

2015 069708

STATE OF INDIANA  
LAKE COUNTY  
FILED FOR RECORD

2015 OCT 14 AM 9:08

MICHAEL B. BROWN  
RECORDER

**RELEASE OF ASSIGNMENT OF RENTS AND LEASES**

This certifies that the Assignment of Rents and Leases executed by **Buffington Harbor Parking Associates, LLC** on 6/19/01 to U.S. Bank National Association, f/k/a Firststar Bank, N.A., which is recorded in the Office of the Recorder of Lake County, State of Indiana, recorded as **#2001 056591**, has been fully paid and satisfied and the same is hereby released. The real estate located in said County is described as follows:

See attached Exhibit A

Dated October 1, 2015

Document is  
**NOT OFFICIAL!**

This Document is the property of  
the Lake County Recorder!

STATE OF WISCONSIN  
COUNTY OF WINNEBAGO

Personally came before me this October 1, 2015, Aaron P. Wroblewski of U.S. Bank National Association to me known to be the person who executed this document, and to me known to be such Assistant Commercial Officer of said corporation and acknowledged that they executed said document as such officer as the deed of said corporation, by its authority.



BARRY ELSHOLTZ  
Notary Public  
State of Wisconsin

Prepared by: Robin Gates  
Return after recording to:  
US BANK NA  
ATTN: ROBIN GATES  
P O BOX 3487  
OSHKOSH WI 54903-3487

Customer #089477  
Cost Center #N/A

Return Unrecorded Documents to:  
U.S. Bank Corporate Loan Services  
Attn: Robin Gates  
PO Box 3487  
Oshkosh, WI 54903-3487

After recording, please return this document to:  
Post Closing Department  
Chicago Title Insurance Company-National Division  
10 S. LaSalle Street, Suite 3100  
Chicago, IL 60603  
ATTN: Dana Robinson

28.00  
M.E  
#1105 022897

EXHIBIT A

**LEGAL DESCRIPTION:**

**Parcel P1:**

A parcel of land in the Southeast Quarter (SE 1/4) of Fractional Section Twenty-three (23), Township Thirty-seven North (T37N), Range Nine West (R9W) of the Second Principal Meridian, in the City of Gary, Lake County, Indiana, more particularly described as follows:

Beginning at the Southerly corner of Buffington Harbor Riverboats, L.L.C., Parcel 1 as recorded in Document No. 95067683 in the Office of the Recorder of said County;

- 1) thence North  $35^{\circ} 53' 21''$  East along the Southeasterly line of said Parcel 1; a distance of 671.48 feet to the Easterly corner of said Parcel 1;
- 2) thence South  $54^{\circ} 06' 39''$  East a distance of 401.10 feet;
- 3) thence South  $35^{\circ} 53' 21''$  West, a distance of 551.21 feet to a point of non-tangent curve;
- 4) thence 79.52 feet along an arc convex to the Northwest, said curve having a radius of 94.22 feet and subtending a long chord which bears South  $65^{\circ} 26' 30''$  West a distance of 77.16 feet;
- 5) thence South  $42^{\circ} 41' 33''$  West, a distance of 53.53 feet to the Northeastery right-of-way line of the Elgin, Joliet & Eastern Railway Company as recorded in Lake County Deed Record 117, Page 10;
- 6) thence North  $54^{\circ} 06' 39''$  West, a distance of 355.66 feet along said Northeastery right-of-way line to the POINT OF BEGINNING.

**Parcel P2:**

A parcel of land in the Southeast quarter (SE 1/4) of Fractional Section Twenty-three (23) and the Northeast Quarter (NE 1/4) of Section Twenty-Six (26), Township Thirty-Seven North (T37N), Range Nine West (R9W) of the Second Principal Meridian, in the City of Gary, Lake County, Indiana, more particularly described as follows:

Beginning at the Northeastery corner of Buffington Harbor Riverboats, L.L.C., Parcel 2 as recorded in Document No. 95067683 in the Office of the Recorder of said County;

