Disclosure Document for Transfer of Real Property (IC 13-25-3-7.5)

State Form 52653 (R/1-07)  
Indiana Department of Environmental Management

**A WARNING TO THE PARTIES TO A TRANSFER OF PROPERTY:**  
The single act of reading this document does not constitute "all appropriate inquiries" into the previous ownership and uses of the facility to satisfy that requirement under the federal Comprehensive Environmental Response, Compensation and Liability Act (42 U.S.C. 9601(35)(B)). You are strongly encouraged to read this document carefully and to take all other actions necessary to make a due diligence inquiry into the previous ownership and uses of the facility if you intend to satisfy the criteria to avoid liability under the federal Comprehensive Environmental Response, Compensation and Liability Act or IC 13-25-4.

| For Use By County Recorder's Office  |  |
|--|--|
| County   |  |
| Date   |  |
| Document Number  |  |
| Volume   |  |
| Page   |  |
| Received by  |  |
| The following information is provided under IC 13-25-3-7.5, the Responsible Property Transfer Law. |  |

## I. Property Identification

### A. Address of Property:

|                 |   |
|-----------------|---|
| Street          | City or town                                |
| 8835 OAK AVENUE | GARY  |
| Township        | Tax Parcel Identification No. (Key Number): |
|                 | 25-45-0258-0048                             |

### B. Legal Description:

|         |          |       |
|---------|----------|-------|
| Section | Township | Range |
|         |          |       |

Enter or attach complete legal description in this area:

SEE ATTACHED ADDENDUM B

### Liability Disclosure

Transferors and transferees of real property are advised that their ownership or other control of such property may render them liable for environmental cleanup costs whether or not they caused or contributed to the presence of environmental problems in association with the property.

### C. Property Characteristics:

|          |         |
|----------|---------|
| Lot size | Acreage |
|          |         |

Check all types of improvements and uses that pertain to the property:

- |   |   |
|---|---|
| <input type="checkbox"/> Apartment building (6 units or less) | <input type="checkbox"/> Industrial building  |
| <input type="checkbox"/> Commercial apartment (over 6 units)  | <input type="checkbox"/> Farm, with buildings |
| <input type="checkbox"/> Store, office, commercial building   | <input type="checkbox"/> Other (specify)      |

## II. Nature of Transfer

- |   |   |  |
|---|---|--|
| A. (1) Is this a transfer by deed or other instrument of conveyance of fee title to property? | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |
| (2) Is this a transfer by assignment of over 25% of beneficial interest of a land trust?      | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |
| (3) A lease exceeding a term of 40 years?   | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |
| (4) A collateral assignment of beneficial interest?   | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |
| (5) An installment contract for the sale of property?   | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |
| (6) A mortgage of trust deed?   | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            |
| (7) A lease of any duration that includes an option to purchase?                              | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |

### B. (1) Identify Transferor:

|                    |              |
|--------------------|--------------|
| Name of Transferor | City/State   |
| LINDA A. DEVON     | GARY IN      |
| Address            | Trust number |
| 8835 OAK AVENUE    |              |
| Zip                |              |
| 46403              |              |

Name and address of Trustee if this is a transfer of beneficial interest of a land trust.

(Continued on reverse side)

IN-0145-0907

#0073-38778  
1900  
ddp

HOLD FOR RICK

(2) Identify person who has completed this form on behalf of the Transferor and who has knowledge of the information contained in this form. Include name, position (if any), and address and telephone number.

|         |                           |
|---------|---------------------------|
| Name    | Position                  |
| Address | City/State                |
| Zip     | Telephone number<br>( ) - |

**C. Identify Transferee:**

|                    |                                     |            |                  |
|--------------------|-------------------------------------|------------|------------------|
| Name of Transferee | WELLS FARGO FINANCIAL INDIANA, INC. |            |                  |
| Address            | 2627 E 80TH AVENUE                  | City/State | MERRILLVILLE, IN |
| Zip                | 46410                               |            |                  |

