

2014 077640

2014 DEC -5 AM 10: 22

MICHAEL D. BROWN  
RECORDER

RETURN TO:

MAIL TAX BILLS TO GRANTEE'S  
CURRENT ADDRESS AT:

3592 NORTH HOBART ROAD  
HOBART, INDIANA 46342

TERRY RETSON  
GENETOS RETSON & YOON LLP  
1000 EAST 80<sup>TH</sup> PLACE  
SUITE 555 NORTH  
MERRILLVILLE, INDIANA 46410

**SPECIAL WARRANTY DEED NO. 2**  
(Triangle Parcel)

1402928T CM  
GHE

**THIS INDENTURE WITNESSETH THAT** NH Vegas, LLC, an Indiana limited liability company (the "Grantor") **CONVEYS** to Marina District Development LLC, an Indiana limited liability company (the "Grantee"), in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the following described real estate situated in Lake County, in the State of Indiana, to-wit (collectively, the "Real Estate")

**Parcel I: Intentionally Omitted**

**Parcel II: Intentionally Omitted**

**Parcel III:** Lot Two (2) in New Roby 1st Addition, to the City of Hammond, as per plat thereof, recorded in Plat Book 104 page 70 in the Office of the Recorder of Lake County, Indiana.

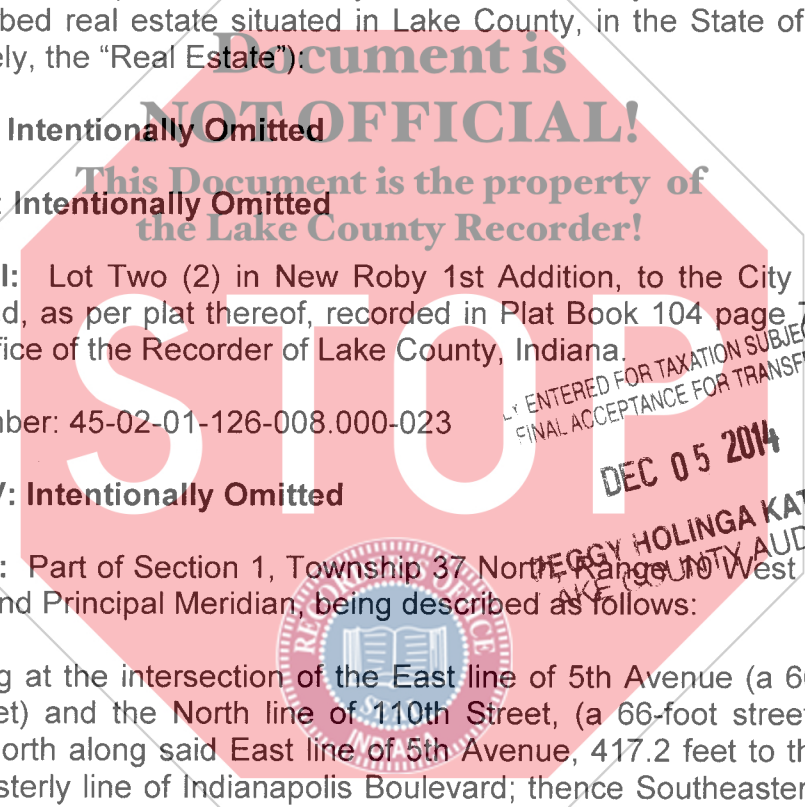
Tax Parcel Number: 45-02-01-126-008.000-023

**Parcel IV: Intentionally Omitted**

**Parcel V:** Part of Section 1, Township 37 North, Range 10 West of the Second Principal Meridian, being described as follows:

Beginning at the intersection of the East line of 5th Avenue (a 66-foot street) and the North line of 110th Street, (a 66-foot street); thence North along said East line of 5th Avenue, 417.2 feet to the Southwesterly line of Indianapolis Boulevard; thence Southeasterly along the Southwesterly line of Indianapolis Boulevard, 511.8 feet to the West line of 6th Avenue, (a 66-foot street); thence South along the West line of 6th Avenue, 20.7 feet to the North line of 110th Street; thence West along the North line of 110th Street,

016827



FILED FOR TAXATION SUBJECT  
FINAL ACCEPTANCE FOR TRANSFER  
DEC 05 2014

PEGGY HOLINGA KATONA  
LAKE COUNTY AUDITOR

CHICAGO TITLE INSURANCE COMPANY

24-  
CT  
CM

- 324.0 feet to the point of beginning, in the City of Hammond, Lake County, Indiana.

Tax Parcel No.: 45-02-01-201-001.000-023

**Parcel VI: Intentionally Omitted.**

**Parcel VII Tract I: Intentionally Omitted**

**Parcel VII Tract II: Intentionally Omitted**

Commonly known as 902-52 Indianapolis Boulevard, Hammond, Indiana and warrants to Grantee only that the Real Estate is free from all liens, encumbrances and defects in title arising out of the acts or omissions of Grantor, and hereby disclaims all warranties under Indiana Code 32-17-1-2 which are inconsistent with the foregoing. Grantor hereby assigns and transfers to Grantee all rights which Grantor has, if any, under all warranties and representations made by other owners in the chain of title to the Real Estate (the "Warranties"), including, but not limited to, any and all rights which Grantor may now have, if any, or which may accrue hereafter by reason of, or on account of, the Warranties, if any; provided, however, that Grantor makes no warranties or representations to Grantee or to any of Grantee's successors in title to the Real Estate with respect to the Warranties, all of which are hereby disclaimed, without qualification, limitation, or exception.