- 1) thence South  $54^{\circ} 06' 39''$  East along the Southeasterly line of said Parcel 4 of Exhibit A as recorded in Lake County Document No. 95052358 and along the Southwesterly line of the Fourth (4th) parcel as described in Lake County Deed Record 282, Page 248, a distance of 475.31 feet;
- 2) thence South  $36^{\circ} 02' 19''$  West, a distance of 440.01 feet;
- 3) thence North  $49^{\circ} 38' 51''$  West, a distance of 457.29 feet to the Southeasterly line of said Parcel 2;
- 4) thence North  $34^{\circ} 13' 33''$  East along said Southeasterly line, a distance of 16.84 feet;
- 5) thence North  $30^{\circ} 46' 03''$  East along said Southeasterly line, a distance of 203.32 feet;

EXHIBIT A - CONTINUED

6.) thence North 36°00'21" East along said Southeastery line, a distance of 185.08 feet to the POINT OF BEGINNING.

**Easement Parcel 2: (Center Road)**

Perpetual, non-exclusive easement for the benefit of Parcel 1 for ingress and egress of vehicles and pedestrians as contained in certain limited grants of easement in Easement Agreement dated June 30, 1995 and recorded July 7, 1995 as Document Number 95038222, by and between ~~Lough Fortson Cement Company and Trump Indiana, Inc.~~, as amended by ~~Amendment to Easement Agreement and Grant of Easement dated September 29, 2000 and recorded October 3, 2000 as Document Number 2000 072825, by Gary New Century, L.L.C., Buffington Harbor Riverboats, L.L.C. and Remark Land Company, and as amended by First Amendment to Amendment to Easement Agreement and Grants of Easements dated 6-17-01 recorded 7-18-01 as Document Number 2001 054589~~ over the following described property:

**Easement 2-1:**

A strip of land thirty feet wide, lying fifteen feet each side of a centerline located in the Southwest Quarter (SW 1/4) of Fractional Section Twenty-three (23) and the Northwest Quarter of Section Twenty-six (26), Township Thirty-seven North (T37N), Range 9 West of the Second Principal Meridian, in the City of Gary, Lake County, Indiana, said centerline being more particularly described as follows:

Commencing at a capped iron rod at the Easterly corner of Parcel 3 as described to Buffington Harbor Riverboats, L.L.C. and recorded in Document No. 95067683 in the Office of the Recorder of said County, thence 596.98 feet along the Northeastery line of said Parcel, said line being an arc convex to the Southwest with a radius of 17238.80 feet, and subtended by a long chord which bears North 48°49'23" West 596.95 feet to a point on the centerline of a paved roadway and the Point of Beginning of this description:

1. thence South 43°02'08" West, a distance of 295.24 feet;
2. thence 197.38 feet along an arc convex to Northwest, said curve having a radius of 120.00 feet, and subtended by long chord which bears South 8°26'49" West, a distance of 175.87 feet;
3. thence North 46°48'23" West, a distance of 1412.25 feet to a point on the Northwesterly line of said Parcel and the Point of Ending of this description.

**Subway Description:**

A strip of land thirty-six feet wide, lying eighteen feet each side of a centerline located in the Northwest Quarter of Section 26, Township 37 North, Range 9 West of the Second Principal Meridian, in the City of Gary, Lake County, Indiana, said centerline being more particularly described as follows:

Commencing at the Southerly corner of Parcel 3 as described to Buffington Harbor Riverboats, L.L.C. and recorded in Document No. 96052358, Exhibit A, in the

EXHIBIT A-CONTINUED

Office of the Recorder of said County; thence North 47°52'48" West along the Southwesterly line of said parcel, a distance of 62.53 feet to a point on the centerline of a concrete roadway and the Point of Beginning of this description;

thence South 42°59'32" West along the centerline of a subway a distance of 226.97 feet to a point on the Northeasterly line of Parcel 3 as described to Buffington Harbor Riverboats, L.L.C. and recorded in Document 95067683 in said Recorder's Office, said point being the Point of Ending of this description.

