

2
#25
CS
1:2

- LEGEND**
- SIGN
 - HANDICAPPED SPACE
 - PARKING WHEEL STOP
 - GATE POST
 - AIR COMPRESSOR
 - GAS PUMP
 - MONITORING WELL
 - VENT PIPE
 - SPIGOT
 - FIRE HYDRANT
 - WATER VALVE
 - DOWN SPOUT
 - GAS METER
 - GAS VALVE
 - GAS PIPELINE MARKER
 - CLEANOUT
 - STORM CLEANOUT
 - DECIDUOUS TREE
 - MANHOLE
 - GUY ANCHOR
 - UTILITY POLE
 - ELECTRIC METER
 - LIGHT POLE
 - ELECTRIC CONTROL BOX
 - TRANSFORMER
 - LIGHT STAND
 - TRAFFIC CONTROL MANHOLE
 - TRAFFIC SIGNAL POLE
 - BOLLARD
 - POST
 - TELEPHONE JUNCTION BOX
 - TELEPHONE
 - SANITARY SEWER CLEANOUT
 - TRAFFIC CONTROL JUNCTION BOX
 - TELEPHONE PEDESTAL
 - UNDERGROUND GAS
 - UNDERGROUND WATER
 - AERIAL ELECTRIC
 - UNDERGROUND ELECTRIC
 - UNDERGROUND TELECOMMUNICATIONS
 - AERIAL TELECOMMUNICATIONS
 - BOARD OR VINYL FENCE
 - CHAIN LINK FENCE
 - STORM LINE
 - SANITARY LINE
 - INTERMEDIATE ELEVATION CONTOUR
 - INDEX ELEVATION CONTOUR
 - (M) MEASURED DIMENSION
 - (R) RECORD DIMENSION
 - ROW RIGHT-OF-WAY
 - TC TOP OF CURB
 - TW TOP OF WALL
 - PVC POLYVINYL CHLORIDE PIPE
 - CMP CORRUGATED METAL PIPE
 - APPROX. APPROXIMATE
 - POB POINT OF BEGINNING
 - Sanitary Sewer Structure and Number
 - Storm Sewer Structure and Number
 - Reference to Title Commitment Exception

LEGEND

25/78

2014-004928

SANITARY SEWER STRUCTURE DATA TABLE

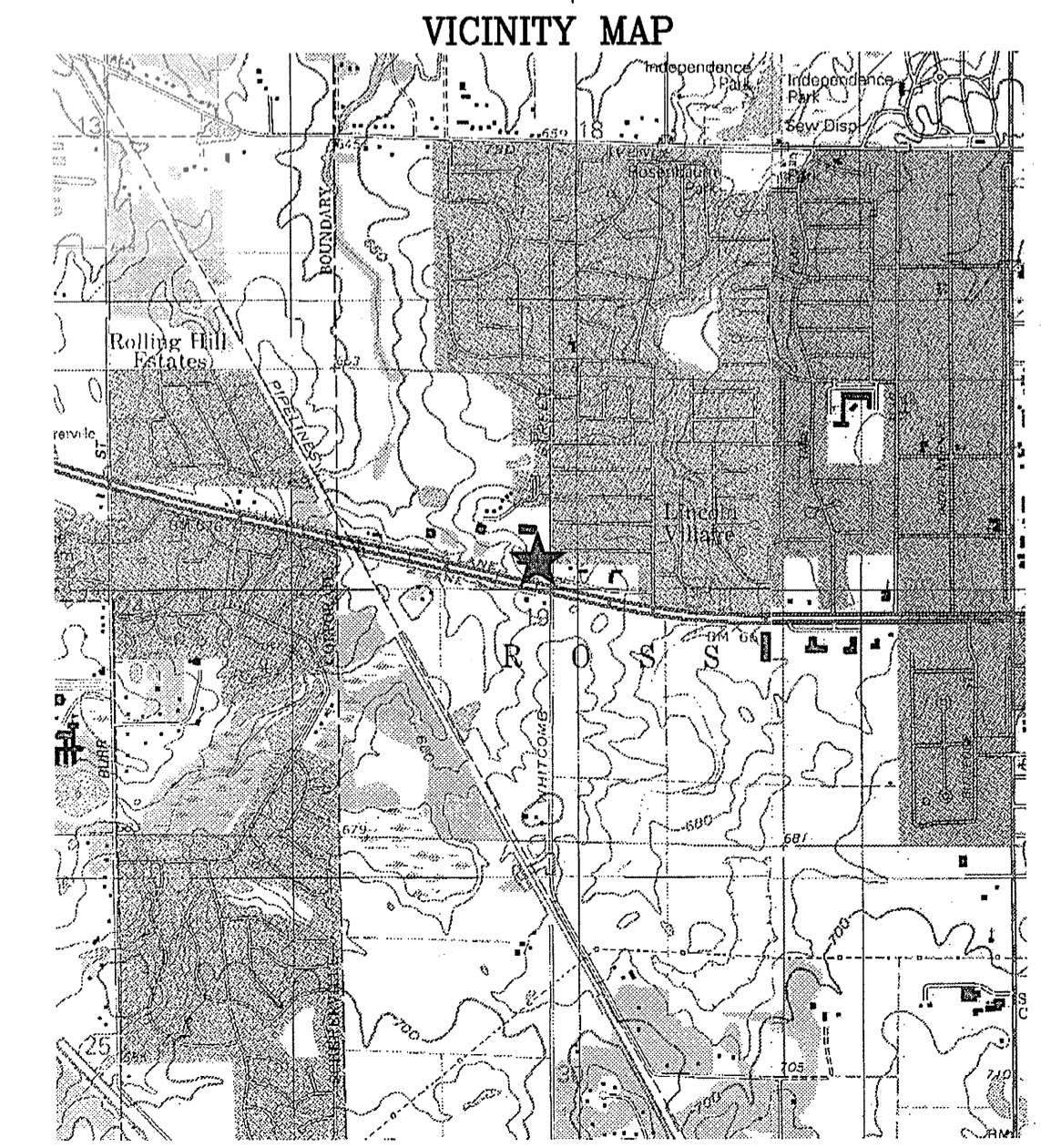
STRUCTURE NUMBER	STRUCTURE TYPE	TOP OF CASTING	CASTING TYPE	INVERT
1	MANHOLE	686.42	SOLID	INV OUT = 676.86(N)
2	MANHOLE	687.24	SOLID	INV IN = 676.74(S) INV IN = 676.74(W) INV OUT = 676.74(NE)
3	MANHOLE	687.33	SOLID	INV IN = 676.51(SW) INV OUT = 676.51(N)
4	MANHOLE	685.81	SOLID	INV IN = 675.40(S)
5	MANHOLE	681.96	SOLID	INV OUT = 677.51(E)