SUBJECT, NEVERTHELESS, TO THE FOLLOWING:

1. Real estate taxes for 2014 payable in 2015, and for all years thereafter.
2. Rights of the public, the State of Indiana and/or the municipality, and others entitled thereto, in and to that part of the Real Estate taken or used for road purposes.
3. Governmental limitations and regulations regarding access to U.S. 41, a limited access facility.
4. Easement for public utilities, if any, over that part of the Real Estate lying within the vacated 4<sup>th</sup> Avenue and the vacated 15 foot wide alley; and within the vacated 6<sup>th</sup> Avenue and the 20 foot alley.
5. Covenants, conditions, and restrictions contained in Declaration of Use Restrictions made by Roby Land Partners, LLP and NH Vegas, LLC recorded April 17, 2002 as Document No. 2002 036493.
6. Easement for gas and oil pipe line purposes in favor of Indiana Natural Gas and Oil Company authorized by Board of County Commissioners on December 2,

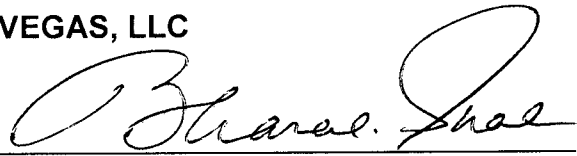
- 1889 in Commissioner's Record 6 page 186 and further evidenced in receipt dated December 3, 1889 and recorded May 8, 1890 in Miscellaneous Record 7, page 296, as assigned to Northern Indiana Public Service Company by assignment dated December 7, 1940 and recorded March 27, 1941 in Miscellaneous Record 329, page 98.
7. Right of Way Grant dated March 30, 1953 and recorded July 26, 1954, in Miscellaneous Record 608, page 543, as Document No. 770369, made by Charles C. Shedd, Edith W. Shedd and Alexander A. Nottmeyer, as Trustees under Trust Agreement dated December 1, 1927, granting to the State of Indiana an easement for constructing and maintaining an underground sewer.
  8. Easement for gas main purposes in favor of Northern Indiana Public Service Company, an Indiana corporation, dated October 15, 1942 and recorded December 8, 1942, in Miscellaneous Record 347, page 586.
  9. Easement for electrical purposes in favor of Northern Indiana Public Service Company, an Indiana corporation, dated October 15, 1942, and recorded January 6, 1943, in Miscellaneous Record 353, page 90.
  10. Easement for electrical purposes in favor of Northern Indiana Public Service Company, an Indiana corporation, dated October 15, 1942, and recorded January 6, 1943, in Miscellaneous Record 353, page 93.
  11. Covenants, conditions, and restrictions contained in the Plat of New Roby First Addition to the City of Hammond, recorded September 29, 2010 as Document No. 2010 056559 in Plat Book 104 page 70.
  12. Grant(s) and/or Reservation(s) of easement(s) contained on the recorded plats of subdivisions.
  13. Terms and provisions of an easement for signage purposes in favor of Wal-Mart Real Estate Business Trust in Grant of Easement No. 3 made by NH Vegas dated September 30, 2010 as Document No. 2010 058650 as amended by First Amendment to Grant of Easement No. 3 dated July 11, 2011 and recorded July 13, 2011 as Document No. 2011 038284.
  14. Declaration of Easement with Covenants and Restrictions made by and between Wal-Mart Real Estate Business Trust, Inc. a Delaware corporation and NH Vegas, LLC, an Indiana limited liability company, dated September 30, 2010 and recorded October 12, 2010 as Document No. 2010 058651.

15. All other covenants, easements, rights of way, building lines, highways, roads, streets, alleys and other restrictions of beneficial use and enjoyment of record, and all facts and matters affecting legal and equitable ownership and possession of the Real Estate which would be, or should have been, revealed and disclosed by an accurate survey of the Real Estate.

The undersigned person executing this Deed represents and certifies on behalf of Grantor that the undersigned has been duly authorized and fully empowered to execute and deliver this Deed; that Grantor has full capacity to convey the Real Estate; and that all necessary action for the making of this conveyance has been duly taken.

IN WITNESS WHEREOF, Grantor has caused this Deed to be executed this 24<sup>th</sup> day of September, 2014.

NH VEGAS, LLC

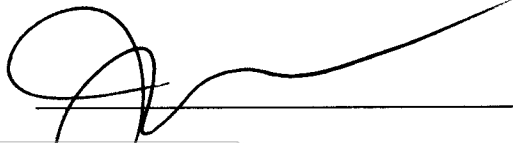
By:   
Bharat Shah, Authorized Member



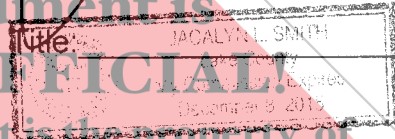
STATE OF INDIANA        )  
                                  ) SS:  
COUNTY OF LAKE        )

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Bharat Shah, the Authorized Member of Grantor, who acknowledged the execution of the foregoing Deed for and on behalf of Grantor and who, having been duly sworn, stated the representations therein contained are true.

WITNESS my hand and notarial seal this 24<sup>th</sup> day of September, 2014.

  
\_\_\_\_\_  
Notary Public

Printed Name: \_\_\_\_\_



My Commission Expires: \_\_\_\_\_

County of Residence: \_\_\_\_\_

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. Glenn R. Patterson

This Instrument prepared by Glenn R. Patterson, Esq., Lucas, Holcomb & Medrea, LLP, Easton Court, 300 East 90th Drive, Merrillville, Indiana 46410



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