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MICHELLE R. FAJMAN
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

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.	

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.

I. Property Identification

A. Address of Property:

Street	City or town
524 173RD ST	HAMMOND
Township	Tax Parcel Identification No. (Key Number):

B. Legal Description:

Section	Township	Range

Enter or attach complete legal description in this area:

Liability Disclosure

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 checked="" type="checkbox"/> Other (specify) <u>Residential</u>

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 checked="" type="checkbox"/> Yes <input 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	
Address	City/State
Zip	Trust number
Name and address of Trustee if this is a transfer of beneficial interest of a land trust.	

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(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 () -

C. Identify Transferee:

Name of Transferee WELLS FARGO BANK, N.A.	
Address 41 US HWY 41	City/State SCHERERVILLE, IN
Zip 46375	

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	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Surface Impoundment	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Land Application	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Waste Pile	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Incinerator	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Storage Tank (Above Ground)	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Storage Tank (Underground)	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Container Storage Area	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Injection Wells	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Wastewater Treatment Units	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Septic Tanks	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Transfer Stations	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Waste Recycling Operations	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Waste Treatment Detoxification	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Other Land Disposal Area	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

If there are "YES" answers to any of the above items and the transfer of property that requires the filing of this document is other than a mortgage or trust deed or a collateral assignment of beneficial interest in a land trust, you must attach to the copies of this document that you file with the county recorder and the department of environmental management a site plan that identifies the location of each unit.
- 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.	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
(B) Permits for emission to the atmosphere.	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
(C) Permits for any waste storage, waste treatment, or waste disposal operation?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> 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).	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> 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).	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> 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.	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> 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.	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> 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.	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> 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?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
(B) Have any hazardous substances or petroleum which were released come into direct contact with the ground at this site?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> 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?

<input type="checkbox"/> Use of a cleanup contractor to remove or treat materials including soils, pavement, or other surficial materials?	
<input type="checkbox"/> Assignment of in-house maintenance staff to remove or treat materials including soils, pavement, or other surficial materials?	
<input type="checkbox"/> Sampling and analysis of soils?	
<input type="checkbox"/> Temporary or more long term monitoring of groundwater at or near the site?	
<input type="checkbox"/> Impaired usage of an onsite or nearby water well because of offensive characteristics of the water?	
<input type="checkbox"/> Coping with fumes from subsurface storm drains or inside basements?	
<input type="checkbox"/> 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)?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
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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?

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):

JANET KOTKA

Janet M. Kotka

B. This form was delivered to me with all elements completed on 2-2-2010

Transferee (or on behalf of Transferee):

ROBERT BERLS

Robert M. Berls

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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 IN)
County of Lake) ss.

Before me, the undersigned, a Notary Public in and for said county, this 2nd day of February, came Janet M Kottka and acknowledged the execution of the foregoing instrument. Witness my hand and official seal.

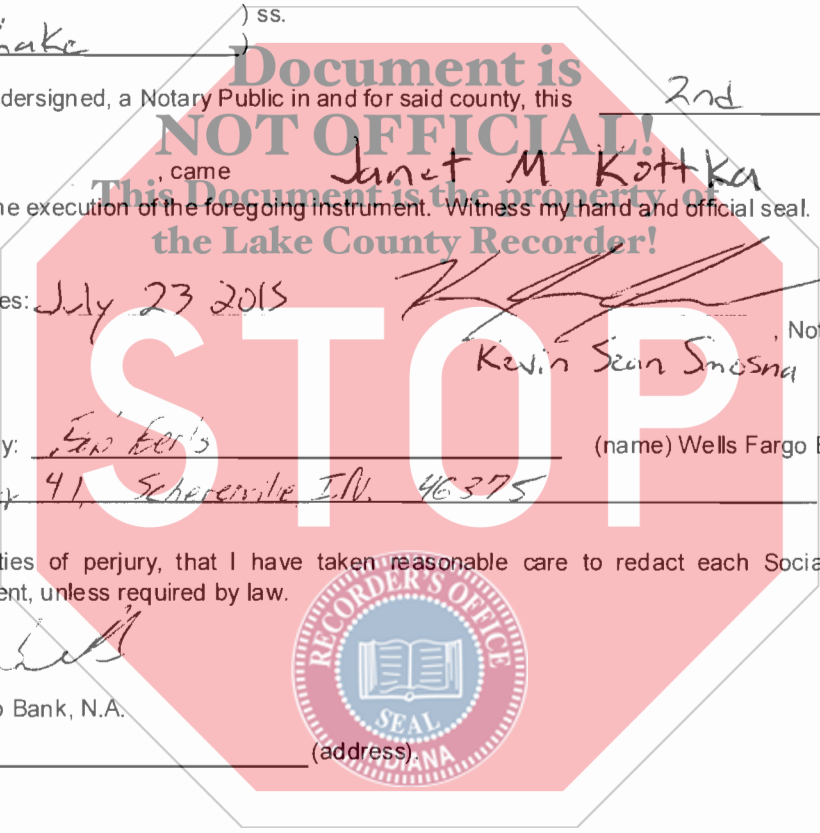
My Commission Expires: July 23 2015  Notary Public
Kevin Sean Smosna

