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Filed in Open Court

STATE OF INDIANA
COUNTY OF LAKE

IN THE LAKE SUPERIOR COURT
HAMMOND, INDIANA

OCT 30 2008

LAKE COUNTY TRUST CO.,
TRUST NO. 3143,
Plaintiff

William E. Evans
Judge, Lake Superior Court
Civil Division, Court Room 5

CAUSE NO. 45D05-0403-PL-00057

v.
CITY OF HAMMOND, INDIANA,
a municipal corporation,
Defendant

.....
CITY OF HAMMOND, INDIANA,
a municipal corporation,
Counter-Claimant

v.
LAKE COUNTY TRUST CO.,
TRUST NO. 3143,
Counter-Claim Defendant

.....
CITY OF HAMMOND, INDIANA,
a municipal corporation
Third Party Plaintiff

v.
AUSTIN BANK OF CHICAGO and
WALGREEN CO., AN ILLINOIS
CORPORATION,
Third Party Defendants

RECEIVED
OCT 30 2008 07:12
Thomas R. [Signature]
CLERK LAKE SUPERIOR COURT

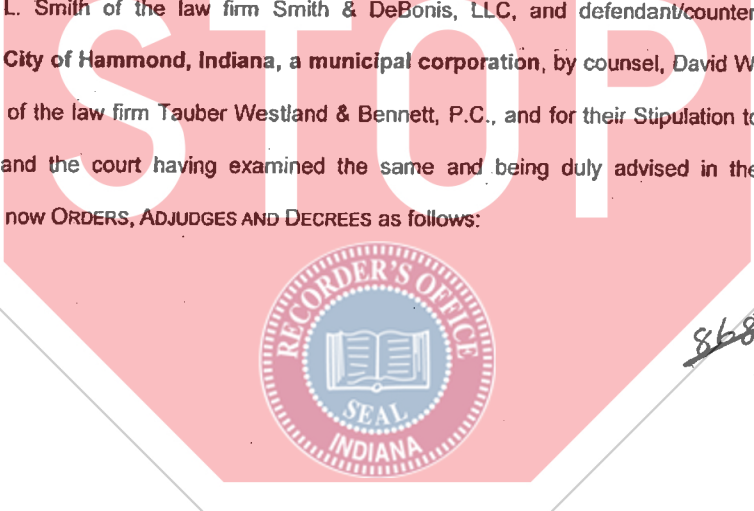
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STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD

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ORDER APPROVING SETTLEMENT
AND STIPULATION TO DISMISS

This Document is the property of
the Lake County Recorder!
This matter, having come before the Court on the agreement of the parties,
plaintiff/counter-claim defendant, Lake County Trust Co., Trust No. 3143, by counsel,
Terrance L. Smith of the law firm Smith & DeBonis, LLC, and defendant/counter-
claimant, City of Hammond, Indiana, a municipal corporation, by counsel, David W.
Westland of the law firm Tauber Westland & Bennett, P.C., and for their Stipulation to
Dismiss, and the court having examined the same and being duly advised in the
premises, now ORDERS, ADJUDGES AND DECREES as follows:



2008 NOV 12 AM 9:17
MICHAEL A. BROWN
RECORDER
STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD
MICHAEL J. PAJMAN
RECORDER

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PEGGY HOLINGA KATONA
LAKE COUNTY AUDITOR

057364

1. That the City of Hammond, Indiana, by and through its Redevelopment Commission, as of March 17, 2004, shall have title to the real estate legally described as follows:

The West 20 feet of Lot E and all of Lots F, G, H and I in the Resubdivision of the West 10 feet of Lots 5 and Lots 6 to 18, both inclusive, Jacob Rimbach's Third Addition, in the City of Hammond, as per plat thereof, recorded in Plat Bok 17, page 28, in the Office of the Recorder of Lake County, Indiana.