STORM SEWER STRUCTURE DATA TABLE

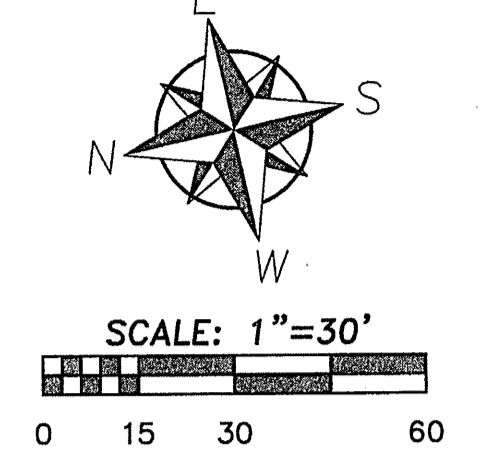
STRUCTURE NUMBER	STRUCTURE TYPE	TOP OF CASTING	CASTING TYPE	INVERT
1	CATCH BASIN	683.70	BEEHIVE	INV OUT = 680.87(W)
2	CURB INLET	684.24	RECTANGULAR GRATE	INV IN = 678.86(E) INV OUT = 678.86(N)
3	CATCH BASIN	684.72	ROUND GRATE	INV IN = 678.84(S) INV OUT = 678.84(W)
4	CURB INLET	681.38	RECTANGULAR GRATE	INV IN = 677.48(E) INV OUT = 677.48(W)
5	YARD INLET	680.60	12" DIAMETER ROUND GRATE	INV IN = 676.60(E) INV IN = 676.60(NW) INV OUT = 676.60(W)
6	CATCH BASIN	679.37	RECTANGULAR GRATE	INV IN = 675.70(E) INV OUT = 675.70(W)
7	CATCH BASIN	678.74	RECTANGULAR GRATE	INV IN = 675.47(E) INV OUT = 675.47(W)
8	END OF PIPE			INV UNKNOWN COVERED WITH SEDIMENT

STORM SEWER STRUCTURE DATA TABLE

STRUCTURE NUMBER	STRUCTURE TYPE	TOP OF CASTING	CASTING TYPE	INVERT
9	CATCH BASIN	682.87	ROUND GRATE	NO PIPES VISIBLE - CONTAINS ASPHALT/DEBRIS
10	CATCH BASIN	682.82	ROUND GRATE	INV IN = 677.40(E) CONTAINS WATER TO 677.92
11	CATCH BASIN	682.59	ROUND GRATE	INV OUT = 678.99(E)
12	MANHOLE	682.28	SOLID	INV IN = 677.08(N) INV IN = 677.08(E) INV OUT = 677.08(SE)
13	CATCH BASIN	682.16	ROUND GRATE	INV OUT = 677.16(W)
14	UNKNOWN-POSSIBLE REMEDIATION SYSTEM	682.27	SOLID	NO PIPES VISIBLE FILLED WITH WATER
15	CATCH BASIN	682.23	ROUND GRATE	INV OUT = 679.73(NW) CONTAINS WATER TO 680.58
16	END OF PIPE			INV IN = 679.88(SE)
17	END OF PIPE			INV OUT = 679.64(NW)
18	END OF PIPE			INV IN = 679.60(SE)



2014 004928
2014 JAN 24 PM 1:33



FILED

JAN 24 2014

PEGGY HOLINGA KATONA
LAKE COUNTY AUDITOR

UTILITY CONTACT INFORMATION

ANR PIPELINE P.O. BOX 2446 HOUSTON, TX 77252-2446 (832) 320-5000
AT&T (888) 944-0447
COMCAST 9123 TAPT STREET MERRILLVILLE, IN 46410 (877) 842-6622
INDIANA AMERICAN WATER 650 MADISON STREET GARY, IN 46402 (219) 886-3770
INDEPENDENCE HILL CONSERVANCY DISTRICT 2193 W. 84TH PLACE SUITE A & B MERRILLVILLE, IN 46410 (219) 769-3996
MERRILLVILLE PUBLIC WORKS 13 W. 73RD AVENUE MERRILLVILLE, IN 46410 (219) 769-6784
NIPSCO 801 E. 86TH AVENUE MERRILLVILLE, IN 46410 (800) 464-7726
UTILITIES, INC. 2335 SANDERS ROAD NORTHBROOK, IL 60062 (847) 498-6440

NOTE
MONUMENTS SHOWN AS SET REBARS ARE #5 REBARS 24" LONG SET AT OR NEAR THE EXISTING GRADE WITH A PLASTIC CAP STAMPED "WEIHE ENGR. 0012" AND THOSE SHOWN AS SET MAG NAILS ARE MAG NAILS WITH IDENTIFICATION WASHERS STAMPED "WEIHE ENGR. 0012" FLUSH WITH THE EXISTING PAVEMENT.

BENCHMARK INFORMATION

ORIGINATING BENCHMARK - LAKE COUNTY SURVEYOR BENCHMARK (INDEX NO. 844)

AS DESCRIBED BY THE LAKE COUNTY SURVEYOR: "SPIKE FOUND IN WEST SIDE OF ABANDONED POLE, 1 FOOT ABOVE GROUND, ON EAST SIDE OF HENDRICKS STREET IN FRONT OF HOUSE #7721 HENDRICKS STREET, NORTH OF OLD ROUTE #830. ABANDONED POLE IS 8 FEET NORTH OF NEW NIPSCO POLE 385194."

ELEVATION: 647.68 NGVD 29

TBM #1
A CHISELED CROSS ON THE SOUTH BONNET BOLT OF A FIRE HYDRANT LOCATED ON THE WEST SIDE OF WHITCOMB STREET AND EAST OF A BUILDING AT 8008 WHITCOMB STREET.

ELEVATION: 690.57

TBM #2
A RAILROAD SPIKE IN A POWER POLE 45 FEET WEST OF THE SOUTHWEST CORNER OF THE SURVEYED PARCEL.

ELEVATION: 680.81

LATITUDE	LONGITUDE
41°28'21.39" N	87°23'04.99" W

PREPARED FOR:
Speedway #7435
- 3990 WEST 81ST AVENUE, MERRILLVILLE, INDIANA
ALTA/ACSM Land Title Survey
PART OF THE NORTHWEST 1/4, SEC. 19, T35N, R10W, ROSS TOWNSHIP, LAKE COUNTY, INDIANA.

