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STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD

2011 027676

2011 MAY 18 AM 9:37

MICHELLE D. FAJMAN
RECORDER

INDEMNIFYING MORTGAGE

This **INDEMNIFYING MORTGAGE** (the "Mortgage") is made effective as of January 7, 2011, by **Edward J. Hein** with an address of 2009 E. 121st Ave., in Crown Point, Indiana 46307 ("Borrower"), for the benefit of **DEMOTTE STATE BANK**, an Indiana state bank, with an address of 1615 E. Commercial Ave., P.O. Box 346, Lowell, Indiana 46356 ("Lender"). Borrower hereby irrevocably grants, encumbers, conveys, assigns, transfers, mortgages and warrants to Lender, its successors and assigns, all of its estate, title and interest in and to the following, now existing or hereafter arising in the real property located in Crown Point, Lake County, Indiana and all buildings and improvements now existing or hereafter placed thereon, to wit:

See Exhibit "A" Attached

This Mortgage is made pursuant to Indiana Code § 32-29-10-1 *et seq.* as a series mortgage to secure the payment of: (i) that certain Promissory Note dated January 7, 2011 payable to the order of Lender in the original face amount of One million seven hundred thousand and 00/100 Dollars (\$1,700,000.00) with a Maturity Date of not later than January 7, 2021, and all extensions, renewals, reamortizations, restatements, modifications and amendments thereof; (the "Note") which shall be the original security instrument as defined in Indiana Code § 32-29-10-3; (ii) all supplemental indentures, as defined in Indiana Code § 32-29-10-4; (iii) all future advances, obligations or advances made by Lender to Borrower in the aggregate up to One million seven hundred thousand and 00/100 Dollars (\$1,700,000.00), shall, in each instance, be secured by this Mortgage in accordance with Indiana Code § 32-29-1-10, pursuant to the provisions of this Mortgage; and (iv) all indebtedness or liability, of every kind, character and description of Borrower(s) to Lender created before or hereafter created, such as future loans, advances, overdrafts, and all indebtedness that may accrue to Lender by reason of the Borrower(s), becoming surety or endorser for any other person, whether said indebtedness was originally payable to Lender or has come to it by assignment or otherwise and shall be binding upon the Borrower(s), and remain in full force and effect until all said indebtedness is paid (collectively, the "Indebtedness"). This Mortgage shall secure the full amount of said Indebtedness without regard to the time when same was made. Borrower(s) expressly agree to pay all Indebtedness secured hereby, and the same shall be collectable without relief from valuation and appraisal laws and with attorney's fees, and in case it should become necessary to appoint a Receiver for any property that may be secured by this Mortgage, it shall not be necessary to serve notice upon the Borrower(s).

Pursuant to Indiana Code § 32-29-10-5, the lien of this Mortgage shall expire ten (10) years after the maturity date of the Note secured hereby, January 7, 2031, as such expiration date shall be extended by subsequent bonds, notes or debentures secured hereby and evidenced by subsequent amendments hereto.

This Indemnifying Mortgage has been executed by the undersigned effective as of the date and year first set forth above.

Edward J. Hein
Edward J. Hein

FIDELITY CP

920108333

AMOUNT \$ 24
CASH _____ CHARGE FN
CHECK # _____
OVERAGE 043935
COPY _____
NON-COM _____
CLERK CA

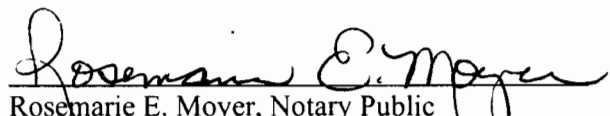
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STATE OF INDIANA)
) SS:
COUNTY OF Lake)

BEFORE ME, a Notary Public in and for said County and State, personally appeared Edward J. Hein, who executed the foregoing Indemnifying Mortgage and acknowledged the signing and execution of said instrument to be such person(s) voluntary act and deed for the uses and purposes therein mentioned.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my notarial seal, on this 7th day of January, 2011.