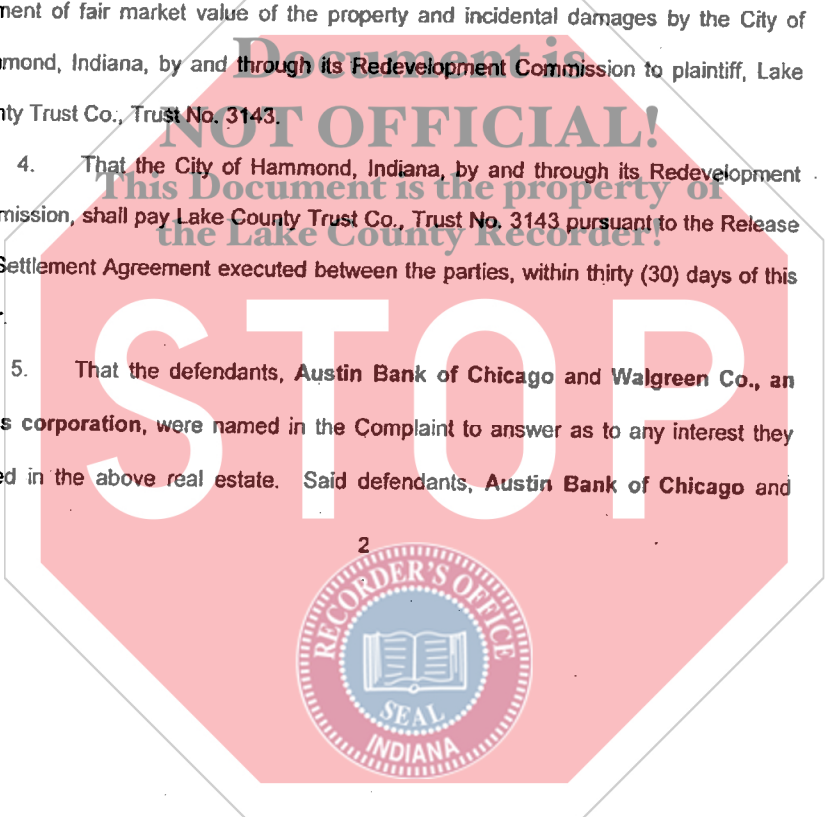
COMMONLY KNOWN AS 116 SIBLEY STREET, HAMMOND, IN 46327

2. That the Auditor of Lake County, Indiana, shall permanently transfer the real estate described above from the plaintiff, Lake County Trust Co., Trust No. 3143, and place title therein in the name of the City of Hammond, Indiana, a municipal corporation, by and through its Redevelopment Commission, effective this date.

3. That the Court accepts the parties' agreement to dismiss this case and for payment of fair market value of the property and incidental damages by the City of Hammond, Indiana, by and through its Redevelopment Commission to plaintiff, Lake County Trust Co., Trust No. 3143.

4. That the City of Hammond, Indiana, by and through its Redevelopment Commission, shall pay Lake County Trust Co., Trust No. 3143 pursuant to the Release and Settlement Agreement executed between the parties, within thirty (30) days of this Order.