**III. Environmental Information**

**A. Regulatory Information During Current Ownership**

- Has the transferor ever conducted operations on the property which involved the generation, manufacture, processing, transportation, treatment, storage, or handling of a "hazardous substance," (as defined by IC 13-11-2-98)? This question does not apply to consumer goods stored or handled by a retailer in the same form and approximate amount, concentration, and manner as they are sold to consumers, unless the retailer has engaged in any commercial mixing (other than paint mixing or tinting of consumer sized containers), finishing, refinishing, servicing, or cleaning operations on the property.  Yes  No
- Has the transferor ever conducted operations on the property which involved the processing, storage, or handling of petroleum, other than that which was associated directly with the transferor's vehicle usage?  Yes  No
- Has the transferor ever conducted operations on the property which involved the generation, transportation, storage, treatment, or disposal of "hazardous waste," (as defined in IC 13-11-2-99(a))?  Yes  No
- Are there any of the following units (operating or closed) at the property that are used or were used by the transferor to manage hazardous wastes, hazardous substances, or petroleum?
  - Landfill  Yes  No
  - Surface Impoundment  Yes  No
  - Land Application  Yes  No
  - Waste Pile  Yes  No
  - Incinerator  Yes  No
  - Storage Tank (Above Ground)  Yes  No
  - Storage Tank (Underground)  Yes  No
  - Container Storage Area  Yes  No
  - Injection Wells  Yes  No
  - Wastewater Treatment Units  Yes  No
  - Septic Tanks  Yes  No
  - Transfer Stations  Yes  No
  - Waste Recycling Operations  Yes  No
  - Waste Treatment Detoxification  Yes  No
  - Other Land Disposal Area  Yes  No
- Has the transferor ever held any of the following in regard to this real property?
  - (A) Permits for discharges of wastewater to waters of Indiana.  Yes  No
  - (B) Permits for emission to the atmosphere.  Yes  No
  - (C) Permits for any waste storage, waste treatment, or waste disposal operation?  Yes  No
- Has the transferor ever discharged any wastewater (other than sewage) to a publicly owned treatment works?  Yes  No
- Has the transferor been required to take any of the following actions relative to this property?
  - (A) Filed an emergency and hazardous chemical inventory form pursuant to the federal Emergency Planning and Community Right-to-Know Act of 1986 (42 U.S.C. §11022).  Yes  No
  - (B) Filed a toxic chemical release form pursuant to the federal Emergency Planning and Community Right-to-Know Act of 1986 (42 U.S.C. §11023).  Yes  No
- Has the transferor or any facility on the property or the property been the subject of any of the following state or federal governmental actions?
  - (A) Written notification regarding known, suspected, or alleged contamination on or emanating from the property.  Yes  No
  - (B) Filing an environmental enforcement case with a court of the solid waste management board for which a final order or consent decree was entered.  Yes  No
  - (C) If the answer to question (B) was Yes, then indicate whether or not the final order or decree is still in effect for this property.  Yes  No
- Environmental Releases During Transferor's Ownership.
  - (A) Has any situation occurred at this site which resulted in a reportable "release" of any hazardous substances or petroleum as required under state or federal laws?  Yes  No
  - (B) Have any hazardous substances or petroleum which were released come into direct contact with the ground at this site?  Yes  No  
If the answer to question (A) or (B) is Yes, have any of the following actions or events been associated with a release on the property?
    - Use of a cleanup contractor to remove or treat materials including soils, pavement, or other surficial materials?
    - Assignment of in-house maintenance staff to remove or treat materials including soils, pavement, or other surficial materials?
    - Sampling and analysis of soils?
    - Temporary or more long term monitoring of groundwater at or near the site?
    - Impaired usage of an onsite or nearby water well because of offensive characteristics of the water?
    - Coping with fumes from subsurface storm drains or inside basements?
    - Signs of substances leaching out of the ground along the base of slopes or at other low points on or immediately adjacent to the site?
  - (C) Is there an environmental defect (as defined in IC 13-11-2-70) on the property that is not reported under question (A) or (B)?  Yes  No

If the answer is Yes, describe the environmental defect:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(Continued on next page)

10. Is the facility currently operating under a variance granted by the commissioner of the Indiana Department of Environmental Management?  Yes  No
11. Has the transferor ever conducted an activity on the site without obtaining a permit from the U.S. Environmental Protection Agency, the commissioner of the Indiana Department of Environmental Management, or another administrative agency or authority with responsibility for the protection of the environment, when such permit was required by law?  Yes  No
- If the answer is Yes, describe the activity:

12. Is there any explanation needed for clarification of any of the above answers or responses?  
*N/A*

**B. Site Information Under Other Ownership or Operation**

1. Provide the following information about the previous owner or about any entity or person to whom the transferor leased the property or with whom the transferor contracted for the management of the property:

Name

Type of business or property usage

2. If the transferor has knowledge, indicate whether the following existed under prior ownerships, leaseholds granted by the transferor, other contracts for management or use of the property:

Landfill

Yes  No

Surface Impoundment

Yes  No

Land Application

Yes  No

Waste Pile

Yes  No

Incinerator

Yes  No

Storage Tank (Above Ground)

Yes  No

Storage Tank (Underground)

Yes  No

Container Storage Area

Yes  No

Injection Wells

Yes  No

Wastewater Treatment Units

Yes  No

Septic Tanks

Yes  No

Transfer Stations

Yes  No

Waste Recycling Operations

Yes  No

Waste Treatment Detoxification

Yes  No

Other Land Disposal Area

Yes  No

**IV. Certification**

A. Based on my inquiry of those persons directly responsible for gathering the information, I certify that the information submitted is, to the best of my knowledge and belief, true and accurate.