My Commission Expires:
May 10, 2014


Rosemarie E. Moyer, Notary Public
and Resident of Lake County

This instrument was prepared by: Guy Carlson, Ex. V.P. & Lowell Banking Center Manager

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

Guy Carlson



Exhibit "A"

Parcel 1: The East $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of Section 21, Township 33 North, Range 8 West of the 2nd Principal Meridian, in Lake County, Indiana, EXCEPTING THEREFROM that part conveyed in a Trustee's Deed recorded August 7, 2007 as Document No. 2007 064440, described as follows: Part of the East $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of Section 21, Township 33 North, Range 8 West of the Second Principal Meridian, in Lake County, Indiana, more particularly described as follows: Commencing at the Southeast corner of the Northwest $\frac{1}{4}$; thence North 01 degree 25 minutes 41 seconds West along the East line of said Northwest $\frac{1}{4}$ a distance of 105.00 feet to the point of beginning; thence continue North 01 degree 25 minutes 41 seconds West along the East line of said Northwest $\frac{1}{4}$ a distance of 266.00 feet; thence South 88 degrees 34 minutes 19 seconds West a distance of 300.00 feet; thence South 01 degree 25 minutes 41 seconds East parallel with said East line a distance of 266.00 feet; thence North 88 degrees 34 minutes 19 seconds East a distance of 300.00 feet to the point of beginning.

Parcel 2: The North 30 acres of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 21, Township 33 North, Range 8 West of the 2nd Principal Meridian, in Lake County, Indiana.

Parcel 3: The South $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of Section 14, Township 34 North, Range 8 West of the 2nd Principal Meridian, in Lake County, Indiana, except that part described as follows:

Beginning at the Northeast corner of the South $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of said Section 14; thence South 00 degrees 03 minutes 10 seconds, along the East line of said Southwest $\frac{1}{4}$, 326.41 feet; thence South 89 degrees 47 minutes 02 seconds West, 285.89 feet; thence North 00 degrees 03 minutes 10 seconds West, 326.41 feet to the North line of the South $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of said Section 14; thence North 89 degrees 47 minutes 02 seconds East, along said North line, 285.89 feet to the point of beginning.

Parcel 4: The Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 15, Township 34 North, Range 8 West of the 2nd Principal Meridian, in Lake County, Indiana, except that part described as follows:

Beginning at the Northeast corner of the above described $\frac{1}{4}$ $\frac{1}{4}$ Section ; thence South 132 feet; thence West 330 feet; thence North 132 feet; thence East 330 feet to the point of beginning.

Parcel 5: The Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 14, Township 34 North, Range 8 West of the 2nd Principal Meridian, in Lake County, Indiana, excepting therefrom:

- (a) Lot 1 in Country Fields, as per plat thereof, recorded in Plat Book 70 page 60, in the Office of the Recorder of Lake County, Indiana, and,
- (b) The East 165 feet thereof.

Parcel 6: The West $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 14, Township 34 North, Range 8 West of the 2nd Principal Meridian, in Lake County, Indiana, excepting therefrom the following:

Beginning at the Northwest corner of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of said Section 14; thence South on the West line of said Northeast $\frac{1}{4}$, 249.48 feet; thence East 110.00 feet, parallel with the North line of said Northeast $\frac{1}{4}$; thence North 249.48 feet, parallel with the said West line of the Northeast $\frac{1}{4}$, to the North line of said Northeast $\frac{1}{4}$; thence West, along the last said North line, 110.00 feet to the point of beginning.

Parcel 7: Part of the West $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 14, Township 34 North, Range 8 West of the 2nd Principal Meridian, in Lake County, Indiana, described as follows: Beginning at the Northwest corner of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of said Section 14; thence South on the West line of said Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, 249.48 feet; thence East 110.00 feet, parallel with the North line of said

Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$; thence North 249.48 feet parallel with the said West line of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, to the North line of said Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$; thence West, along the last North line, 110.00 feet to the point of beginning.

Parcel 8: The East $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 14, Township 34 North, Range 8 West of the 2nd Principal Meridian, in Lake County, Indiana.

Parcel 9: The Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 14, Township 34 North, Range 8 West of the 2nd Principal Meridian, in Lake County, Indiana, EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL OF LAND: Part of the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 14, Township 34 North, Range 8 West of the 2nd Principal Meridian, described as follows: Beginning at a point 630.05 feet West (measured along the East-West center line of said Section 14) from the Northeast corner of the Southeast $\frac{1}{4}$ of said Section 14; thence South at 90 degrees a distance of 208.71 feet; thence West a distance of 208.71 feet; thence North a distance of 208.71 feet to said East-West center line of said Section 14; thence East, along said center line 208.71 feet to the place of beginning, in Lake County, Indiana.