SHEET NO. **1**
OF 2
PROJECT NO. **W130067**

WEIHE ENGINEERS
Land Surveying | Civil Engineering
Landscape Architecture

DATE	BY	REVISIONS AND ISSUES
05/17/2013	JW	ADD INFORMATION FROM COMMENT NO. 51320063
05/17/2013	JW	ADD INFORMATION FROM COMMENT NO. 51320063
05/17/2013	JW	REVISIONS PER CLIENT COMMENTS

LAKE COUNTY
FILED FOR RECORD

MICHAEL B. BROWN
RECORDER

10505 N. College Avenue
Indianapolis, Indiana 46280
weihe.net
317 846-6611
800 1452-6408
317 843-0546 fax

ALLAN H. WEIHE, P.E., L.S. - FOUNDER

2:2

GENERAL NOTES

1.) This survey was prepared utilizing information contained in Lawyers Title Insurance Corporation Title Commitment No. 805496SV dated January 28, 2008 at 8:00 AM; in Chicago Title Insurance Company Policy Number 271045 dated October 24, 1970; in a title search performed by Indiana Search Technologies in Fidelity National Title Insurance Company Commitment No. 511302813 dated February 13, 2013 at 8:00 AM; and in Fidelity National Title Insurance Company Commitment No. 511303636 dated March 15, 2013 at 8:00 AM.

- Special attention is called to the following observations regarding items from Part II, Schedule B of said Commitment No. 805496SV:
Any survey related items pertaining to Items 1, 2a, 2b, 2c, and 3j are shown on the plat of survey if found or provided and if applicable.
Item 3b: "Dedication to the public for highway purposes contained in the plat of Lincolnway Plaza recorded in Plat Book 41 page 16."
Item 3c: "Reservation for easement for ingress and egress contained in a deed from Robert Hall Clothes of Gary, Ind., Inc. to Thid Lulworth Properties, Inc., dated December 8, 1971 and recorded December 15, 1971 as Document Number 129114."
Item 3d: "Joint Roadway Easement Between The Broadmoor Corporation and Marathon Oil Company dated April 15, 1970 and recorded March 3, 1971 as Document Number 91550."
Item 3e: "Terms and provisions of an unrecorded Agreement for joint Roadway Construction and Maintenance dated April 15, 1970 between The Broadmoor Corporation and Marathon Oil Company disclosed by recitation in a deed recorded April 9, 1971 as document 111278."
Item 3f: "Possible rights of the owners of the land lying North of Parcel 3 to use the roadway recorded March 3, 1971 as Document Number 91550 as successors in interest of The Broadmoor Corporation."
Item 3g: "Easement for electrical lines and gas mains in favor of Northern Indiana Public Service Company dated July 21, 1971 and recorded December 31, 1971 as Document Number 130994."
Item 3h: "Easement for gas mains contained in a grant in favor of Northern Indiana Public Service Company dated September 2, 1971 and recorded October 15, 1971 as Document Number 121165."
Item 3i: "Building line 30 feet back from the Now North line of Lincoln Highway as shown on the recorded plat of said subdivision."
Item 3k: "Easement as indicated by broken lines affecting the Southerly 15 feet of the land as shown on recorded plat of said subdivision."
Item 3l: "Limited access to U.S. Highway 30, a limited access facility, as set forth in a Warranty Deed to the State of Indiana, recorded June 10, 1971 as Document Number 103117."
Item 3m: "Matters disclosed of Plat of Survey recorded June 1, 2006 in Survey Book 14, page 83." This document was not provided for comment on this survey.

- Special attention is called to the following observations regarding items from Schedule B of said Policy Number 271045:
Any survey related items pertaining to Items A, B, C, and 7 are shown on the plat of survey if found or provided and if applicable.
Item 8: "Rights of the public and the State of Indiana in and to that part off the East side taken for Whitcomb Street."
Item 9: "Perpetual Easement as evidenced in Quit Claim Deed dated April 14, 1969 and recorded May 21, 1969, as Document No. 17307, made by Richard Klaas, an unmarried adult, to the Board of County Commissioners of Lake County, Indiana for highway purposes."
Item 11: "Easement recorded June 29, 1970, as Document No. 63253." As shown on the plat of survey.

- Special attention is called to the following observations regarding items from the title search performed by Indiana Search Technologies that are not discussed above:
An easement for roadway purposes as noted in Instrument 443606. This is the same land as described in the reservation for easement for ingress and egress contained in Document Number 129114. See note regarding Item 3c above.
An easement for roadway purposes as noted in Instrument 443605. This is the same land as described in the reservation for easement for ingress and egress contained in Document Number 129114. See note regarding Item 3c above.
An Easement for Sanitary Sewer Line and Water Main per Document Number 833284. As shown on the plat of survey.
An easement for drainage purposes per Document Number 827595. This is an offsite easement benefiting the subject property and is shown on the detail on this sheet. It is noted that drainage routes and infrastructure were not investigated for this easement as part of this survey.
An easement for gas mains per Document Number 124729 is as shown on the plat of survey.

- Special attention is called to the following observations regarding items from Schedule B - Section 2 of said Commitment No. 511302813:
Any survey related items pertaining to items 1, 2, 3, 11, 17, 20, 22 and 23 are shown on the plat of survey if found or provided and if applicable.
Items 4, 5, 6, 7, 8, 9, 10, 18, 19, 21, and 24 are not survey related.
Item 12: "Any limitation on access to and from the land across right of way line of U. S. R. 30, abutting the insured real estate."
Item 13: "Terms and conditions of Quit-Claim Deed, Ingress and Egress Easement, by and between Richard Klaas and Board of County Commissioners of Lake County, Indiana recorded May 21, 1969 as Instrument # 17307 of the Lake County records."
Item 14: "Terms and conditions of Restrictions, recorded August 6, 1971 as Instrument #111279, of Lake County records."
Item 15: "Terms and conditions of Roadway Easement Agreement, recorded March 3, 1971 as Instrument # 91550, of Lake County records."
Item 16: "Terms and conditions of Easement for Electrical Line, by Northern Indiana Public Service Company, recorded June 29, 1970 as Instrument #63253, of the Lake County records."
Item 17: "Terms and conditions of Roadway Easement Agreement, recorded March 3, 1971 as Instrument # 91550, of Lake County records."
Item 18: "Building setback lines, as shown by broken lines on the map of the recorded plat, recorded in Plat Book 41, page 16 in the office of the Recorder of Lake County, Indiana. (Parcel I)"
Item 19: "The permanent extinguishment of all rights and easements of ingress and egress to, from, and across the limited access facility (to be known as U.S.R. 30 and as Project U.S. 30-45), to and from the owners abutting lands only along the lines described in a Warranty Deed recorded June 10, 1971 as Instrument No. 103117 in the Office of the Recorder of Lake, Indiana. (Parcel I)"
Item 20: "Perpetual easement as evidenced in a Quit Claim Deed, by and between Richard Klaas, and the Board of County Commissioners of Lake County, Indiana, recorded May 21, 1969 as Instrument No. 17307 in the Office of the Recorder of Lake County, Indiana. (Parcel II)"
Item 21: "Easement for Sanitary Sewer Line and Water Main, by and between Marathon Petroleum to Daniel H. Resnick and Shirley A. Resnick, recorded December 17, 1985 as Instrument No. 833284 in the Office of the Recorder of Lake County, Indiana. (Parcel II)"
Item 22: "Roadway Easement Agreement, by and between Broadmoor Corporation and Marathon Oil Company, recorded March 3, 1971 as Instrument No. 91550 in the Office of the Recorder of Lake County, Indiana. (Parcel II)"
Item 23: "Easement for Electrical Lines, by and between Marathon Oil Company, an Ohio corporation, and Northern Indiana Public Service Company, an Indiana corporation, recorded April 13, 1971 as Instrument No. 95979 in the Office of the Recorder of Lake County, Indiana. (Parcel II)"
Item 24: "Easement for Gas Mains and Pipelines, by and between Marathon Oil Company, an Ohio corporation, and Northern Indiana Public Service Company, an Indiana corporation, recorded November 11, 1971 as Instrument No. 124729 in the Office of the Recorder of Lake County, Indiana. (Parcel II)"

