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**ENVIRONMENTAL DISCLOSURE FOR
TRANSFER OF REAL PROPERTY (IC 13-25-3-7.5)**

State Form 52653 (R2 / 7-07)
Indiana Department of Environmental Management

2010 051004

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.

CHICAGO TITLE INSURANCE COMPANY

For Use By County Recorder's Office	
County	LAKE COUNTY FILED FOR RECORD
Date	2010 SEP -3 AM 10:03
Doc. No.	MICHELLE R. FAJMAN RECORDER
Vol.	
Page	
Rec'd by:	
The following information is provided under IC 13-25-3-7.5, the Responsible Property Transfer Law.	

ETC 020102709 OM

PART ONE: PROPERTY IDENTIFICATION

A. Address of Property: 2080 East Commercial Avenue

City or Town Lowell	Township
Tax Parcel Identification No. (Key Number): 17-04-17-2	

B. Legal Description: Section 25 Township 33 North Range 9 West

Enter or attach complete legal description in this area: see attached.

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 improvement 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 checked="" type="checkbox"/> Store, Office, Commercial Building	<input type="checkbox"/> Other (specify)

PART TWO: NATURE OF TRANSFER

A. (1) Is this a transfer by deed or other instrument of conveyance of fee title to property? Yes No

(2) Is this a transfer by assignment of over 25% of beneficial interest of a land trust? Yes No

(3) A lease exceeding a term of 40 years? Yes No

(4) A collateral assignment of beneficial interest? Yes No

(5) An installment contract for the sale of property? Yes No

(6) A mortgage of trust deed? Yes No

(7) A lease of any duration that includes an option to purchase? Yes No

B. Identify Transferor:

Name and Current Address of Transferor Karber's Ridge Land Development Company, LLC

Address 2080 East Commercial Avenue

City Lowell State: IN ZIP 46356

Trust No.

Handwritten initials and date: 20 10

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PART TWO: NATURE OF TRANSFER (continued)

Name and Address of Trustee if this is a transfer of beneficial interest of a land trust.			
Name and Current Address of Transferor			
Address			
City	State:	ZIP	
C. Identify Person Filling Out Form:			
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	Vicki J. Wright, Esq.	Position	Counsel for Transferor
Address	One Indiana Square Ste 2800	City	Indianapolis State: IN ZIP 46204
Telephone	(317) 238-6263		
D. Identify Transferee:			
Name and Current Address of Transfer Van Til's Real Estate. LLC			
Address	2635 169th Street	City	Hammond
State:	IN	ZIP	46323

PART THREE: ENVIRONMENTAL INFORMATION

A. Regulatory Information During Current Ownership					
(1). 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.				<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
(2). 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?				<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
(3). 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))?				<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
(4). 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 checked="" type="checkbox"/> No	Injection wells	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Surface impoundment	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Wastewater treatment units	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Land application	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Septic tanks	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Waste pile	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Transfer stations	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Incinerator	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Waste recycling operations	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Storage tank (above ground)	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Waste treatment detoxification	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Storage tank (underground)	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Other land disposal use	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Container storage	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No			
If there are "YES" answers to any of the items in PART TWO 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.					

PART THREE: ENVIRONMENTAL INFORMATION (continued)

(5). 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 emissions 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
(6). Has the transferor ever discharged any wastewater (other than sewage) to a publicly owned treatment works?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
(7). 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
(8). 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 or 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 type="checkbox"/> No
(9). 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 was 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 (9A) or (9B) 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 of or at other low points on or immediately adjacent to the site?		

PART THREE: ENVIRONMENTAL INFORMATION (continued)

(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:

(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 environmental activity:

(12). Is there any explanation needed for clarification of any of the above answers or responses?

Yes No

If the answer is yes, state your clarification below:

USTs located on the property were permanently closed in April of 2009. See Closure documentation filed with the Indiana Dept. of Environmental Management file for facility ID #25024/owner ID #14079

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: Wilco Food Center, Inc. and Gintert-Armstrong Foods Group, Inc.

Type of business or property usage: grocery store and fueling station

Landfill	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Injection wells	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Surface impoundment	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Wastewater treatment units	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Land application	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Septic tanks	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Waste pile	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Transfer stations	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Incinerator	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Waste recycling operations	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Storage tank (above ground)	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Waste treatment detoxification	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Storage tank (underground)	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Other land disposal use	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Container storage	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No			

PART FOUR: 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 K. Armstrong* - Linda K. Armstrong, as Manager

B. This form was delivered to me with all elements completed on: 08/30/2010 (mm/dd/year)

TRANSFEROR (or on behalf of Transferor): *Franklin D. Van Til* - Franklin D. Van Til, as Manager

PART FIVE: 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.