**Easement 2-2:**

A strip of land thirty feet wide, lying fifteen feet each side of a centerline located in the Southeast Quarter (SE 1/4) of Fractional Section Twenty-three (23) and the North Half (N 1/2) of Section Twenty-six (26), Township Thirty-seven North (37N), Range 9 West of the Second Principal Meridian, in the City of Gary, Lake County, Indiana, said centerline being more particularly described as follows:

Commencing at the Southerly corner of Parcel 3 as described to Buffington Harbor Riverboats, L.L.C. and recorded in Document No. 95052358, Exhibit A, in the Office of the Recorder of said County; thence North 47°52'48" West, along the Southwesterly line of said parcel, a distance of 62.53 feet to a point on the centerline of a concrete roadway and the Point of Beginning of this description;

1. thence North 42°59'32" East, a distance of 226.97 feet;

2. thence North 36°30'36" East, a distance of 148.76 feet;

3. thence North 29°03'20" East, a distance of 141.92 feet;

4. thence South 47°58'01" East, a distance of 28.05 feet to a point on the Southeasterly boundary of Parcel 2 as described to Buffington Harbor Riverboats, L.L.C. and recorded in Document No. 95067683 in said Recorder's Office, said point being the Point of Ending of this description.

**Easement 2-3:**

A strip of land thirty feet wide, lying fifteen feet each side of a centerline located in the Southeast Quarter (SE 1/4) of Fractional Section twenty-three (23) and the North Half (N 1/2) of Section Twenty-six (26), Township Thirty-seven North (37N), Range 9 West of the Second Principal Meridian, in the City of Gary, Lake County, Indiana, said centerline being more particularly described as follows:

Commencing at the Southerly corner of Parcel 3 as described to Buffington Harbor Riverboats, L.L.C. and recorded in Document No. 95052358, Exhibit A, in the Office of the Recorder of said County; thence North 47°52'48" West, along the Southwesterly line of said parcel, a distance of 62.53 feet to a point on the centerline of a concrete roadway and the Point of Beginning of this description;

1. thence North 42°59'32" East, a distance of 226.97 feet;

2. thence North 36°30'36" East, a distance of 148.76 feet;

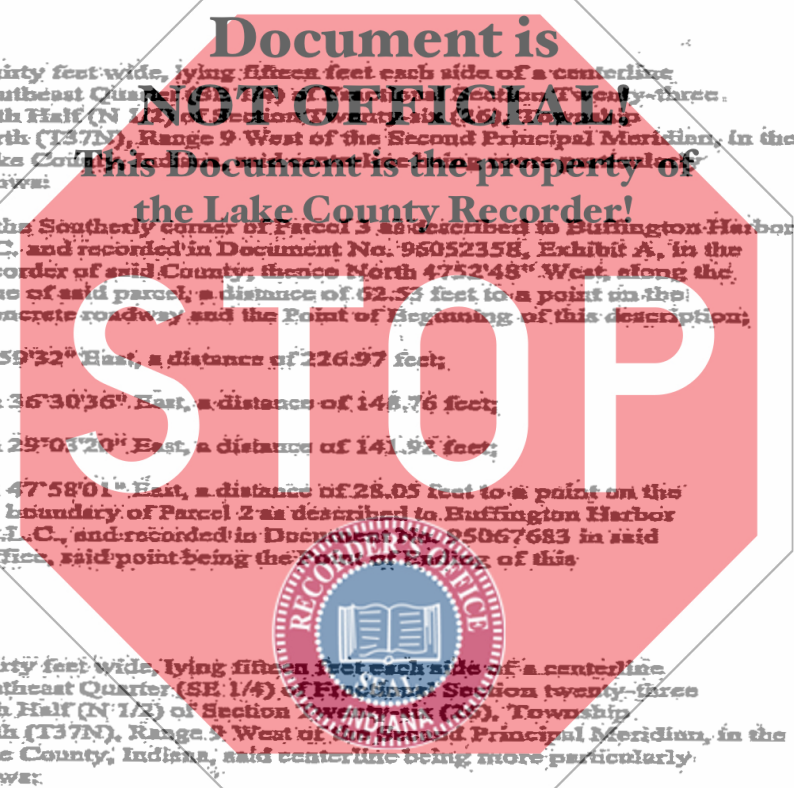


EXHIBIT A – CONTINUED

3. thence North 29° 03' 20" East, a distance of 257.21 feet;
4. thence North 35° 33' 50" East, a distance of 437.13 feet to a point on the Northeastly boundary of Parcel 4 of said document and the Point of Ending of this description.

