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8888 Louisiana  
Merrillville IN  
46410

Mail Tax Bills To:

Attn: Gloria Tuohy

### COMMISSIONER'S DEED

THIS INDENTURE WITNESSETH, That **LAKE COUNTY**, by and through its **BOARD OF COMMISSIONERS** of the County of Lake, State of Indiana Releases and Quit-Claims to **INDIANA BALLET THEATRE NORTHWEST, INC.** for and in consideration of No Dollars, and other valuable consideration, the receipt whereof is hereby acknowledged, the following described Real Estate in the County of Lake, Indiana:

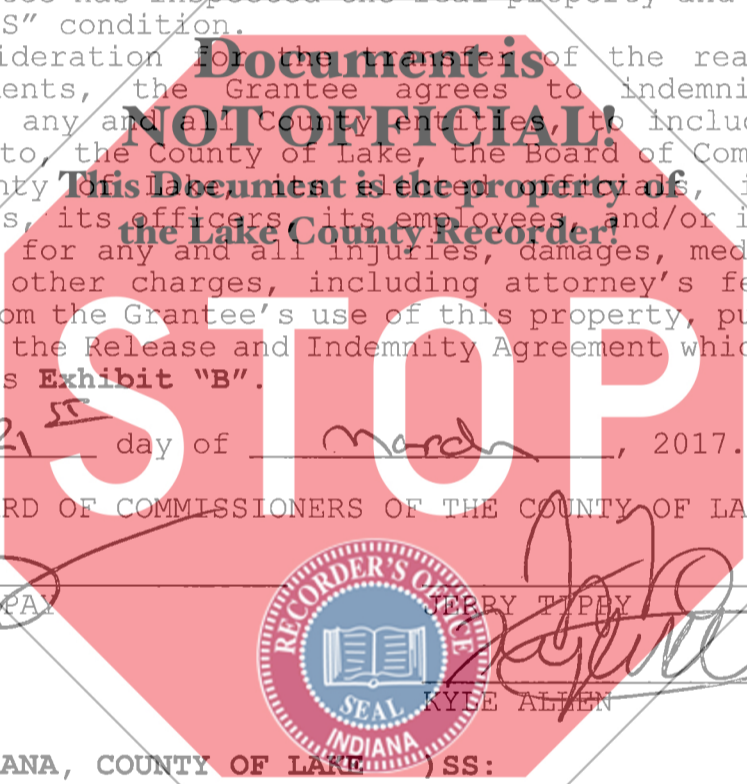
Parcel No.: 45-12-29-300-009.000-029

Property Address: 2323 N. Main Street, Crown Point, IN 46307

Legal Description: See Attached Exhibit "A"

#### TERMS AND CONDITIONS OF THE TRANSFER:

- A. The Grantee has inspected the real property and accepts it in an "AS IS" condition.
- B. As consideration for the transfer of the real estate and improvements, the Grantee agrees to indemnify and hold harmless any and all County entities, to include but not be limited to, the County of Lake, the Board of Commissioners of the County of Lake, its elected officials, its appointed officials, its officers, its employees, and/or its agents and agencies for any and all injuries, damages, medical expenses and any other charges, including attorney's fees which may arise from the Grantee's use of this property, pursuant to the terms of the Release and Indemnity Agreement which is attached hereto as Exhibit "B".



2017 020122

2017 MAR 29 PM 12:00

STATE OF INDIANA  
LAKE COUNTY  
FILED FOR RECORD

Dated this 21<sup>st</sup> day of March, 2017.

BOARD OF COMMISSIONERS OF THE COUNTY OF LAKE:

[Signature]  
MICHAEL C. REPAY

[Signature]  
JERRY TIPPY

[Signature]  
KYLE ALLEN



STATE OF INDIANA, COUNTY OF LAKE ) SS:

Before me, the undersigned, a Notary Public in and for said County and State, this 21 day of March, 2017, personally appeared: the Board of Commissioners of the County of Lake by its members, MICHAEL C. REPAY, JERRY TIPPY and KYLE ALLEN, and acknowledged the execution of the foregoing instrument. In witness whereof I have hereunto subscribed my name and affixed my official Seal.

