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WILLIAM J. KRULL
REG. ENGINEER NO. 235
KEVIN A. KRULL
REG. SURVEYOR NO. 2010075

STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD
2009 SEP 22 PM 1:14
MICHAEL A. BROWN
RECORDER

KRULL & SON
ENGINEERS AND SURVEYORS
ESTABLISHED 1914
P.O. BOX 452
508 MAIN STREET
HOBERT, INDIANA 46342
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FILED
SEP 22 2009

2009-064615

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ROBERT A. KRULL
REG. ENGINEER NO. 3892
REG. SURVEYOR NO. 10518

SURVEYOR'S REPORT

PLAT OF SURVEY

PEGGY HOLINGA KATONA
LAKE COUNTY AUDITOR

DESCRIPTION OF PROPERTY:
PARCEL 1: Lots 1, 2, 3, 4 and 5 in Block 1, Allen-Earle Wood-Dale Addition, as shown in Plat Book 21 page 45, in the Office of the Recorder of Lake County, Indiana.

PARCEL 2: Part of the NW 1/4 of the NE 1/4 of Section 32, Township 38 North, Range 7 West of the 2nd P.M., in Lake County, Indiana, described as follows: Beginning at the intersection of the Northernly line of Georgiana Street and the Westernly line of Ohio Street; thence Northeastly along the Westernly line of Ohio Street 97.4 feet; thence Northwestly parallel to Georgiana Street 300 feet; thence Southwestly parallel to Ohio Street 97.4 feet to the Northernly line of Georgiana Street; thence Southeastly along the Northernly line of Georgiana Street, 300 feet to the point of beginning.

Parcel 3: That part of Block 20, Earle and Davis Addition, lying West of the E.J. & E. R.R. and that part of Block 20, Earle and Davis Addition East of the E.J. & E. R.R., all in the NE 1/4 of Section 32, Township 38 North, Range 7 West of the 2nd P.M., situated in the City of Hobart, Lake County, Indiana.

Parcel 4: Part of Ohio Street in Earle and Davis Addition to Hobart, as per plat thereof, recorded in Miscellaneous Record "A" page 486, in the Office of the Recorder of Lake County, Indiana, described as follows: Beginning at the Northwest corner of Block 20 in said Earle and Davis Addition; thence Southernly, along the Westernly line of said Block 20, 100.00 feet to the Southernly line of said Block 20; thence Westernly along said Southernly line, extended Westernly, 50.00 feet to the Westernly right-of-way line of said Ohio Street; thence Northernly, along said Westernly right-of-way line, 100.00 feet to the Northernly line of said Block 20, extended Westernly, thence Easternly, along the Northernly line of said Block 20, extended Westernly, 50.00 feet to the point of beginning.

In accordance with Title 865, Article 1.0, Chapter 12, Section 1 through 34 of the Indiana Administrative Code, the following observations and opinions are submitted regarding the various uncertainties in the location of the lines and corners established on this survey as a result of:

- The following documents were used in the course of this survey:
 - The recorded subdivision plat of Earle & Davis Addition to Hobart, recorded June 13, 1959.
 - The recorded subdivision plat of Allen-Earle Wood-Dale Addition to Hobart prepared by William J. Krull, dated October 25, 1927.
 - The recorded subdivision plat of Stendahl's Wood-Dale Addition to Hobart prepared by Clifton J. Metzger, recorded October 14, 1955.
 - A deed dated August 27, 1898 from John and Clara Earle to the Elgin, Joliet and Eastern Railway Company of strips of land in Hobart.
 - An Affidavit by William J. Krull, recorded in Miscellaneous Record 168 page 428 and dated July 27, 1926, stating the nonexistence of Lots in Block 24 of Earle & Davis Addition to Hobart.
 - Elgin, Joliet and Eastern Railway Company's Office of Chief Engineer's Station Map of Hobart, Indiana, Station 6220 to 6302, dated October 2, 1951. Date of last revision August 2, 1970.
 - Numerous surveys by Krull and Son germane to the hereon surveyed parcels which date from 1928 to the present.
 - A Plat of Survey prepared by E. J. Hutson & Associates, dated December 3, 1893, of approximately 9 miles of the Elgin, Joliet and Eastern Railroad right-of-way.
 - Quit Claim Deed, Document No. 94011232, from the Elgin, Joliet and Eastern Railway Company to the Lake County Parks and Recreation Board of parts of the E. J. & E. Railroad right-of-way in Lake County.
 - Quit Claim Deed, Document No. 2007047299, from the Lake County Parks and Recreation Board to the City of Hobart of parts of the E. J. & E. Railroad right-of-way in Hobart.
 - The hereon survey was performed without the benefit of a Title Commitment. The descriptions for the hereon Parcels 1, 2 and 3 were obtained from deeds furnished by the client. The descriptions for the hereon Parcels 4, 5, 6, 7 and 8 were written by Krull and Son for the hereon survey and appear on the deeds and ordinances of record for said parcels.