Instrument prepared by: First Bank (name) Wells Fargo Bank, N.A.
41 US Highway 41, Schererville, IL 46375 (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: 

Return to: Wells Fargo Bank, N.A. _____ (address).



ALL-PURPOSE ACKNOWLEDGMENT

State of IN

County of Lake

On 2/2/10 before me, Kevin Sean Smosha
DATE NAME OF NOTARY PUBLIC

personally appeared Janet M Kottka
NAME(S) OF SIGNER(S)

personally known to me OR proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Place Notary Seal or Stamp Here

[Signature]
SIGNATURE OF NOTARY

Document is NOT OFFICIAL!
This Document is the property of the Lake County Recorder!

ATTENTION NOTARY: Although the information requested below is OPTIONAL, it may prove valuable to persons relying on this Acknowledgment and could prevent fraudulent reattachment of this certificate to another document.

DESCRIPTION OF ATTACHED DOCUMENT

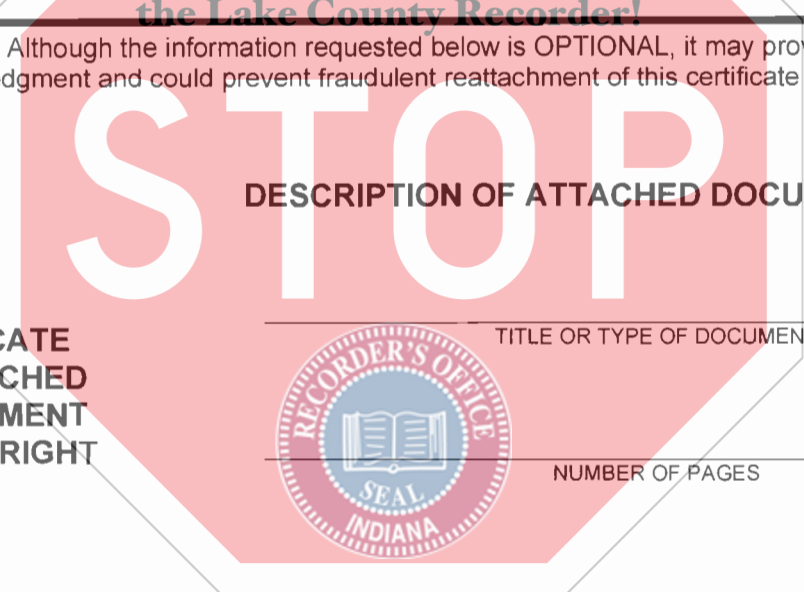
THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED AT RIGHT

TITLE OR TYPE OF DOCUMENT

NUMBER OF PAGES

DATE OF DOCUMENT

SIGNER(S) OTHER THAN NAMED ABOVE



Form No. 3301 (6/00)
Short Form Commitment, EAGLE
A.SP-NO SUP

ORDER NO: 941066
FILE NO: 4004-941066-10
LENDER REF: 1366560

Exhibit "A"

The land referred to in this policy is situated in the State of **Indiana**, County of **LAKE**, and described as follows:

THE FOLLOWING DESCRIBED LAND, SITUATE, LYING AND BEING IN LAKE COUNTY, INDIANA, TO-WIT:

LOT 1 AND THE EAST 10 FEET OF LOT 2, RE-SUBDIVISION OF LOT 3 OF F.J. WACHEWICZ LAWN GARDENS IN THE CITY OF HAMMOND AS SHOWN IN PLAT BOOK 22, PAGE 7A IN LAKE COUNTY, INDIANA.

APN #: 26-36-0286-0001

Being the same property conveyed to **JANET M. KOTTKA, TENANCY NOT STATED** by deed from **RAYMOND FRANCIS KOTTKA, TENANCY NOT STATED**, dated 5/17/1998, filed 6/2/1998 and recorded in Deed as Inst. No. 98060690 in LAKE County Records.