- Special attention is called to the following observations regarding items from Schedule B - Section 2 of said Commitment No. 511303636:
Any survey related items pertaining to items 1, 2, 3, 4, 25, 27, 28 and 29 are shown on the plat of survey if found or provided and if applicable.
Items 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 26 and 30 are not survey related.
Item 16: "Easement for Electrical Lines, by and between Broadmoor Corporation and Northern Indiana Public Services Company, an Indiana corporation, recorded June 29, 1970 as Instrument # 63253, of the Lake County records. (Parcel I)"
Item 17: "Easements or servitudes, as shown by broken lines on the map of the recorded plat, recorded in Plat Book 41, page 16 in the office of the Recorder of Lake County, Indiana. (Parcel I)"
Item 18: "Building setback lines, as shown by broken lines on the map of the recorded plat, recorded in Plat Book 41, page 16 in the office of the Recorder of Lake County, Indiana. (Parcel I)"
Item 19: "The permanent extinguishment of all rights and easements of ingress and egress to, from, and across the limited access facility (to be known as U.S.R. 30 and as Project U.S. 30-45), to and from the owners abutting lands only along the lines described in a Warranty Deed recorded June 10, 1971 as Instrument No. 103117 in the Office of the Recorder of Lake, Indiana. (Parcel I)"
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GENERAL NOTES (continued)

2.) Based upon a scaled interpretation of the FLOOD INSURANCE RATE MAP, PANEL 232 of 480, MAP NO. 18089C0232E for Lake County, Indiana, dated January 18, 2012 the within described real estate IS NOT located within a Special Flood Hazard Area inundated by a 1% annual chance flood (100-year flood) as established by the Federal Emergency Management Agency for the National Flood Insurance Program. The within described real estate is located within (unshaded) Zone X (Areas determined to be outside the 0.2% annual chance floodplain). Flood plain certification is restricted to a review of the Flood Insurance Rate Maps (FIRM), and shall not be construed as a confirmation or denial of flooding potential.

The following zoning restrictions are shown per Chapter 21 of the Town of Merrillville, Indiana - Code of Ordinances:
Front Yard Setback: 60 feet
Side Yard Setback: 60 feet from US 30 per the Thoroughfare Plan (Code of Ordinances Sec. 19-224)
Rear Yard Setback: 10 feet
Maximum Height: 20 feet
The Maximum Floor Area Ratio: 1.3

Attention is called to the fact that said requirements are subject to interpretation, and that there may be additional requirements contained within said ordinance or other applicable ordinances, rules, or regulations. It is also noted that the structures may have been built prior to the date of this ordinance and said minimum requirements may not have been in effect at the date of original construction. The information listed herein is based on conditions as they exist on the subject parcel and do not necessarily apply to modifications or changes that may be planned on the site.

- 4.) The surveyed premises contains a total of 2.452 acres, more or less.
5.) The underground utilities depicted on the attached plat of survey have been located per utility location markings on the ground as provided by the Indiana Underground Plant Protection Service (Ticket Numbers 1302071804 & 1302071810) and Blood Hound Underground Utility Locators. The path of the utility lines shown on said plat of survey should be considered approximate until they are either relocated, by calling the Indiana Underground Plant Protection Service at 1-800-382-5544 or until they are excavated to verify the location and path of the utility lines.
No warranty, either express or implied, is made as to the accuracy and/or completeness of information presented on underground utilities, or as to its fitness for any particular purpose or use. In no event will Weithe Engineers, Inc., its employees, agents, and/or assigns be liable for any damages arising out of the furnishing and/or use of such information.
6.) The surveyed real estate contains 9 marked parking spaces, total includes 1 space marked for handicap use. No markings found on the north surveyed parcel (the land described as PARCEL THREE in Instrument #2003-061936).
7.) Per the Lake County Watershed GIS Website, no regulated (legal) drains are within 75 feet of the subject parcel.
8.) Per the U.S. Department of the Interior - Fish and Wildlife Service - Wetlands Online Mapper the subject real estate is not located within a wetlands area as plotted by scale on said map. Note: To locate a Wetland Area would require a detailed on the ground and historical analysis of any area in question and that information would then be furnished by the Indiana Department of Environmental Management and/or the U.S. Army Corps of Engineers for a determination of the Wetland Area.
7.) Per the Town of Merrillville, Indiana Thoroughfare Plan (Code of Ordinances Sec. 19-224) U.S. 30 is classified as a Primary arterial. Limited access with a right-of-way of 200 feet. According to Dorinda Gregor with the Town of Merrillville, Whitcomb Street is a secondary arterial and has a proposed right-of-way of 80 feet (A 40 foot half right-of-way has been shown on this survey).
10.) As used in this Survey, certify means to state or declare a professional opinion of conditions regarding those facts or findings which are the subject of the certification and does not constitute a warranty or guarantee, either express or implied. Interpretations are not a part of any certification.
11.) No warranty, either express or implied, is made as to the accuracy or completeness of information provided by governmental authorities and/or third parties, or as to its fitness for any particular purpose or use, including but not limited to information presented on underground utilities, flood hazard zones, floodway zones, wetlands, recording information, zoning, and regulated drains. In no event will Weithe Engineers, Inc., its employees, agents, and/or assigns be liable for any damages arising out of the furnishing and/or use of such information.
12.) No mine shafts, public or private water wells, churches, cemeteries, burial grounds, or places of public assembly were found upon visual observation within 300 feet of the surveyed parcel.