Transferor (or on behalf of Transferor):

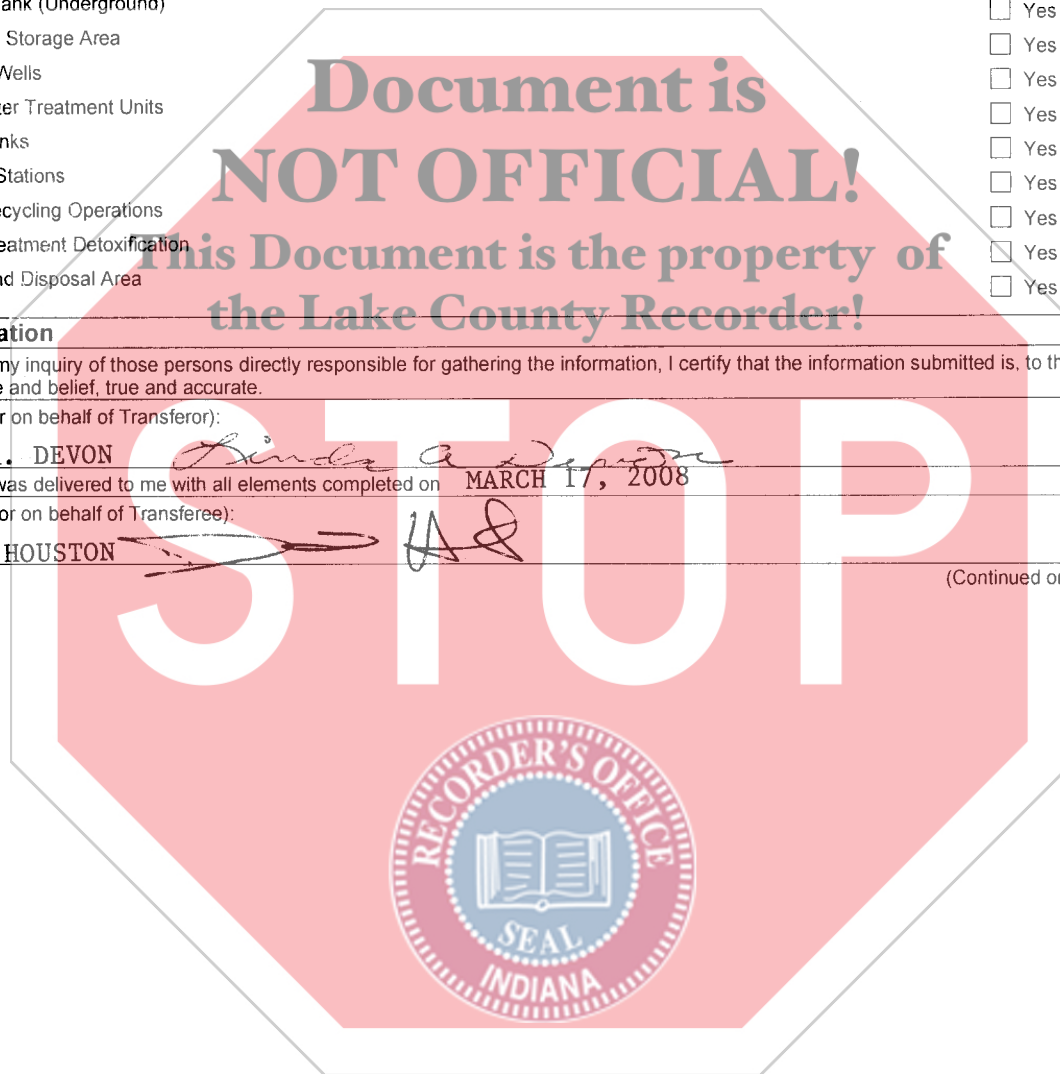
*Linda A. Devon*  
**LINDA A. DEVON**

B. This form was delivered to me with all elements completed on **MARCH 17, 2008**

Transferee (or on behalf of Transferee):

*DAVID HOUSTON*  
**DAVID HOUSTON**

(Continued on reverse side)



**V. Further Action Upon Completion of the Form**

A. The transferor must comply with the delivery requirements of IC 13-25-3-2 and the filing and recording requirements of IC 13-25-3-8.

B. The transferee must comply with the recording requirements of IC 13-25-3-8.

**NOTARY ACKNOWLEDGMENT**

State of INDIANA )  
County of LAKE ) ss.

Before me, the undersigned, a Notary Public in and for said county, this 17TH day of MARCH 2008, came LINDA A. DEVON and acknowledged the execution of the foregoing instrument. Witness my hand and official seal.

My Commission Expires: FEBRUARY 19, 2016  TRAVIS ALLEN BUNCH, Notary Public

Instrument prepared by: BRENDA M. MARQUIS (name) Wells Fargo Financial Indiana, Inc. 2627 E 80TH AVE. MERRILLVILLE IN 46410 (address).

I affirm, under penalties of perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law.

Signature:  BRENDA M. MARQUIS

Return to: Wells Fargo Financial Indiana, Inc. 2627 E 80TH AVE. MERRILLVILLE IN 46410 (address).



**ADDENDUM B  
TO  
ENVIRONMENTAL DISCLOSURE**

**Description of Property**

LOTS 48, 49 & 50 IN BLOCK 16 IN LAKE SHORE ADDITION TO EAST CHICAGO, IN THE CITY OF GARY, IN THE OFFICE OF THE RECORDER OF LAKE COUNTY, INDIANA.