- The following monuments were used for this survey:
 - An iron pipe at the Northwest corner of Block 26, Earle & Davis Addition to Hobart.
 - An iron pipe at the Northeast corner of Block 2, Allen-Earle Wood-Dale Addition to Hobart.
 - An iron pipe at the Northeast corner of Block 7, Allen-Earle Wood-Dale Addition to Hobart.
 - An iron pipe at the Southeast corner of the West 120 feet of Lot 100, Stendahl's Wood-Dale Addition to Hobart.
 - The existing tracts for the Pittsburgh, Ft. Wayne and Chicago Railroad.

Availability and condition of reference monuments:
The monuments were in good condition and appeared undisturbed and were found at or near grade.

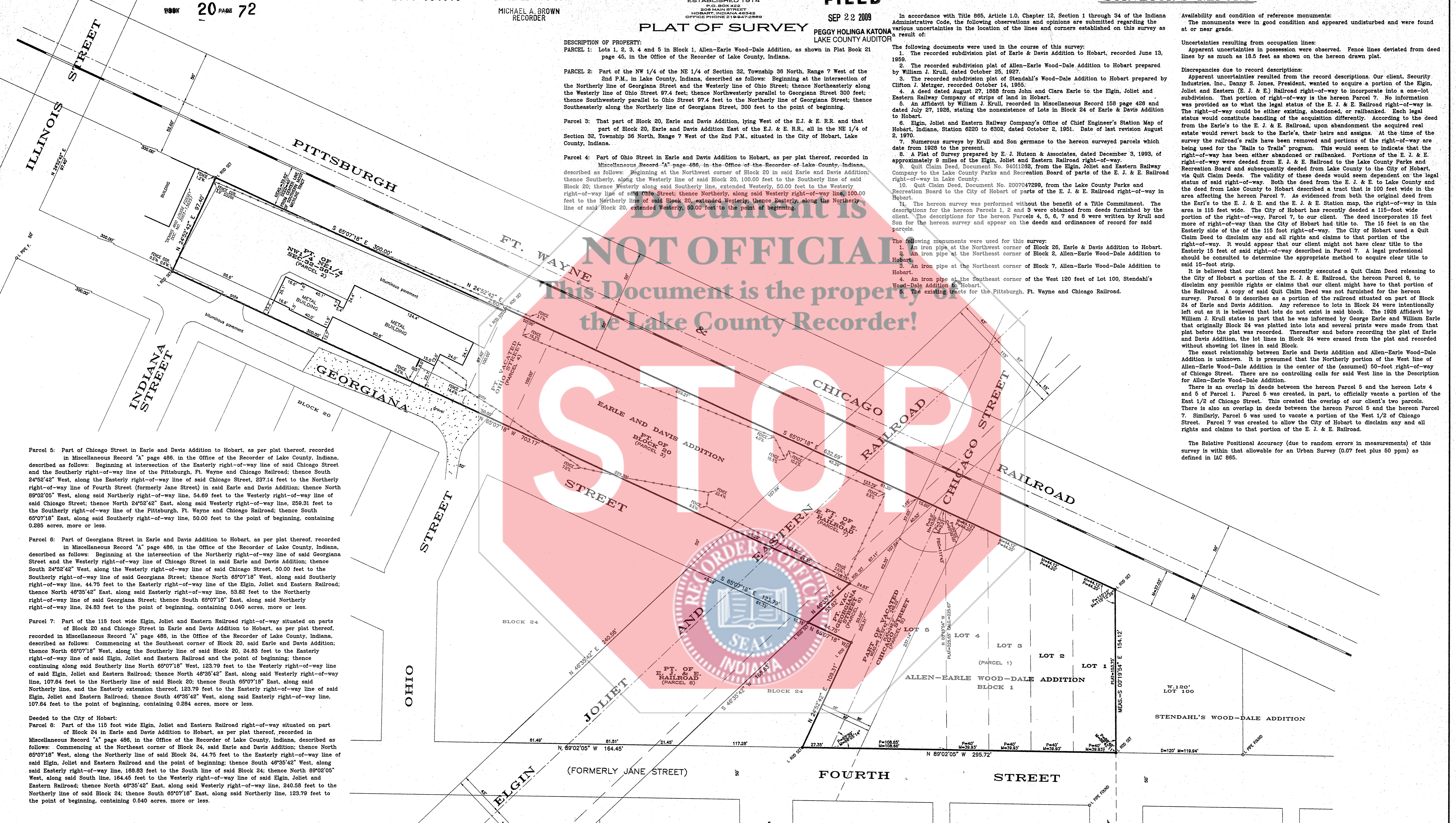
Uncertainties resulting from occupation lines:
Apparent uncertainties in possession were observed. Fence lines deviated from deed lines by as much as 18.5 feet as shown on the hereon drawn plat.