RECORD LEGAL DESCRIPTION (recited from EXHIBIT "A" of Fidelity National Title Insurance Company Commitment No. 511303636 dated March 15, 2013 at 8:00 AM and from EXHIBIT "A" of Fidelity National Title Insurance Company Commitment No. 511302813 dated February 13, 2013 at 8:00 AM)
PARCEL I:
PART OF LOT 1 IN LINCOLNWAY PLAZA, IN THE TOWN OF MERRILLVILLE, AS PER PLAT THEREOF, RECORDED IN PLAT BOOK 41 PAGE 16 IN THE OFFICE OF THE RECORDER OF LAKE COUNTY, INDIANA, DESCRIBED AS FOLLOWS:
BEGINNING AT THE SOUTHERNMOST CORNER OF SAID LOT 1; THENCE NORTH 132.99 FEET TO AN ANGLE POINT IN THE BOUNDARY OF SAID LOT 1; THENCE WEST 20 FEET; THENCE SOUTH 129.47 FEET, MORE OR LESS TO THE SOUTHERLY LINE OF SAID LOT 1; THENCE EASTERLY, ALONG SAID SOUTHERLY LINE, 20.5 FEET MORE OR LESS, TO THE POINT OF BEGINNING.

PARCEL II:
A PART OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 35 NORTH, RANGE 8 WEST OF THE 2ND P.M., LYING NORTH OF THE LINCOLN HIGHWAY IN LAKE COUNTY, INDIANA, DESCRIBED AS:
BEGINNING AT THE POINT OF THE INTERSECTION OF THE EAST LINE OF SAID NORTHWEST QUARTER WITH THE NORTH RIGHT-OF-WAY LINE OF 200 FOOT WIDE LINCOLN HIGHWAY (U.S. 30) AS NOW OCCUPIED AND MONUMENTED, SAID POINT OF INTERSECTION BEING IN THE CENTERLINE OF WHITCOMB STREET AND 236.15 FEET SOUTH OF A RAILROAD SPIKE MARKING THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER; AS MEASURED ALONG THE EAST LINE OF SAID NORTHWEST QUARTER; THENCE NORTH ALONG THE EAST LINE OF SAID NORTHWEST QUARTER 226.0 FEET; THENCE WEST AT RIGHT ANGLES 230 FEET; THENCE SOUTH AT RIGHT ANGLES 174.0 FEET, MORE OR LESS, TO THE NORTH RIGHT-OF-WAY LINE OF 200-FOOT WIDE LINCOLN HIGHWAY; THENCE SOUTHEASTERLY ALONG SAID NORTH RIGHT-OF-WAY LINE OF LINCOLN HIGHWAY 235.8 FEET TO THE POINT OF BEGINNING.

ALSO, THE RIGHTS AND BENEFITS OF A GRANT OF EASEMENT FOR GRAVITY, FEED, DRAIN OF SURFACE RUN-OFF WATER, BY AND BETWEEN FIRST BANK OF WHITING, AS TRUSTEE, AND MARATHON PETROLEUM COMPANY, DATED OCTOBER 14, 1985 AND RECORDED NOVEMBER 6, 1985 AS INSTRUMENT NO. 827595 IN THE OFFICE OF THE RECORDER OF LAKE COUNTY, INDIANA.

A PART OF LINCOLNWAY PLAZA, AS SHOWN IN PLAT BOOK 41, PAGE 16, LAKE COUNTY, INDIANA DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF WHITCOMB STREET AND THE SOUTH LINE OF LINCOLNWAY PLAZA; THENCE DUE WEST ALONG THE SOUTH LINE SAID LINCOLNWAY PLAZA AND SAID SOUTH LINE EXTENDING WEST 21.0 FEET; THENCE DUE NORTH PARALLEL TO THE WEST RIGHT-OF-WAY LINE OF WHITCOMB STREET 277.12 FEET; THENCE DUE EAST PARALLEL TO THE SOUTH LINE OF SAID LINCOLNWAY PLAZA 210.0 FEET TO THE WEST RIGHT-OF-WAY OF WHITCOMB STREET; THENCE SOUTH ALONG SAID WEST RIGHT-OF-WAY LINE 277.12 FEET TO THE POINT OF BEGINNING, IN LAKE COUNTY, INDIANA.

Note: The land described in said EXHIBIT "A" of Commitment No. 511303636 is the same land described in Instruments #2008-073664 & 054056 in the Office of said Recorder, and the land described in said EXHIBIT "A" of Commitment No. 511302813 is the same land described as PARCEL THREE in Instrument #2003-061936 in the Office of said Recorder.

SURVEYOR'S REPORT
BOOK 25 PAGE 78
2014 004928
Client: Speedway LLC
Job Number: W130067
Type of Survey: Retraacement Survey meeting the 2011 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys
Class of Survey: Urban Survey (865 IAC 1-12)
Field Work Completed: February 13, 2013
Location of Survey: 3390 West 81st Avenue, Merrillville, Indiana

In accordance with Title 865, Article 1, Chapter 12 (Rule 12) of the Indiana Administrative Code (IAC), the following observations and opinions are submitted regarding the uncertainty in the position of the lines and corners established and/or reestablished on this survey as a result of:
1) Availability and condition of reference monuments;
2) Clarity and/or ambiguity of the record description(s) used and/or the adjoiner's descriptions; and
3) Occupation or possession lines.
4) Measurements (Relative Positional Accuracy)
Note: There may exist unwritten rights associated with these uncertainties.

1) Availability and condition of reference monuments
It is this surveyor's professional opinion that the uncertainty in the lines of the surveyed tract due to variances in said reference monuments is as follows:
There is approximately 2.2 feet of uncertainty in the location of the lines and corners due to the location of accessory monumentation found in the vicinity of the subject parcel.

2) Clarity and/or ambiguity of the record description(s)
The record descriptions for the adjoining real estate were obtained from the Lake County Recorder's Office and mathematically retraced in an effort to disclose possible gaps and/or overlaps between the lines of the surveyed tract and those of the adjoiners. It is this surveyor's professional opinion that there are uncertainties in the lines of the surveyed real estate and those of the adjoiners due to discrepancies in the record descriptions. There is at least 1.5 feet of uncertainty due to an informative call of 236.15 feet to the Northeast Corner of the Northwest Quarter in Instrument #054056 compared to the record dimensions of the location of the corner per the plat of Lincolnway Plaza. There was also approximately 1 foot of uncertainty found in the location of Instrument 2008-073664 due to the differences found in record dimensions compared to the measured dimensions to the controlling lines.

