

STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD

2014 JAN 24 AM 8:37

MICHAEL B. BROWN
RECORDER

5
2014 004661

SPECIAL WARRANTY DEED

(1440 Texas Street, Gary, IN)

THIS INDENTURE WITNESSETH, that **HOYA HOLDINGS LLC**, an Indiana limited liability company ("**Grantor**"), conveys and specially warrants to **RUSH TRUCK CENTERS OF INDIANA, INC.**, a Delaware corporation ("**Grantee**"), for and in consideration of the sum of Ten and No/100 (\$10.00) Dollars and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, all the land situated in the City of Gary, County of Lake, and State of Indiana described on **Exhibit "A"** attached hereto and made a part hereof (hereinafter referred to as the "**Premises**").

Subject to any and all easements, agreements and restrictions of record, including those listed on **Exhibit "B"** attached hereto.

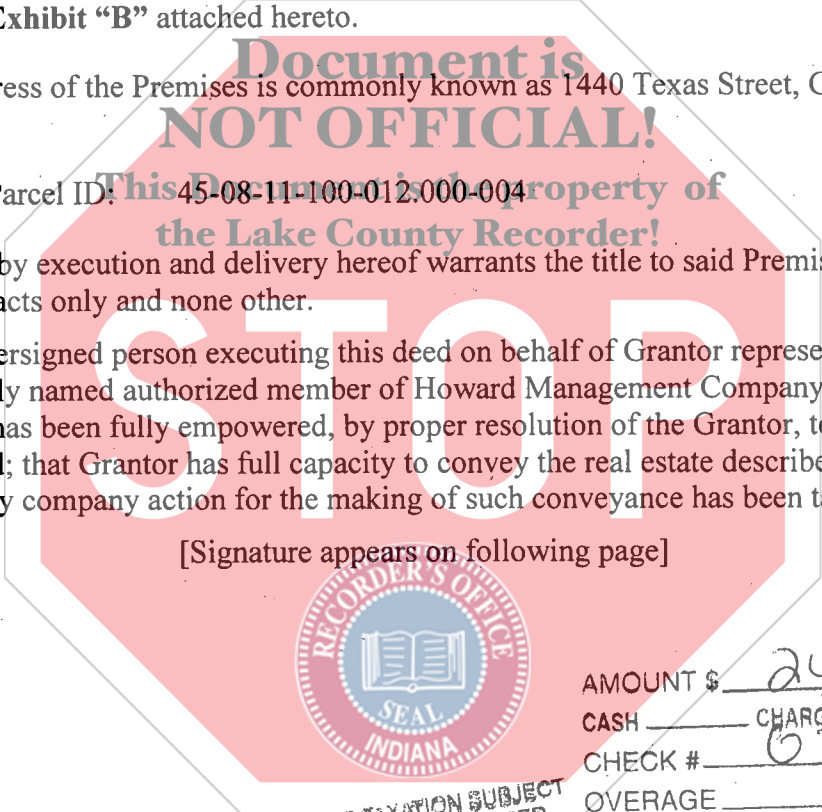
The address of the Premises is commonly known as 1440 Texas Street, Gary, Indiana 46402.

Parcel ID: 45-08-11-100-012-000-004

Grantor by execution and delivery hereof warrants the title to said Premises as to and against its own acts only and none other.

The undersigned person executing this deed on behalf of Grantor represents and certifies that he is the duly named authorized member of Howard Management Company LLC, a member of Grantor and has been fully empowered, by proper resolution of the Grantor, to execute and deliver this deed; that Grantor has full capacity to convey the real estate described herein; and that all necessary company action for the making of such conveyance has been taken and done.

[Signature appears on following page]



AMOUNT \$ 24
CASH _____ CHARGE _____
CHECK # 633274
OVERAGE _____
COPY _____
NON-COM _____
CLERK RM

DULY ENTERED FOR TAXATION SUBJECT
FINAL ACCEPTANCE FOR TRANSFER

JAN 21 2014

PEGGY HOLINGA KATONA
LAKE COUNTY AUDITOR

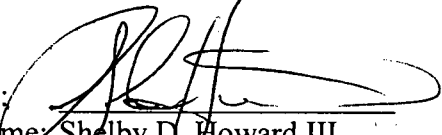
20348
646686

IN WITNESS WHEREOF, Grantor has caused this deed to be executed this 3th day of January, 2014.