Discrepancies due to record descriptions:
Apparent uncertainties resulted from the record descriptions. Our client, Security Industries, Inc., Danny S. Jones, President, wanted to acquire a portion of the Elgin, Joliet and Eastern (E. J. & E.) Railroad right-of-way to incorporate into a one-lot subdivision. That portion of right-of-way is the hereon Parcel 7. No information was provided as to what the legal status of the E. J. & E. Railroad right-of-way is. The right-of-way could be either existing, abandoned, or railbanked. Each legal status would constitute handling of the acquisition differently. According to the deed from the Earle's to the E. J. & E. Railroad, upon abandonment the acquired real estate would revert back to the Earle's, their heirs and assigns. At the time of the survey the railroad's rails have been removed and portions of the right-of-way are being used for the "Rails to Trails" program. This would seem to indicate that the right-of-way has been either abandoned or railbanked. Portions of the E. J. & E. Railroad right-of-way were deeded from E. J. & E. Railroad to the Lake County Parks and Recreation Board and subsequently deeded from Lake County to the City of Hobart, via Quit Claim Deeds. The validity of these deeds would seem dependent on the legal status of said right-of-way. Both the deed from the E. J. & E. to Lake County and the deed from Lake County to Hobart described a tract that is 100 feet wide in the area affecting the hereon Parcel 7. As evidenced from both the original deed from the Earle's to the E. J. & E. and the E. J. & E. Station map, the right-of-way in this area is 115 feet wide. The City of Hobart has recently deeded a 115-foot wide portion of the right-of-way, Parcel 7, to our client. The deed incorporates 15 feet more of right-of-way than the City of Hobart had title to. The 15 feet is on the Eastern side of the 115 foot right-of-way. The City of Hobart used a Quit Claim Deed to disclaim any and all rights and claims to that portion of the right-of-way. It would appear that our client might not have clear title to the Eastern 15 feet of said right-of-way described in Parcel 7. A legal professional should be consulted to determine the appropriate method to acquire clear title to said 15-foot strip.