3) Occupation or possession lines
At the time the field work was completed, physical evidence of the lines and/or inconsistencies in the lines of occupation of the surveyed tract consisted of the following:
The possession on the South and East is to the improvements of US 30 and Whitcomb Street, respectively. Improvements including a vinyl fence, concrete wall, bollards and pavement were found to be on line to 2.7 feet west of the West line of the surveyed parcel. It is also noted that an asphalt drive continues across the West line as shown indicating access across this line. It is noted that a survey by Gregory Land Surveying under Project No. 05-4876 and dated January 27, 2006 depicts a proposed access easement in this area, however no executed document for said easement was found or provided. Improvements including a chain link fence and asphalt driveway were found to measure 1.9 feet south to 6.5 feet north of the North line of the subject parcel.

4) Measurements (Relative Positional Accuracy)
The Relative Positional Accuracy of the corners of the subject tract established for this survey is within the specifications for an Urban survey (+/- 0.07 foot plus 50 parts per million) as defined in 865 IAC 1-12-8, effective May 4, 2006. ("Relative Positional Accuracy" means the value expressed in feet or meters that represents the uncertainty due to random errors in measurements in the location of any point on a survey relative to any other point on the same survey at the 95 percent confidence level).

Theory of Location
This is a Retraacement Survey meeting the 2011 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys of the lands described in Instruments #054056, 2008-073664 & 2003-061936 being part of the Northwest Quarter of Section 19, Township 35 North, Range 8 West of the Second Principal Meridian, Ross Township, Lake County, Indiana. The basis of bearings for this survey is South 00 degrees 00 minutes 00 seconds East for the East line of said Northwest Quarter based upon record descriptions. No monuments were found at the Northwest or Southeast Corners of said Quarter. The East line of said Quarter and the lines and corners of Lincolnway Plaza were established utilizing geometry from a survey by Gregory Land Surveying under Project No. 05-4876 and dated January 27, 2006 in relationship to the found Gregory capped rebar and mag nail set during said survey along the West line of the subject parcel as the best available evidence of the locations. This position also matched an iron pipe (origin and age unknown) found at the Northwest corner of the subject parcel. This location leaves approximately 0.8 feet of uncertainty in the calculated location of the Northeast Corner of said Quarter from said monuments in relationship to two rebar (origin and age unknown) found on the apparent right of way line adjacent to said Northeast Corner. The northerly right of way line of US 30 was established based upon the location from said survey and Lincolnway Plaza and extended easterly to establish the southerly line of the land described in Instrument #054056. The location of the right of way lines of US 30 matched the location of two right of way monuments within 0.6 feet. The lines and corners of the subject parcels were established utilizing their record dimensions and adjusted to their controlling calls.