And also an irregular shape strip of land lying along the Southeast edge of the thirty foot wide strip described above and being in the Southeast Quarter (SE 1/4) of Fractional Section Twenty-three (23), Township Thirty-seven North (T37N), Range 9 West (R9W) of the Second Principal Meridian (2<sup>nd</sup> PM) in the City of Gary, Lake County, Indiana, said strip being more particularly described as follows:

Beginning at the Northeastly corner of Buffington Harbor Riverboats, L.L.C., Parcel 2, as recorded in Document No. 95067683 in the Office of the Recorder of said County.

- 1) thence South 54° 06' 39" East along the Southeastly line of Parcel 4 of Exhibit A as recorded in Lake County Document No. 95067683, a distance of 9.24 feet;
- 2) thence South 36° 00' 21" West along the Northwestly line of Parcel P2, a distance of 185.08 feet;
- 3) thence South 30° 46' 03" West along the Northwestly line of Parcel P2, a distance of 203.32 feet;
- 4) thence South 34° 13' 33" West along the Northwestly line of Parcel P2, a distance of 16.84 feet to the Westerly corner of Parcel P2;
- 5) thence North 49° 38' 51" West along the Northwestly prolongation of the Southwestly line of Parcel P2, a distance of 15.45 feet;
- 6) thence North 29° 03' 20" East along the Southeastly line of the previously described thirty foot wide strip, a distance of 86.55 feet;
- 7) thence North 35° 33' 50" East along the Southeastly line of the previously described thirty foot wide strip, a distance of 317.21 feet to the Point of Beginning of this description, said strip.

Encumbrance 2-4:

A strip of land thirty feet wide, lying fifteen feet each side of a centerline located in the Southeast Quarter (SE 1/4) of Fractional Section Twenty-three (23), Township Thirty-seven North (T37N), Range 9 West of the Second Principal Meridian, in the City of Gary, Lake County, Indiana, said centerline being more particularly described as follows:

Commencing at the Southerly corner of Parcel 1 as described to Buffington Harbor Riverboats, L.L.C., and recorded in Document No. 95067683 in the Office of the Recorder of said County; thence North 35° 53' 21" East, a distance of 60.97 along the Southeastly boundary of said Parcel 1 to a point on the centerline of a paved roadway and the Point of Beginning of this description;

1. thence North 54° 30' 46" West, a distance of 335.56 feet;

EXHIBIT A - CONTINUED

2. thence  $113.64$  feet along an arc concave to Southeast, said curve having a radius of  $65.79$  feet, and subtended by long chord which bears South  $82^{\circ}00'46''$  West, a distance of  $100.03$  feet;

3. thence South  $35^{\circ}32'40''$  West, a distance of  $17.42$  feet to a point on the Southwesterly line of Parcel 1 as described to Buffington Harbor Riverboats and recorded in Document No. 96052358, Exhibit A, in said Recorder's Office, said point being the Point of Ending of this description.

**Easement Parcel 3: (Center Road Easement)**

A non-exclusive right for the benefit of Parcel 1 for the purposes of ingress and egress, as created by Agreement dated September 14, 2000 and recorded September 15, 2000 as Document Number 2000 067449, as created by Agreement by and between Elgin, Joliet, and Eastern Railway Company, LLC, over the following described property:

A strip of land thirty feet wide, lying fifteen feet each side of a centerline located in the Southeast Quarter of Section 25, Township 37 North, Range 9 West of the Second Principal Meridian, in the City of Gary, Lake County, Indiana, more particularly described as follows:

Commencing at the easterly corner of a parcel of land described as Parcel 4 in Exhibit A of Lake County Document 96052358; thence North  $54^{\circ}06'32''$  West along the northeasterly line of said parcel a distance of  $408.35$  feet to the centerline of a paved roadway and the Point of Beginning of this description;

thence North  $37^{\circ}47'36''$  East a distance of  $153.13$  feet to a point on the southwesterly line of a parcel of land described as Parcel 1 in said Exhibit and Document, said point being the Point of Ending of this description.