Grantor:

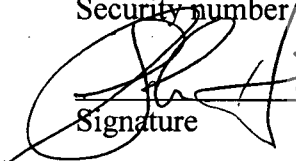
HOYA HOLDINGS LLC, an Indiana limited liability company

By: Howard Management Company, L.L.C., Member

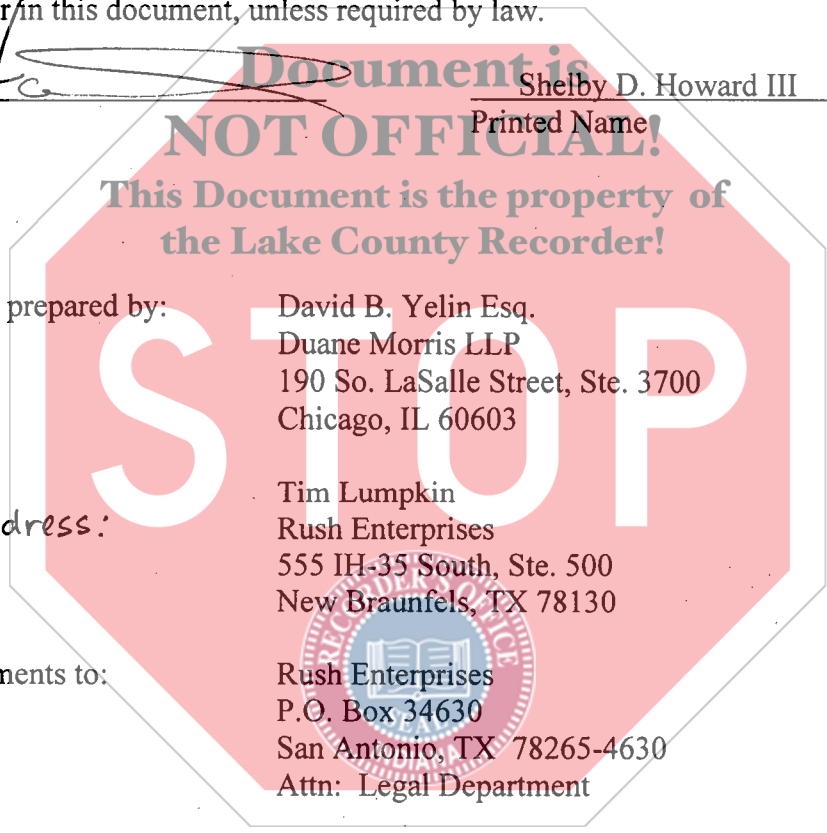
By: 

Name: Shelby D. Howard III
Title: Authorized member

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


Signature

Shelby D. Howard III
Printed Name



This instrument prepared by:

David B. Yelin Esq.
Duane Morris LLP
190 So. LaSalle Street, Ste. 3700
Chicago, IL 60603

Return to:
Grantee's Address:

Tim Lumpkin
Rush Enterprises
555 IH-35 South, Ste. 500
New Braunfels, TX 78130

Send Tax Statements to:

Rush Enterprises
P.O. Box 34630
San Antonio, TX 78265-4630
Attn: Legal Department

STATE OF INDIANA)
COUNTY OF MARION) SS

I, J David Blackney, a notary public in and for said County, in the State aforesaid, **DO HEREBY CERTIFY** that Shelby D. Howard III the authorized member of Howard Management Company, L.L.C., Member of **Hoya Holdings LLC**, an Indiana limited liability company, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed and delivered the said instrument as his free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and official seal this 13 day of January, 2014.

[Seal]