Parcel 10: Part of the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 14, Township 34 North, Range 8 West of the 2nd Principal Meridian, in Lake County, Indiana described as follows: Beginning at a point 630.05 feet West (measured along the East-West center line of said Section 14) from the Northeast corner of the Southeast $\frac{1}{4}$ of said Section 14; thence South at 90 degrees a distance of 208.71 feet; thence West a distance of 208.71 feet; thence North a distance of 208.71 feet to said East-West center line of said Section 14; thence East, along said center line 208.71 feet to the place of beginning, in Lake County, Indiana.

Parcel 11: The South 1067.86 feet of Lot 1 in Country Fields Subdivision, as per plat thereof, recorded in Plat Book 70 page 60, in the Office of the Recorder of Lake County, Indiana.

TRACT 1:

Parcel 1: The South $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of Section 24, Township 34 North, Range 8 West of the 2nd Principal Meridian, in Lake County, Indiana.

Parcel 2: The Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 24, Township 34 North, Range 8 West of the 2nd Principal Meridian, in Lake County, Indiana, excepting therefrom the North $\frac{1}{2}$ of said Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$.

Parcel 3: The West $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of Section 24, Township 34 North, Range 8 West of the 2nd Principal Meridian, in Lake County, Indiana.

Parcel 4: The West 1202 feet of the North $\frac{1}{2}$ of the North $\frac{1}{2}$ of the North $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of Section 25, Township 34 North, Range 8 West of the 2nd Principal Meridian, in Lake County, Indiana.

Parcel 5: That part of the North $\frac{1}{2}$ of the Northwest $\frac{1}{4}$, lying Northerly of the Northerly right of way line of the Pittsburg, Cincinnati, Chicago and St. Louis Railroad (now Pennsylvania Railroad) in Section 25, Township 34 North, Range 8 West of the 2nd Principal Meridian, in Lake County, Indiana.

Parcel 6: That part of the South $\frac{1}{2}$ of the Northwest $\frac{1}{4}$, lying Northerly of the Northerly right of way line of the Pittsburgh, Cincinnati, Chicago and St. Louis Railroad (now Pennsylvania Railroad) in Section 25, Township 34 North, Range 8 West of the 2nd Principal Meridian, in Lake County, Indiana.

TRACT II:

Part of the Northwest $\frac{1}{4}$ and part of the Northeast $\frac{1}{4}$ of Section 25, Township 34 North, Range 8 West of the Second Principal Meridian, Lake County, Indiana and being more

particularly described as follows: Commencing at the Southeast corner of the Northwest $\frac{1}{4}$ of said Section 25; thence North 0 degrees 10 minutes 52 seconds East, a distance of 193.50 feet along the East line of the Northwest $\frac{1}{4}$ of said Section 25 to an intersection point with the Southerly Right of Way line of the former Conrail Railroad and for the place of beginning; thence North 52 degrees 23 minutes 17 seconds West, a distance of 539.61 feet along said Southerly Right of Way line to the Southeast corner of a part of said former Conrail Railroad Right of Way conveyed to Dean Ross per Corporate Quit Claim Deed recorded as Document No. 95022945 in the Office of the Recorder of Lake County, Indiana; thence on the following three courses and distances of the Boundary Lines of said Parcel conveyed; (1) North 00 degrees 10 minutes 52 seconds East, a distance of 62.97 feet to the centerline of said railroad right of way (2) North 52 degrees 23 minutes 17 seconds West, a distance of 537.79 feet along the centerline of said railroad Right of Way and (3) South 00 degrees 15 minutes 05 seconds West, a distance of 62.91 feet to the Southerly Right of Way line of said Railroad Right of Way; thence North 52 degrees 23 minutes 17 seconds West, a distance of 2260.57 feet along said Southerly Right of Way line to the West line of the Northwest $\frac{1}{4}$ of said Section 25; thence North 00 degrees 19 minutes 19 seconds East, a distance of 125.69 feet along the West line of the Northwest $\frac{1}{4}$ of said Section 25 to an intersection point with the Northerly Right of Way line of said railroad; thence South 52 degrees 23 minutes 17 seconds East, a distance of 3,868.84 feet along said Northerly Right of Way line to the North line of the Southeast $\frac{1}{4}$ of said Section 25, said point being the Northwest corner of a part of said former Conrail Railroad Right of Way conveyed to Erick K. Boehm per Corporate Quit Claim Deed recorded as Document No. 97071958 in the Office of the Recorder of Lake County, Indiana; thence North 89 degrees 21 minutes 22 seconds West, a distance of 166.29 feet along the North line of the Southeast $\frac{1}{4}$ of said Section 25 to the Southerly Right of Way line of said Railroad; thence North 52 degrees 23 minutes 17 seconds West, a distance of 321.76 feet along the Southerly Right of Way line of said railroad to the place of beginning.