**Easement Parcel 4: (USX Easement)**

Perpetual non-exclusive roadway easement for the benefit of Parcel 1 for the purpose of providing ingress and egress for motor vehicles of all kinds as created by Declaration and Grant of Roadway Easement dated December 9, 1991 and recorded December 17, 1991 as Document Number 91064457, by and between USX Corporation and Lehigh Portland Cement Company, over and across the following described land:

A parcel of land in the Northwest  $1/4$  of Section 25, Township 37 North, Range 9 West of the Second Principal Meridian, in the City of Gary, Lake County, Indiana, described as follows:

Commencing at a nail monument at the Southwest corner of the Northwest  $1/4$  of said Section 25; thence North  $00$  degrees  $03$  minutes  $26$  seconds West along the West line of said Section 25,  $1868.43$  feet to the Northeasterly right of way line of the Elgin, Joliet, and Eastern Railway Company (formerly the Chicago, Indiana and Southern Railroad); thence South  $53$  degrees  $17$  minutes  $26$  seconds East along said Northeasterly right of way line,  $539.09$  feet to a  $1''$  rebar, and the point of beginning of said parcel; thence continuing South  $53$  degrees  $17$  minutes  $26$  seconds East along said Northeasterly right of way line a distance of  $1662.91$  feet to the Southwesterly corner of property of Northern Indiana Public