J. David Blackney
Notary Public

Commission Expires: 5/16/17

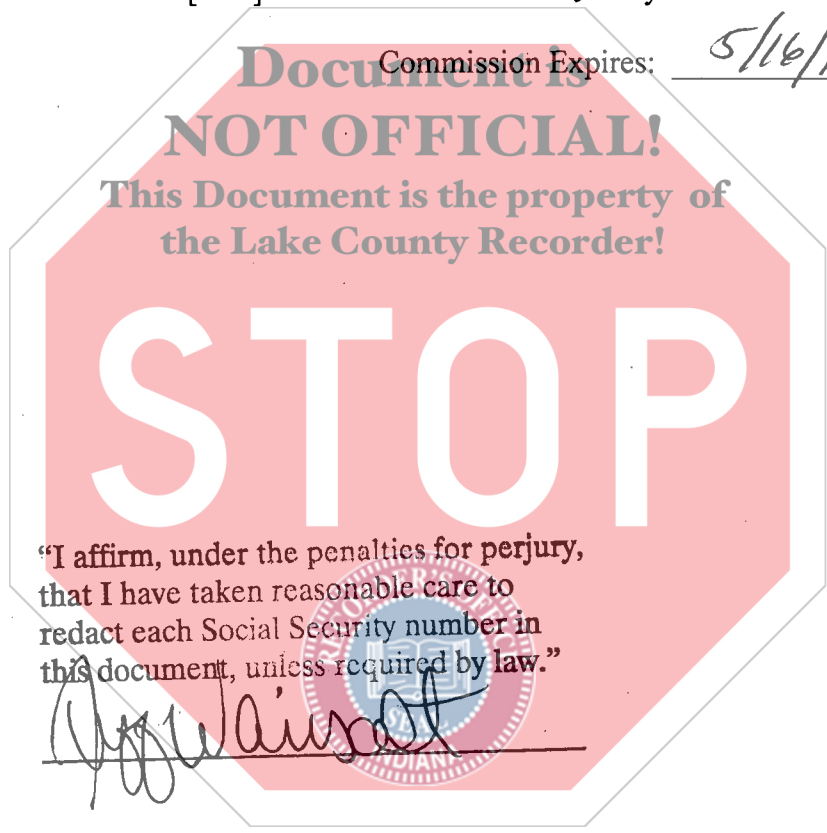


EXHIBIT "A"
to Special Warranty Deed

Legal Description

THAT PART OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 36 NORTH, RANGE 8 WEST OF THE SECOND PRINCIPAL MERIDIAN, IN LAKE COUNTY, INDIANA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A POINT 455 FEET NORTH OF THE INTERSECTION OF THE NORTH LINE OF 15TH AVENUE (60 FEET WIDE) AND THE EAST LINE OF MICHIGAN STREET, THENCE NORTH ALONG THE EAST LINE OF MICHIGAN STREET, A DISTANCE OF 350 FEET, THENCE EAST AND PARALLEL TO THE NORTH LINE OF 15TH AVENUE TO THE WEST LINE OF TEXAS STREET, THENCE SOUTH ALONG THE WEST LINE OF TEXAS STREET A DISTANCE OF 350 FEET, THENCE WEST AND PARALLEL TO THE NORTH LINE OF 15TH AVENUE TO THE POINT OF BEGINNING, ALL IN THE CITY OF GARY, LAKE COUNTY, INDIANA,

ALSO DESCRIBED AS:

A PARCEL OF LAND IN THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 36 NORTH, RANGE 8 WEST OF THE SECOND PRINCIPAL MERIDIAN, IN THE CITY OF GARY, LAKE COUNTY, INDIANA, SAID PARCEL BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER; THENCE NORTH 30.01 FEET ALONG THE WEST LINE OF SAID SECTION 11 TO THE NORTH RIGHT-OF-WAY LINE OF 15TH AVENUE; THENCE SOUTH 88 DEGREES 19 MINUTES 45 SECONDS EAST, 1,510.59 FEET ALONG SAID NORTH RIGHT-OF-WAY LINE TO THE EAST RIGHT-OF-WAY LINE OF MICHIGAN STREET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, 455.00 FEET ALONG SAID EAST RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, 350.00 FEET ALONG SAID EAST RIGHT-OF-WAY LINE; THENCE SOUTH 88 DEGREES 19 MINUTES 45 SECONDS EAST, 500.00 FEET PARALLEL WITH SAID NORTH RIGHT-OF-WAY LINE OF 15TH AVENUE TO THE WEST RIGHT-OF-WAY LINE OF TEXAS STREET; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, 350.00 FEET ALONG SAID WEST RIGHT-OF-WAY LINE; THENCE NORTH 88 DEGREES 19 MINUTES 45 SECONDS WEST, 500.00 FEET PARALLEL WITH SAID NORTH RIGHT-OF-WAY LINE OF 15TH AVENUE TO THE POINT OF BEGINNING, ABOVE DESCRIBED PARCEL BEING THE SAME PARCEL AS DESCRIBED IN A SPECIAL WARRANTY DEED TO CJ LANSING, INC. AND RECORDED AS DOCUMENT NO. 97028827 ON MAY 3, 1997, IN THE OFFICE OF THE RECORDER OF LAKE COUNTY, INDIANA.

Parcel ID: 45-08-11-100-012.000-004

Commonly known as 1440 Texas Street, Gary, IN 46402



EXHIBIT "B"
to Special Warranty Deed

Existing Title Exceptions

1. General real estate taxes and Gary Storm Water Assessments for 2013 and subsequent years not yet due and payable.
2. Covenants, conditions and restrictions contained in Warranty Deed dated December 14, 1945 recorded January 2, 1946 in Deed Record 737 page 293.
3. Terms and provisions of Indiana Department of Environmental Management Certificate of Completion issued to CJ Lansing, Inc. dated May 17, 2001, recorded September 27, 2001, as Document No. 2001078281.
4. Rights of the public, the State of Indiana and the municipality in and to that part of the land, if any, taken and used for road purposes, including utility rights of way.