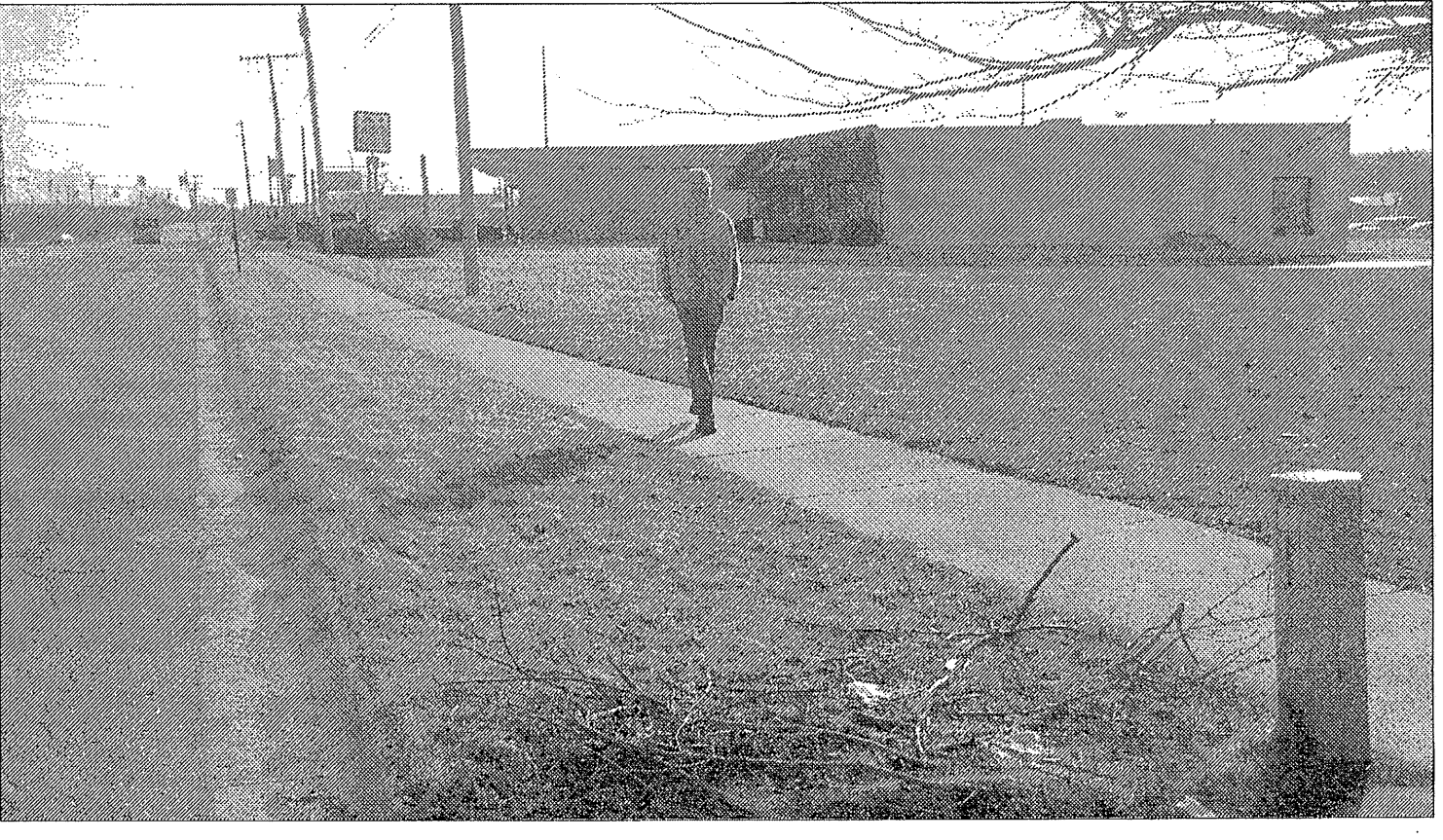
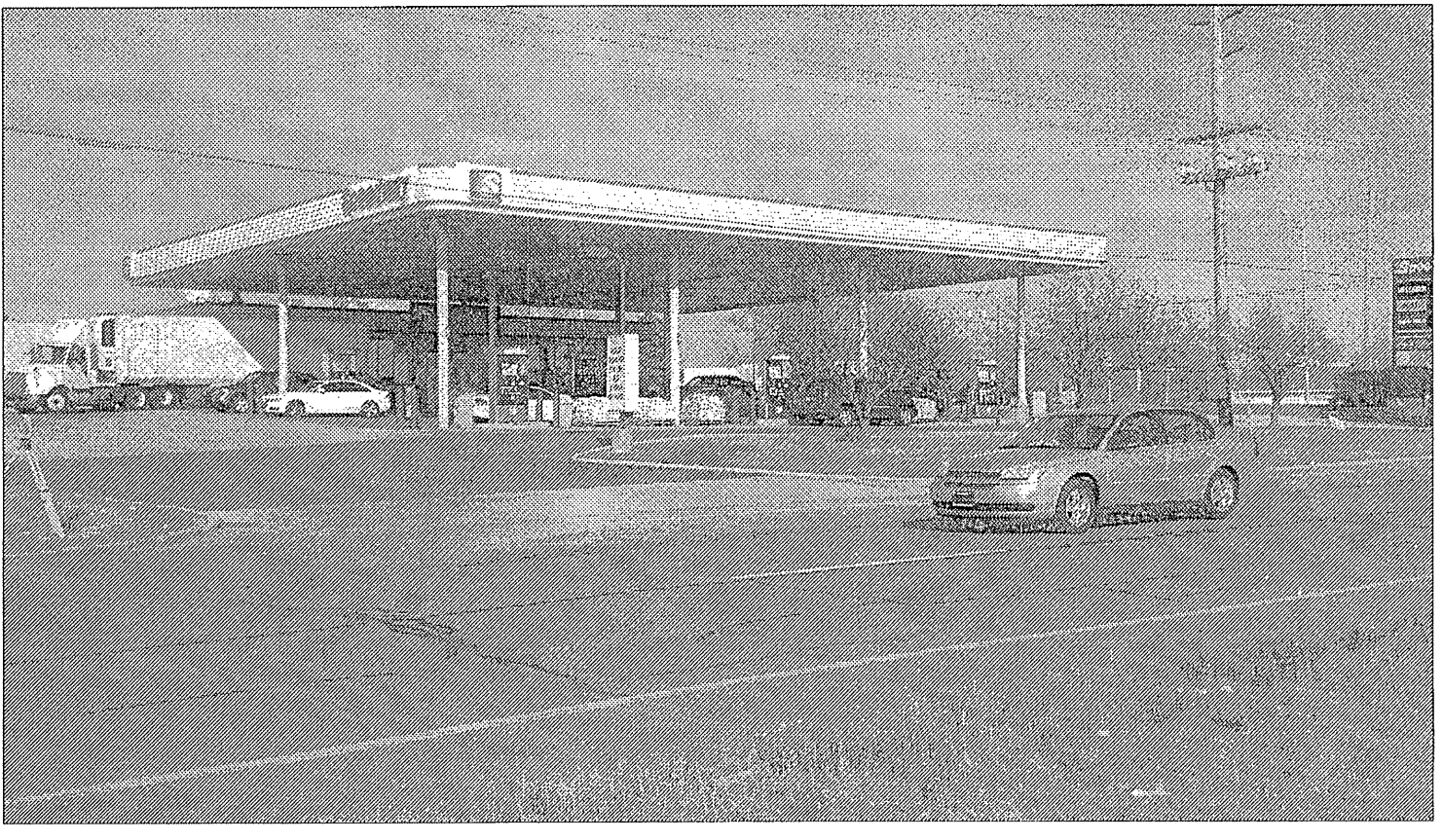
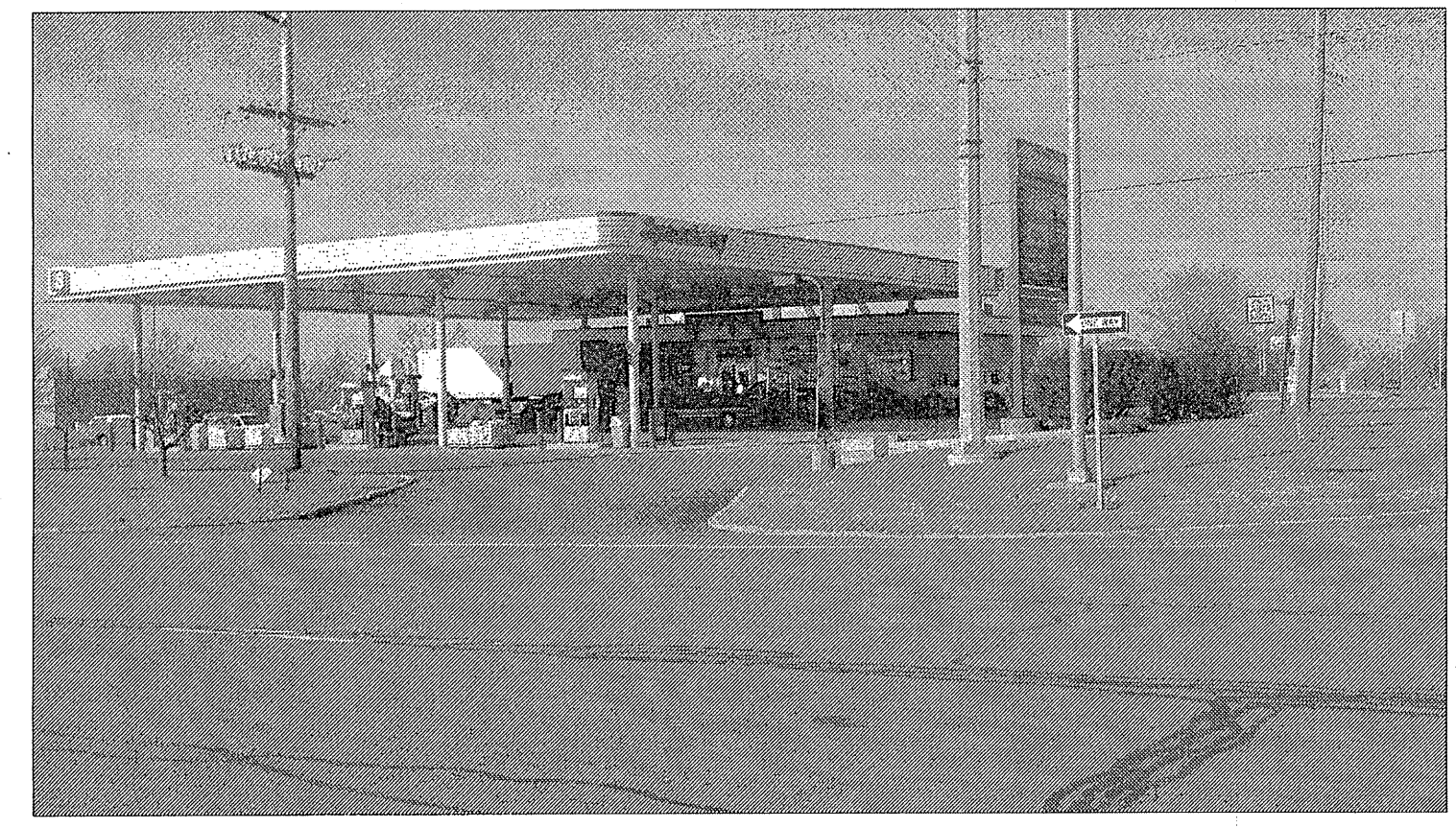
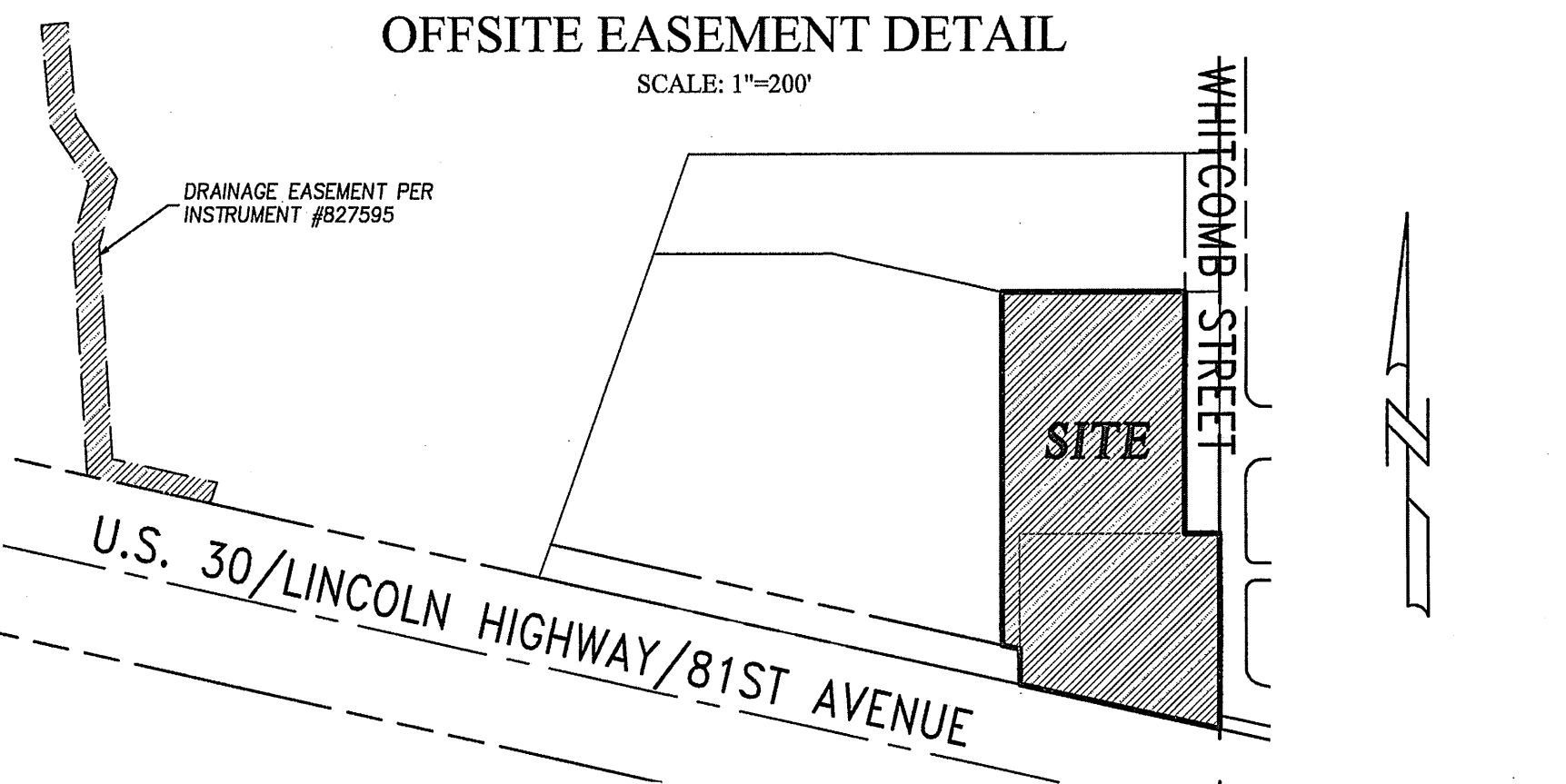
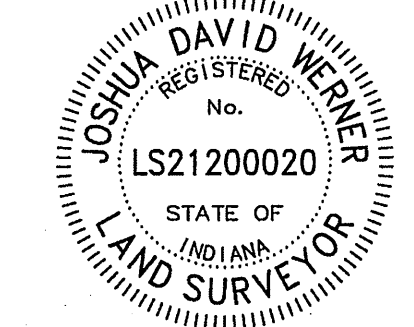
I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law (Joshua Werner).