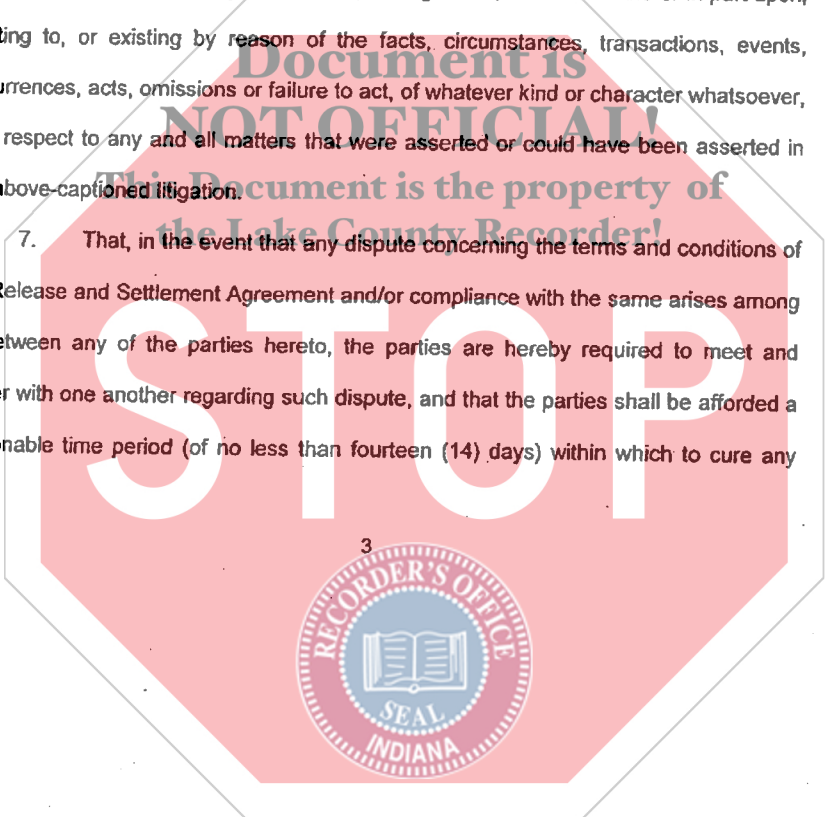
5. That the defendants, Austin Bank of Chicago and Walgreen Co., an Illinois corporation, were named in the Complaint to answer as to any interest they claimed in the above real estate. Said defendants, Austin Bank of Chicago and



Walgreen Co., an Illinois corporation, have failed to appear in this cause, and any interest said defendants may have had in said real estate is hereby extinguished, quieted, and foreclosed.

6. That, in consideration of the terms set forth above and other good and valuable consideration, the parties are hereby deemed to have released and forever discharged one another of and from any and all claims, demands, actions, causes of action, liabilities, suits, debts, sums of money, accounts, bonds, bills, covenants, contracts, controversies, agreements, promises, damages, judgments whatsoever, state or federal, in law or equity, whether known or unknown, asserted or unasserted, suspected or unsuspected, which they may now have or hereafter have or claim to have against any other party to these proceedings for, upon, or by reason of any matter, event, cause or thing whatsoever, arising out of, based in whole or in part upon, relating to, or existing by reason of the facts, circumstances, transactions, events, occurrences, acts, omissions or failure to act, of whatever kind or character whatsoever, with respect to any and all matters that were asserted or could have been asserted in the above-captioned litigation.

7. That, in the event that any dispute concerning the terms and conditions of the Release and Settlement Agreement and/or compliance with the same arises among or between any of the parties hereto, the parties are hereby required to meet and confer with one another regarding such dispute, and that the parties shall be afforded a reasonable time period (of no less than fourteen (14) days) within which to cure any



alleged misconduct or violation of the Release and Settlement Agreement before any such dispute may be brought to the attention of this or any Court.

SO STIPULATED:

David W. Westland
David W. Westland, Esq.
Tauber Westland & Bennett, P.C.
1415 Eagle Ridge Drive
Schererville, IN 46375



Attorneys for City of Hammond, Indiana,
a municipal corporation

Terrance L. Smith
Terrance L. Smith, Esq.
Smith & DeBonis, LLC
9696 Gordon Drive
Highland, IN 46322

Attorneys for Lake County Trust Co.,
Trust No. 3143

SO ORDERED this 30th day of October, 2008.

William E. Davis

WILLIAM E. DAVIS, JUDGE
LAKE SUPERIOR COURT ROOM FIVE

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the Lake County Clerk

Distribution:
D. Westland
T. Smith

CERTIFICATION OF CLERK
As legal custodian I hereby certify that the above and foregoing is a true and complete copy of the original on file with this office in the cause stated thereon.
Witness my hand and the seal of the court this 7th day of November, 2008.
Sharon M. Hamel
Clerk of the Lake Circuit and Superior Courts
By: *Sharon M. Hamel*
Deputy Clerk