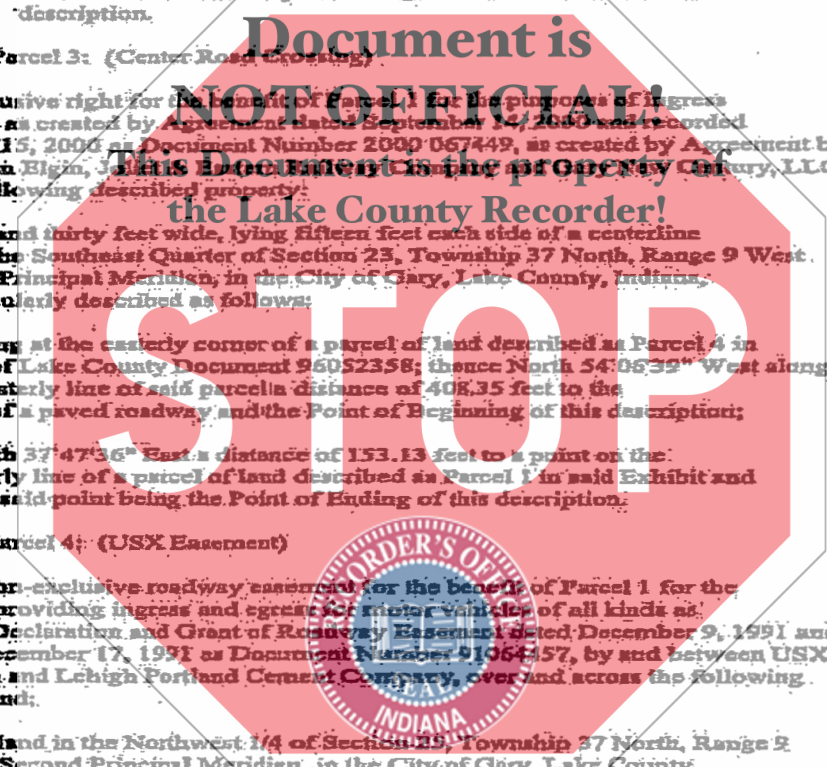


EXHIBIT A - CONTINUED

Service Company conveyed as Parcel No. 1 by United States Steel Corporation to Northern Indiana Public Service Company by deed dated October 24, 1960 and recorded November 1, 1960, in Deed Record 1160, Page 361, as Document No. 289248; thence North 36 degrees 42 minutes 34 seconds East along the Westerly line of said Parcel No. 1 a distance of 85.00 feet to a rail monument at the Southeastery corner of a 100-acre tract of land conveyed by Universal Atlas Cement Company to Northern Indiana Public Service Company by deed dated August 18, 1954 and recorded August 24, 1954, in Deed Record 973, Page 505, as Document No. 777431; thence North 53 degrees 17 minutes 26 seconds West along the Southerly line of said 100-acre tract a distance of 162.91 feet to the Southwestery corner of said tract; thence South 36 degrees 42 minutes 34 seconds West a distance of 85.00 feet to the point of beginning.

Easement Parcel 5; (NIPSCO Easement)

Perpetual non-exclusive roadway easement for the benefit of Parcel 1 for the purpose of providing ingress and egress for motor vehicles of all kinds, as created by Declaration and Grant of Roadway Easement and Release of Roadway Easement dated December 18, 1991 and recorded December 24, 1991 as Document Number 91065413, over and across the following described land:

A strip of land thirty (30) feet wide, lying fifteen (15) feet wide on each side of a center line produced, in the North 1/2 and Southeast 1/4 of Section 25, Township 37 North, Range 9 West of the Second Principal Meridian, in the County of Lake, State of Indiana, said center line being described as follows:

Commencing at a rail monument at the Southwest corner of the Northwest 1/4 of said Section 25; thence North 00° 03' 26" West along the West line of said Section 25, 1868.43 feet to the Northeastery right-of-way line of the Elgin, Joliet, and Eastern Railway Company (formerly the Chicago, Indiana and Southern Railroad); thence South 53° 17' 26" East (said bearing taken from a description of a parcel of land conveyed by United States Steel Corporation to Northern Indiana Public Service Company by deed dated August 18, 1954 and recorded in Deed Record Book 973 Page 505, and all subsequent bearings are related thereto) along said Northeastery right-of-way line, 2202 feet to the Southwestery corner of land conveyed as Parcel No. 1 by United States Steel Corporation to Northern Indiana Public Service Company by deed dated October 24, 1960, and recorded in Deed Record Book 1160, Page 361; thence along the Northwestery line of land so conveyed North 36° 42' 34" East, 85 feet to the POINT OF BEGINNING OF THE EASEMENT;

thence South 53° 17' 26" East, 469.82 feet to a point of curve;

thence by curve deflecting to the left having a radius of 1432.66 feet, the chord which bears South 61° 41' 56" East, 418.98 feet to a point of tangency;

thence South 70° 06' 25" East, 419.28 feet to a point of curve;

thence by curve deflecting to the right having a radius of 228.33 feet, the chord of which bears South 45° 21' 14" East, 191.21 feet to the point of tangency;

thence South 20° 36' 03" East, 36.13 feet to a point of curve;

EXHIBIT A - CONTINUED

thence by curve deflecting to the left having a radius of 713.60 feet, the chord of which bears South 38° 03' 51" East, 429.09 feet to a point of compound curvature;

thence by curve deflecting to the right having a radius of 5594.65 feet; the chord of which bears South 59° 35' 56" East, 781.37 feet to a point of tangency;

thence South 63° 36' 11" East, 1254.39 feet to a point of curve;

thence by curve deflecting to the right having a radius of 75.00 feet, the chord of which bears South 31° 34' 11" East, 147.25 feet to a point of tangency;

thence South 0° 27' 29" West, 47.39 feet to the Northeastly right-of-way line of the Elgin, Joliet and Eastern Railway Company (formerly the Chicago, Indiana, and Southern Railroad).