My Commission Expires September 23, 2025 Signature Kathleen Benich  
NOTARY PUBLIC

Resident of Lake County Printed Name KATHLEEN BENICH

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each social security number and/or date of birth in this document, unless required by law. JOSEPH S. IRAK

This instrument prepared by JOSEPH S. IRAK, Assistant Attorney to the Lake County Board of Commissioners Atty. I.D. #4851-45

MAIL TO: Attn: Gloria Tuohy 8888 Louisiana  
Merrillville IN

46410  
25-  
LCComm.  
E.V. SS  
nonc.

**LEGAL DESCRIPTION**

Part of the Southeast Quarter of the Southwest Quarter of Section 29, Township 35 North, Range 8 West of the 2<sup>nd</sup> Principal Meridian in the City of Crown Point, Lake County, Indiana, being more particularly described as follows: Commencing at the Southeast corner of the Southeast Quarter of the Southwest Quarter of said section 29; thence North 00 degrees 10 minutes 22 seconds West a distance of 450.52 feet, along the East line of the Southwest Quarter of said Section 29, to the point of beginning; thence South 89 degrees 09 minutes 24 seconds West a distance of 256.02 feet; thence North 00 degrees 10 minutes 22 seconds West a distance of 290.78 feet, parallel with the East line of the Southeast Quarter of the Southwest Quarter of said Section 29, to the South line of an Unrecorded Plat of Survey, created for the Lake County Child Abuse Prevention Council, by Lake County Surveyor, George Dil, dated 12/16/93, said line also being the South line of a 30 foot access easement as per said Van Til Plat; thence South 89 degrees 09 minutes 24 seconds West a distance of 256.02 feet, along said South line to the East line of the Southeast Quarter of the Southwest Quarter of said Section 29; thence South 00 degrees 10 minutes 22 seconds East a distance of 290.78 feet, along said East line, to the point of beginning, subject to all public road and right-of-ways.

**Commonly known as 2323 N. Main Street, Crown Point, IN 46307**



**EXHIBIT "A"**

RELEASE AND INDEMNITY AGREEMENT

Comes now the Lake County Board of Commissioners and Lake County, Indiana, (hereinafter referred to as "Releasee") and comes now Indiana Ballet Theatre Northwest, Inc., personally, as well as any and all of its affiliates, representatives, customers, patrons, volunteers, employees, landlord/tenant arrangements and individuals, and any and all other individuals operating for and on behalf of Indiana Ballet Theatre Northwest, Inc., (hereinafter referred to as "Releasor") and in consideration of the revised Quit-Claim Deed from the Lake County Board of Commissioners transferring the real property indicated in said Quit-Claim Deed (see attached Exhibit "A") to the Releasor, without restriction, hereby releases and indemnifies the Lake County Board of Commissioners and Lake County, Indiana as follows:

1. As consideration for the transfer of the real estate and improvements, the Releasor agrees to indemnify and hold harmless any and all Lake County entities, to include but not be limited to, the Lake County Board of Commissioners, the County of Lake, it's elected officials, appointed officials, officers, employees, and/or its agents and agencies for any and all injuries, damages, medical expenses and any other charges, costs or fees, including attorney's fees, which may arise from Releasor's use of this property.

2. That the Releasor specifically acknowledges that there may be hazardous materials located on or about the property, including within the building structure itself, which may include but not be limited to, asbestos, lead paint, potential environmental hazards

above and below the ground, possible unsafe structural conditions within the building itself which may be hazardous to individuals in and around the building, and possible other unknown dangers associated with the transfer of this property and the building. Releasor agrees to hold harmless and indemnify the Releasee from any and all of these hazards and disclosures, whether known or unknown, and Releasor accepts the property being transferred "AS IS" with no warranties whatsoever. Releasor specifically holds harmless and indemnifies the Releasee from any and all environmental issues and disclosures as they relate to the property and the building itself.

