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STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD

2010 057494

2010 OCT -5 AM 8:27

MICHELLE T. FAJMAN
RECORDER

Above Space for Recorder's Use Only

RELEASE OF MORTGAGE

FOR THE PROTECTION OF THE OWNER, THIS RELEASE SHALL BE FILED WITH THE RECORDER OF DEEDS OR THE REGISTRAR OF TITLES IN WHOSE OFFICE THE MORTGAGE WAS FILED.

KNOW ALL MEN BY THESE PRESENTS, That **JPMOPRGAN CHASE BANK, N.A** ("Lender"), for value received, does hereby REMISE, RELEASE, CONVEY, and QUIT CLAIM unto **WESTERN EXPRESS, INC.**, a Tennessee corporation ("Obligor"), and its successor and assigns, all the right, title, interest, claim or demand whatsoever it might have acquired in, through or by that certain Mortgage, Assignment of Rents and Leases and Security Agreement made by Smithway Motor Xpress, Inc., dated April 29, 2009, and recorded May 28, 2009 in the Office of the Recorder of Lake County, in the State of Indiana, as Instrument Number 2009035725, as amended by that certain First Amendment to Mortgage, Assignment of Rents and Leases and Security Agreement dated April 16, 2010 recorded as Instrument No. 2010024127, as assigned to Obligor pursuant to that certain Assignment and Assumption of Mortgage, Assignment of Rents and Leases, and Security Agreement dated June 10, 2010, recorded as Instrument No. 2010035052 (collectively, the "Mortgage"), encumbering certain lands situate in the County of Lake and State of Indiana and more particularly described in the Mortgage.

TO HAVE AND TO HOLD said lands to Obligor and its successors, legal representatives and assigns, free and discharged from the lien of the Mortgage.

[signature page follows]

AMOUNT \$ 20⁰⁰
 CASH _____ CHARGE _____
 CHECK # 1219001061
 Overage 3⁰⁰
 COPY _____
 NON-COM _____
 CLERK RM

←

Witness my hand and seal, this 20th day of September, 2010.

JPMORGAN CHASE BANK, NA

By: *Christy L. West* (SEAL)
Name: Christy L. West
Title: Vice President

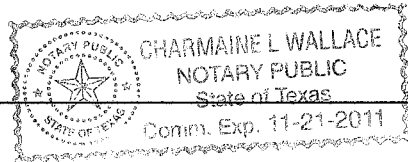
STATE OF TEXAS }
 } S S
COUNTY OF DALLAS }

On this 28 day of September, 2010, before me, the undersigned Notary Public in and for the said County in the said State, personally appeared Christy L. West, known to me to be the Vice President of JPMorgan Chase Bank, NA, and personally known to me to be the person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that as such Vice President, she signed and delivered the said instrument and caused the seal of said national banking association to be affixed thereto, pursuant to authority given by the Board of Directors or otherwise of said national banking association, as their free and voluntary act, and as the free and voluntary act of said corporation, for the uses and purposes therein set forth.

Given under my hand and official seal this 28 day of September, 2010.

Charmaine L. Wallace

Notary Public



Commission expires _____

This Instrument Was Prepared By: A. Michael Lee, Esq.
 Jones Day
 1420 Peachtree Street, N.E.
 Suite 800
 Atlanta, Georgia 30309

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.