Easement Parcel 6: (Lehigh Easement)

Non-exclusive easement for the benefit of Parcel 1 for ingress and egress as created by an access agreement dated as of June 30, 1995 and recorded with the Lake County Recorder of Deeds as Instrument No. 95038225, as amended by an Amendment to Access Agreement and Grant of Easement (Clark Road) dated September 29, 2000 and recorded October 5, 2000 as Document Number 2000 072826, made by and between Gary New Century, LLC, Buffington Harbor Riverboats, L.L.C., and Buffington Harbor Parking Associates, L.L.C., over and across the following described land:

A thirty (30) foot wide strip of land to be used for a roadway, said strip being 15 feet each side of a centerline produced in the Southeast Quarter (SE 1/4) of Section 23, the Northeast Quarter (NE 1/4) of Section 26, and the Northwest Quarter (NW 1/4) of Section 25, Township Thirty-seven North (T37N), Range Nine West (R9W) of the Second Principal Meridian, in the City of Gary, Lake County, Indiana, said strip being located within parcels described in Lake County Deed Record Book 567, Page 2 (Parcels 2, 3, and 4); Book 473, Page 29; Book 524, Page 488; Book 544, Page 345; and Book 568, Page 415; said parcels having been conveyed to Lehigh Portland Cement Company in Lake County Document 707259, said centerline being more particularly described as follows:

Commencing at a capped iron rod at the Southwest corner of the Northwest Quarter of Section 23; thence North 00° 23' 05" West (said bearing being relative to the Indiana State Plane Coordinate System West Zone SPC 540), 492.62 feet along the West line of said Section 23 to a capped iron rod on the Northeastly right-of-way line of the Elgin, Joliet & Eastern Railway Company (formerly the Northeastly right-of-way line of the Indiana Harbor Railroad Company) as recorded in Lake County Deed Record 117, Page 10; thence South 46° 59' 40" East, 228.30 feet along said Northeastly right-of-way line to a capped iron rod at a point of tangent curve; thence 1404.64 feet along an arc on said Northeastly right-of-way line, said arc being convex to the Southwest, with a radius of 11309.20 feet, and subtended by a long chord which bears South 50° 33' 09" East, 1403.74 feet, to a capped iron rod; thence South 54° 06' 39" East, 2971.64 feet along said Northeastly right-of-way line to a capped iron rod; thence North 35° 53' 22" East, 138.39 feet to the POINT OF BEGINNING OF SAID CENTERLINE;

1. thence South 54° 03' 06" East a distance of 666.94 feet;



EXHIBIT A - CONTINUED

2. thence 141.46 feet along the arc of a tangent curve, said arc being convex to the South, with a radius of 480.00 feet, and subtended by a long chord which bears South 62° 29' 40" East, 140.46 feet;
3. thence South 70° 56' 15" East a distance of 634.80 feet;
4. thence 111.63 feet along the arc of a tangent curve, said arc being convex to the North, with a radius of 160.00 feet, and subtended by a long chord which bears South 50° 57' 01" East, 109.38 feet;
5. thence South 36° 57' 51" East a distance of 212.54 feet;
6. thence 79.65 feet along the arc of a tangent curve, said arc being convex to the South, with a radius of 70.00 feet, and subtended by a long chord which bears South 63° 33' 35" East, 75.42 feet;
7. thence North 83° 50' 40" East a distance of 348.61 feet;
8. thence 221.71 feet along the arc of a tangent curve, said arc being convex to the South, with a radius of 1450.00 feet, and subtended by a long chord which bears North 79° 27' 51" East, 221.49 feet;
9. thence North 75° 05' 02" East a distance of 199.51 feet;
10. thence 85.01 feet along the arc of a tangent curve, said arc being convex to the North, with a radius of 50.00 feet, and subtended by a long chord which bears South 56° 12' 24" East, 75.14 feet;
11. thence South 07° 29' 50" East a distance of 128.47 feet;
12. thence 401.51 feet along the arc of a tangent curve, said arc being convex to the East, with a radius of 500.00 feet, and subtended by a long chord which bears South 15° 30' 27" West, 390.81 feet;
13. thence South 38° 30' 45" West a distance of 223.19 feet;
14. thence 75.72 feet along the arc of a tangent curve, said arc being convex to the West, with a radius of 65.00 feet, and subtended by a long chord which bears South 05° 08' 24" West, 71.51 feet to the POINT OF ENDING of said strip on the Northwestly line of a parcel of land conveyed to Marblehead Lumber Company in Lake County Document 91065414.