It is believed that our client has recently executed a Quit Claim Deed releasing to the City of Hobart a portion of the E. J. & E. Railroad, the hereon Parcel 8, to disclaim any possible rights or claims that our client might have to that portion of the Railroad. A copy of said Quit Claim Deed was not furnished for the hereon survey. Parcel 8 is described as a portion of the railroad situated on part of Block 24 of Earle and Davis Addition. Any reference to lots in Block 24 were intentionally left out as it is believed that lots do not exist in said block. The 1926 Affidavit by William J. Krull states in part that he was informed by George Earle and William Earle that originally Block 24 was platted into lots and several prints were made from that plat before the plat was recorded. Thereafter and before recording the plat of Earle and Davis Addition, the lot lines in Block 24 were erased from the plat and recorded without showing lot lines in said Block.

The exact relationship between Earle and Davis Addition and Allen-Earle Wood-Dale Addition is unknown. It is presumed that the Northernly portion of the West line of Allen-Earle Wood-Dale Addition is the center of the (assumed) 50-foot right-of-way of Chicago Street. There are no controlling calls for said West line in the Description for Allen-Earle Wood-Dale Addition.
There is an overlap in deeds between the hereon Parcel 5 and the hereon Lots 4 and 5 of Parcel 1. Parcel 5 was created, in part, to officially vacate a portion of the East 1/2 of Chicago Street. This created the overlap of our client's two parcels. There is also an overlap in deeds between the hereon Parcel 5 and the hereon Parcel 7. Similarly, Parcel 5 was used to vacate a portion of the West 1/2 of Chicago Street. Parcel 7 was created to allow the City of Hobart to disclaim any and all rights and claims to that portion of the E. J. & E. Railroad.

The Relative Positional Accuracy (due to random errors in measurements) of this survey is within that allowable for an Urban Survey (0.07 feet plus 50 ppm) as defined in IAC 865.



Parcel 5: Part of Chicago Street in Earle and Davis Addition to Hobart, as per plat thereof, recorded in Miscellaneous Record "A" page 486, in the Office of the Recorder of Lake County, Indiana, described as follows: Beginning at the intersection of the Easternly right-of-way line of said Chicago Street and the Southernly right-of-way line of the Pittsburgh, Ft. Wayne and Chicago Railroad; thence South 24°52'42" West, along the Easternly right-of-way line of said Chicago Street, 237.14 feet to the Northernly right-of-way line of Fourth Street (formerly Jane Street) in said Earle and Davis Addition; thence North 89°02'05" West, along said Northernly right-of-way line, 54.69 feet to the Westernly right-of-way line of said Chicago Street; thence North 24°52'42" East, along said Westernly right-of-way line, 259.31 feet to the Southernly right-of-way line of the Pittsburgh, Ft. Wayne and Chicago Railroad; thence South 65°07'18" East, along said Southernly right-of-way line, 50.00 feet to the point of beginning, containing 0.285 acres, more or less.

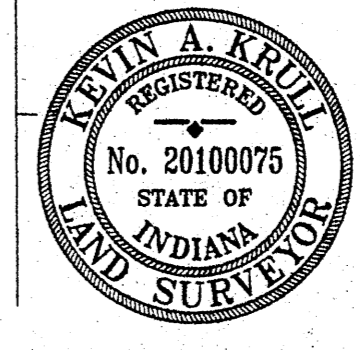
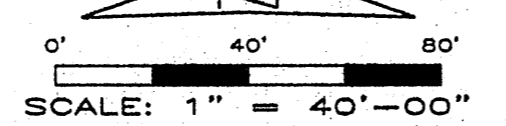
Parcel 6: Part of Georgiana Street in Earle and Davis Addition to Hobart, as per plat thereof, recorded in Miscellaneous Record "A" page 486, in the Office of the Recorder of Lake County, Indiana, described as follows: Beginning at the intersection of the Northernly right-of-way line of said Georgiana Street and the Westernly right-of-way line of said Chicago Street in said Earle and Davis Addition; thence South 24°52'42" West, along the Westernly right-of-way line of said Chicago Street, 50.00 feet to the Southernly right-of-way line of said Georgiana Street; thence North 85°07'18" West, along said Southernly right-of-way line, 44.75 feet to the Easternly right-of-way line of the Elgin, Joliet and Eastern Railroad; thence North 46°35'42" East, along said Easternly right-of-way line, 53.82 feet to the Northernly right-of-way line of said Georgiana Street; thence South 65°07'18" East, along said Northernly right-of-way line, 24.83 feet to the point of beginning, containing 0.040 acres, more or less.