TRACT III:

Parcel 1: The Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 23, Township 34 North, Range 8 West of the 2nd Principal Meridian, in Lake County, Indiana, lying North of the North right of way line of US Highway No. 231.

Parcel 2: That part of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 26, Township 34 North, Range 8 West of the 2nd Principal Meridian, in Lake County, Indiana, lying North of the North right of way line of the Philadelphia, Baltimore and Washington Railroad Company.

Parcel 3: The Philadelphia, Baltimore and Washington Railroad Company right of way lying within the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 26, Township 34 North, Range 8 West of the 2nd Principal Meridian, in Lake County, Indiana, being the same right of way described in Deed Record Z page 50 recorded June 20, 1864.

TRACT IV:

The North $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 24, Township 34 North, Range 8 West of the 2nd Principal Meridian, in Lake County, Indiana.

TRACT V:

Part of the East $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of Section 24, Township 34 North, Range 8 West of the 2nd P.M., in Lake County, Indiana, being more particularly described as follows: Commencing at the Southwest corner thereof, for the place of beginning; thence North, a distance of 790.81 feet to the center line of Niles Ditch; thence Southeasterly in the center of said ditch to the South line of said Section 24; thence West, a distance of 802.66 feet to the place of beginning.

EXCEPTING THEREFROM that part of Parcels 1 and 5 of TRACT 1; that part of TRACT II; and, that part of Parcel 3 of TRACT III falling within following described tract of land:

That Part of the Southwest $\frac{1}{4}$ of Section 24, the Northwest $\frac{1}{4}$ of Section 25, and the Northeast $\frac{1}{4}$ of Section 26, Township 34 North, Range 8 West of the Second Principal Meridian in Lake County, Indiana, being more particularly described as follows: Commencing at the Southwest corner of the Southwest $\frac{1}{4}$ of said Section 24; thence North 00 degrees 11 minutes 46 seconds East, along the West line of the Southwest Quarter of said Section 24, a distance of 627.56 feet; thence South 89 degrees 44 minutes 30 seconds East, a distance of 331.85 feet to the place of beginning; thence South 89 degrees 44 minutes 30 second East, a distance of 168.88 feet; thence North 24 degrees 57 minutes 30 seconds West, a distance of 10.50 feet; thence South 89 degrees 44 minutes 30 seconds East, a distance of 158.04 feet; thence South 02 degrees 19 minutes 21 seconds West, a distance of 9.51 feet; thence South 89 degrees 44 minutes 30 seconds East, a distance of 324.84 feet to a point of curvature; thence Southeasterly along an arc of a curve concave to the Southwest, having a radius of 566.0 feet, having a chord bearing of South 54 degrees 58 minutes 43 seconds East, a distance of 686.82 feet to a point of reverse curvature; thence Southeasterly along an arc of a curve concave to the Northeast, having a radius of 1332.00 feet, having a chord bearing of South 31 degrees 51 minutes 17 seconds East, a distance of 541.18 feet to a point of reverse curvature; thence Southeasterly along an arc of a curve concave to the Southwest, having a radius of 566.00 feet, having a chord bearing of South 21 degrees 36 minutes 47 seconds East, a distance of 432.31 feet to a point of tangency; thence South 00 degrees 16 minutes 06 seconds West, a distance of 106.90 feet; thence North 89 degrees 43 minutes 54 seconds West, a distance of 131.62 feet to a point of curvature; thence southwesterly along an arc of a curve concave to the Southeast, having a radius of 440.00 feet, having a chord bearing of South 63 degrees 56 minutes 56 seconds West, a distance of 404.24 feet to a point of tangency; thence south 37 degrees 37 minutes 46 seconds West, a distance of 557.41 feet to the North right of way line of U.S. Highway No. 231; thence North 52 degrees 23 minutes 17 seconds West, along said right of way line, a distance of 1455.38 feet; thence North 37 degrees 37 minutes 46 seconds East, a distance of 587.42 feet; thence North 00 degrees 15 minutes 30 seconds East, a distance of 587.69 feet to the place of beginning.