3. The Releasor specifically acknowledges and releases and indemnifies the Releasee from any and all zoning and/or permitting requirements that need to be obtained from any governmental agencies to accomplish the Releasor's intended use of the property. Releasee has made no guarantee that Releasor can use the property for its intended use and is transferring title "AS IS" with no warranties.

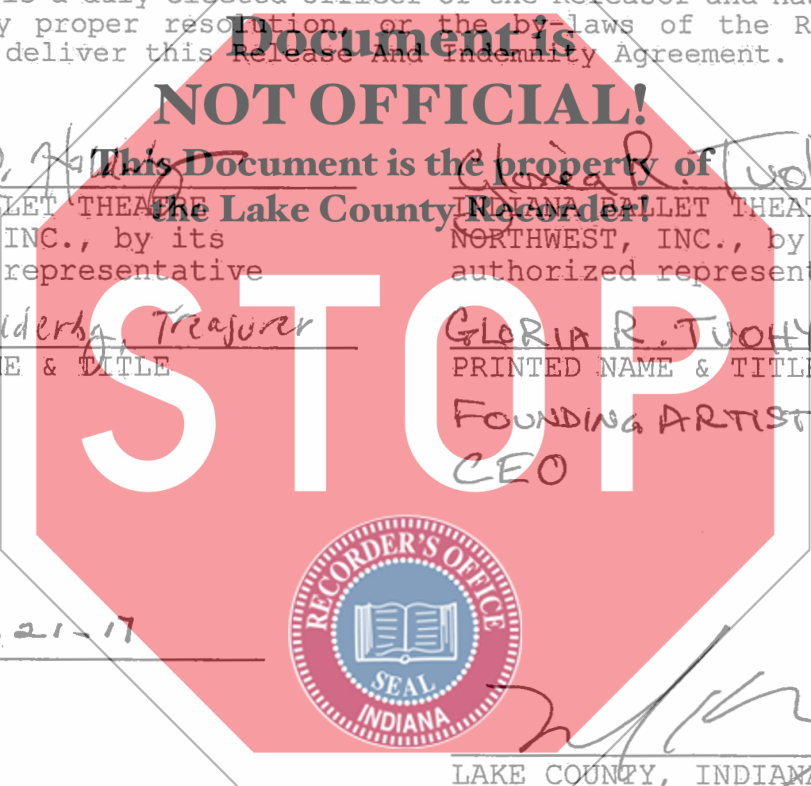
As stated above, the Releasor agrees to indemnify and hold harmless the Releasee, its elected officials, its appointed officials and its employees against any and all claims, causes of action, costs, attorney's fees and any other expenses to the use and ownership of this property by the Releasor, it's agents, servants, staff, personnel, volunteers, and employees, should there ever be any type of claim made regarding the herein referenced property.

All of which is agreed to as a result of the Lake County Board of Commissioners' meeting held on February 15, 2017.

RELEASOR:

Date: 3/17/17

The undersigned person(s) executing this document represent(s) and certify (certifies) on behalf of the Releasor, that (each of) the undersigned is a duly elected officer of the Releasor and has been fully empowered by proper resolution, or the by-laws of the Releasor, to execute and deliver this Release And Indemnity Agreement.



Katie R. Holderby  
INDIANA BALLET THEATRE  
NORTHWEST, INC., by its  
authorized representative

Katie R. Holderby, Treasurer  
PRINTED NAME & TITLE

Gloria R. Tuohy  
INDIANA BALLET THEATRE  
NORTHWEST, INC., by its  
authorized representative

GLORIA R. TUOHY  
PRINTED NAME & TITLE  
FOUNDING ARTISTIC DIRECTOR  
CEO

RELEASEE:

Date: 3-21-17

[Signature]  
LAKE COUNTY, INDIANA and the  
LAKE COUNTY, INDIANA BOARD OF  
COMMISSIONERS, by its President  
MICHAEL REPAY