A. Michael Lee
Name: A. MICHAEL LEE

EXHIBIT A

LEGAL DESCRIPTION

3310 S. Calumet Avenue, Hammond, Indiana 46320

Parcel 1: Part of the Northeast Quarter of Section 24, Township 37 North, Range 10 West of the Second Principal Meridian, in Lake County, Indiana and being a part of Blocks 2, 3, 4 and 5 (and portions of the vacated streets and alleys therein) of Jones-Laughlin Addition, to the City of Hammond, as per plat thereof, Plat Book 20, page 54, in the Office of the Recorder of Lake County, Indiana, more particularly described as follows: Beginning at the Northeast corner of Block 5 in said Jones-Laughlin Addition; thence North 89 degrees 47 minutes 51 seconds West, along the North line of Blocks 2, 3, 4 and 5 of said Jones-Laughlin Addition (South line of 133rd Street), a distance of 1260.0 feet to the Northwest corner of said Block 2; thence South, along the West line of said Block 2, a distance of 125.0 feet to the Southwest corner of Lot 1 in said Block 2; thence South 89 degrees 47 minutes 51 seconds East, along the South line of Lots 1 through 6 in said Block 2, a distance of 145.0 feet; thence South, along the West line of Lots 11 through 19 in said Block 2, a distance of 100.0 feet; thence South 89 degrees 47 minutes 51 seconds East, parallel with the North line of said Blocks 2 through 5, a distance of 785.0 feet to the East line of said Block 4; thence North along the East line of said Block 4, a distance of 124.0 feet to a point lying 101.0 feet South of the North line of said Blocks 2 through 5; thence South 89 degrees 47 minutes 51 seconds East, parallel with said North line, a distance of 330.0 feet to the East line of said Block 5 (West line of Calumet Avenue); thence North along the East of said Block 5, a distance of 101.0 feet to the place of beginning, except that part of Lots 6, 7, 8 and 9 in Block 5 in Jones-Laughlin Addition, to the City of Hammond, recorded in Plat Book 20, page 54, in the Office of the Recorder of Lake County, Indiana, described as follows: Beginning at the Southeast corner of said Lot 6; thence South 0 degrees 00 minutes 00 seconds East, 70.50 feet along the East line of said Lots 7, 8 and 9 to the South line of the owner's land; thence North 89 degrees 47 minutes 51 seconds West, 15.00 feet along said South line; thence North 0 degrees 00 minutes 00 seconds East, 80.81 feet; thence North 90 degrees 00 minutes 00 seconds East, 15.00 feet to the East line of said Lot 6; thence South 0 degrees 00 minutes 00 seconds East, 10.36 feet along said East line to the point of beginning.

Parcel 2: All that part of Lots 17 through 23, both inclusive, in Block 1 of Jones-Laughlin Addition, to the City of Hammond, as per plat thereof, in the Office of the Recorder of Lake County, Indiana, in Plat Book 20, page 54, lying Easterly of the Northeasterly right of way line of the Indiana East-West Toll Road, together with that part of the vacated East-West 20 foot alley in said Block 1 lying Easterly of said Northeasterly right of way line, all of which lots, part lots and vacated alley comprising one parcel of land in the Northeast Quarter of Section 24, Township 37 North, Range 10 West of the Second Principal Meridian, in Lake County, Indiana, bounded and described as follows: Beginning at a point 1360.0 feet West and 40.0 feet South of the Northeast corner of said Northeast Quarter (point also being the Northeast corner of Lot 20 in Block 1 of aforesaid Jones-Laughlin Addition); thence North 89 degrees 47 minutes 51 seconds West, along the South line of 133rd Street, a distance of 86.26 feet, more or less, to a point on the Northeasterly right of way line of the Indiana East-West Toll Road; thence Southeasterly along said Northeasterly right of way line, on a curve concave to the Northeast and having a radius of 7489.44 feet, an arc distance of 262.85 feet, more or less, to the point of intersection of said Northeasterly right of way line and the West line of Johnson Avenue; thence North along

said West line of Johnson Avenue, a distance of 247.97 feet, more or less, to the place of beginning.

Parcel 3: Lot Numbered 27 in Block 2 as shown on the recorded plat of Jones-Laughlin Addition, to the City of Hammond, recorded in Plat Book 20, page 54, in the Office of the Recorder of Lake County, Indiana.

Parcel 4: a) The South half of that part of 133rd Street running East and West, bounded on the West by the East line of the Indiana Toll Road extended across 133rd Street and bounded on the East by the West line of Calumet Avenue, extended across 133rd Street, all in the Northeast Quarter of Section 24, Township 37 North, Range 10 West of the Second Principal Meridian, in Lake County, Indiana.

b) That portion of Johnson Avenue running North and South, bounded on the North by the South right of way line of 133rd Street being the North line of Lot 1, Block 2 in Jones-Laughlin Addition, to the City of Hammond, as shown in Plat Book 20, page 54, in the Office of the Recorder of Lake County, Indiana, said North line extended to the West and running from said North line South a distance of 247.97 feet, more or less, to the South line of Lot 27, Block 2, in Jones-Laughlin Addition to Hammond, extended to the West.

c) That portion of the 20 foot alley abutting and running along the North line of Lot 27, Block 2 in Jones-Laughlin Addition, to the City of Hammond, as shown in Plat Book 20, page 54, in the Office of the Recorder of Lake County, Indiana, from Johnson Avenue on the West to the West line of Lot 11, Block 2 in Jones-Laughlin Addition extended to the North, on the East a distance of 145.00 feet and that portion of the 20 foot alley abutting and running along the East line of Lot 27, Block 2, in Jones-Laughlin Addition a distance of 51.75 feet.