This instrument was prepared by: Joshua Werner, Weithe Engineers, Inc.

SURVEYOR'S CERTIFICATE
To Speedway LLC and Fidelity National Title Insurance Company:
This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2011 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1-5, 6(b), 8, 9, 11(b), 13, and 17 of Table A thereof. The field work was completed on February 13, 2013.

This survey was performed under the direction of the undersigned, and to the best of this surveyor's knowledge and belief was executed according to survey requirements in 865 IAC 1.12 for the State of Indiana.

Dated February 25, 2013
Joshua David Werner
Registered Land Surveyor No. 21200020
State of Indiana



STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD
2014 JAN 24 PM 1:38
MICHAEL B. BROWN
RECORDER
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Indianapolis, Indiana 46280
weithe.net
317 | 846 - 6611
800 | 452 - 6408
317 | 843 - 0546/ fax
ALLAN H. WEITHE, P.E., L.S. - FOUNDER

WEITHE ENGINEERS
Land Surveying | Civil Engineering
Landscape Architecture

Table with columns: PROJECT NO., DATE, and various survey details.

PREPARED FOR:
Speedway #7435
- 3990 WEST 81ST AVENUE, MERRILLVILLE, INDIANA
ALTA/ACSM Land Title Survey
PART OF THE NORTHWEST 1/4, SEC. 19, T35N, R8W, ROSS TOWNSHIP, LAKE COUNTY, INDIANA.

FILED
JAN 24 2014
PEGGY HOLINGA KATONA
LAKE COUNTY AUDITOR

PREPARED FOR:
Speedway #7435
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SHEET NO. 2
OF 2
PROJECT NO. W130067