Parcel 7: Part of the 115 foot wide Elgin, Joliet and Eastern Railroad right-of-way situated on parts of Block 20 and Chicago Street in Earle and Davis Addition to Hobart, as per plat thereof, recorded in Miscellaneous Record "A" page 486, in the Office of the Recorder of Lake County, Indiana, described as follows: Commencing at the Southeast corner of Block 20, said Earle and Davis Addition; thence North 65°07'18" West, along the Southernly line of said Block 20, 24.83 feet to the Easternly right-of-way line of said Elgin, Joliet and Eastern Railroad and the point of beginning; thence continuing along said Southernly line North 65°07'18" West, 123.79 feet to the Westernly right-of-way line of said Elgin, Joliet and Eastern Railroad; thence North 46°35'42" East, along said Westernly right-of-way line, 107.64 feet to the Northernly line of said Block 20; thence South 65°07'18" East, along said Northernly line, and the Easternly extension thereof, 123.79 feet to the Easternly right-of-way line of said Elgin, Joliet and Eastern Railroad; thence South 46°35'42" West, along said Easternly right-of-way line, 107.64 feet to the point of beginning, containing 0.284 acres, more or less.

Deeded to the City of Hobart:
Parcel 8: Part of the 115 foot wide Elgin, Joliet and Eastern Railroad right-of-way situated on part of Block 24 in Earle and Davis Addition to Hobart, as per plat thereof, recorded in Miscellaneous Record "A" page 486, in the Office of the Recorder of Lake County, Indiana, described as follows: Commencing at the Northeast corner of Block 24, said Earle and Davis Addition; thence North 65°07'18" West, along the Northernly line of said Block 24, 44.75 feet to the Easternly right-of-way line of said Elgin, Joliet and Eastern Railroad and the point of beginning; thence South 46°35'42" West, along said Easternly right-of-way line, 168.83 feet to the South line of said Block 24; thence North 89°02'05" West, along said South line, 164.45 feet to the Westernly right-of-way line of said Elgin, Joliet and Eastern Railroad; thence North 46°35'42" East, along said Westernly right-of-way line, 240.58 feet to the Northernly line of said Block 24; thence South 65°07'18" East, along said Northernly line, 123.79 feet to the point of beginning, containing 0.540 acres, more or less.

EXPLANATIONS
NO DIMENSIONS SHOULD BE ASSUMED BY SCALE MEASUREMENTS UPON THE PLAT
NOTE - CONTRACTORS OR BUILDERS SHOULD BE NOTIFIED TO CAREFULLY TEST AND COMPARE ON THE GROUND THE POINTS, MEASUREMENTS, ETC., AS NOTED IN THIS CERTIFICATE, WITH THE STAKES, POINTS, ETC., GIVEN ON THE PROPERTY, BEFORE BUILDING ON THE SAME, AND AT ONCE REPORT ANY SEEMING OR APPARENT DIFFERENCE BETWEEN THE SAME TO THE SURVEYOR, THAT MISUNDERSTANDING, DISPLACEMENT OF POINTS, ETC., MAY BE CORRECTED BEFORE DAMAGE IS DONE.
EARLE AND DAVIS ADDITION BLOCK 20 DISK: K1203 FILE: 09-33-
FIELD BOOK NO. _____ Notes PAGE _____
ORDERED BY Security Industries PLAT NO. 2009-064615

NOTE: According to FIRM Community-Panel 180136-0005-B, dated December 4, 1979, the above described parcel is in Zone "C".



STATE OF INDIANA)
COUNTY OF LAKE) SS: HOBERT, INDIANA July 9, 2009
THIS IS TO CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY ACCORDING TO THE OFFICIAL RECORDS AND THAT THE PLAT HEREON DRAWN CORRECTLY REPRESENTS SAID SURVEY.
Kevin A. Krull
REG. LAND SURVEYOR NO. 2010075