2017 020236

NUMBER 21602771 DATED NOVEMBER 1, 2016

PARCEL 1

Part of the Southeast Quarter of Section 6, Township 36 North, Range 8 West of the Second Principal Meridian, in the City of Gary, Lake County, Indiana, being more particularly described as follows: Commencing at the Southeast corner of said Section 6; thence North 00 degrees 00 minutes 00 seconds East, along the center line of Chase Street, a distance of 101.00 feet; thence North 89 degrees 13 minutes 15 seconds West, along the North right-of-way line of the Penn Central Railroad (formerly the Gary and Western Railroad), a distance of 40 feet to the true place of beginning; thence continuing along said line, a distance of 1,477.86 feet; thence North 00 degrees 43 minutes 45 seconds East, a distance of 1,473.32 feet; thence South 89 degrees 16 minutes 15 seconds East, a distance of 1,459.09 feet; thence South 00 degrees 00 minutes 00 seconds East, along the West right-of-way line of said Chase Street, a distance of 1474.72 feet to the place of beginning.

PARCEL 2 (NOT DEPICTED ON THE SURVEY, EASEMENT EXTENDS BEYOND THE LIMITS OF THE SURVEYED AREA; ADDITIONALLY, EASEMENT PARTIALLY TERMINATED BY TERMINATION OF EASEMENT RECORDED FEBRUARY 29, 2008 AS INSTRUMENT NO. 2008 015321)

An easement for the benefit of Parcel 1 created in Reciprocal Easement Agreement made by and between Chase Street Industrial Center, L.L.C., an Illinois Limited Liability Company and Chase Street Industrial Center, II, L.L.C., an Illinois Limited Liability Company, dated October 31, 1997 and recorded February 25, 1998 as Document No. 98013396, reciprocal easements in, to, over, under and across the following real estate::

All that part of the Southeast Quarter of Section 6, Township 36 North, Range 8 West of the Second Principal Meridian, in the City of Gary, Lake County, Indiana, bounded on the North by the South line of Fifth Avenue, on the South by the North line of the right-of-way of the New York Central Railroad, formerly Gary and Western Railway; and on the East by the West line of Chase Street; excepting therefrom that certain parcel of land located in the Northeast corner of said above tract and being described as follows:

Beginning at the intersection of the South line of Fifth Avenue (80 feet) with the West line of Chase Street (80 feet); thence West along the South line of Fifth Avenue 125 feet; thence South and parallel with the West line of Chase Street, 125 feet; thence East and parallel with the South line of Fifth Avenue, 125 feet to the West line of Chase Street; thence North along the West line of Chase Street 125 feet to the place of beginning; and also excepting therefrom that certain tract of land described as follows:

Part of the Southeast Quarter of Section 6, Township 36 North, Range 8 West of the Second Principal Meridian, in the City of Gary, Lake County, Indiana, being more particularly described as follows: Commencing at the Southeast corner of said Section 6; thence North 00 degrees 00 minutes 00 seconds East, along the center line of Chase Street, a distance of 101.00 feet; thence North 89 degrees 13 minutes 15 seconds West, along the North right-of-way line of the Penn Central Railroad (formerly the Gary and Western Railroad), a distance of 40 feet to the true place of beginning; thence continuing along said line, a distance of 1,477.86 feet; thence North 00 degrees 43 minutes 45 seconds East, a distance of 1,473.32 feet; thence South 89 degrees 16 minutes 15 seconds East, a distance of 1,459.09 feet; thence South 00 degrees 00 minutes 00 seconds East, along the West right-of-way line of said Chase Street, a distance of 1474.72 feet to the Place of Beginning

SURVEY RELATED SCHEDULE B-2 EXCEPTION ITEMS AS FOUND IN CHICAGO TITLE INSURANCE COMPANY TITLE COMMITMENT

- Railroad right of ways, switches and spur tracks, if any, and all rights therein. (AS SHOWN ON SURVEY)
- Easement for embankment in favor of Gary and Western Railway Company dated June 18, 1928 and recorded September 24, 1928 in Miscellaneous Record 191, page 402. (AS SHOWN ON SURVEY)
- (6) Unrecorded license from Gary Land Company to Gary Heat, Light and Water Company (now known as Northern Indiana Public Service Company) as referred to in a Warranty Deed dated January 8, 1940 and recorded May 16, 1945 in Deed Record 721, page 140. (SEE ADDITIONAL SURVEY RELATED NOTES SECTION OF THIS SURVEY FOR MORE INFORMATION)
- Covenants, conditions, and restrictions contained in deed from Gary Land Company, an Indiana corporation, to Lewis Simon and Chas. Simon dated May 9, 1945, recorded May 16, 1945 in Deed Record 721, page 140. (AS SHOWN ON SURVEY) (SEE ADDITIONAL SURVEY RELATED NOTES SECTION OF THIS SURVEY FOR MORE INFORMATION)
- Easement for gas mains in favor of Northern Indiana Public Service Company dated July 5, 1950 and recorded January 7, 1967, in Miscellaneous Record 955, page 456. (AS SHOWN ON SURVEY)
- Easement for gas mains in favor of Northern Indiana Public Service Company dated October 7, 1946 and recorded October 22, 1946 in Miscellaneous Record 456, page 262. (ONLY AFFECTS PARCEL 2; PARCEL 2 NOT DEPICTED ON THE SURVEY, EASEMENT EXTENDS BEYOND THE LIMITS OF THE SURVEYED AREA)
- Terms and provisions of the Reciprocal Easement Agreement, recorded February 25, 1998 as Instrument No. 98013396 and described as Parcel 2 of Schedule A of this commitment. Partially terminated by Termination of Easement as to Certain Property, recorded February 29, 2008 as Instrument No. 2008 015321. (SEE ADDITIONAL SURVEY RELATED NOTES SECTION OF THIS SURVEY FOR MORE INFORMATION)
- Terms and provisions as set out in an unrecorded lease as evidenced by Assignment and Assumption of Ground Lease by and among AT&T Mobility Tower Holdings LLC ("Assignor") and GTP Towers IV, LLC, dated September 11, 2007 and recorded October 11, 2007
- as Document Number 2007 080995, and easement set out in Document. (AS SHOWN ON SURVEY) Terms and provisions of a Real Estate Lease as evidenced by Memorandum of Lease dated February 26, 1988 and recorded March 30, 1988 as Document Number 970341, made by and between Chase Street Partners, Lessor and Chicago Steel and Tinplate, Inc.,

Lessee leasing and demising the land for a term of 11 years commencing on February 1, 1988 and ending on March 31, 1999. Partially terminated by Termination of Lease as to Certain Property, recorded February 29, 2008 as Instrument No. 2008 015320. (DOES NOT AFFECT THE SURVEYED PARCELS)

ALTA/NSPS LAND TITLE SURVEY

Additional Survey Related Notes:

1. Dimensions on this plat are expressed in feet and decimal parts thereof, and are measured values, unless otherwise noted.

2. This survey does not purport to show data concerning the existence, size, depth, condition, capacity or location of any utilities, structures and/or features, other than those observed and shown. Prior to any excavation contact the local utility facilities or call (811) for field locations

3. As it pertains to item 6 of the Table A for ALTA/NSPS Land Title Survey optional survey responsibilities and specifications, according to a zoning report dated December 1, 2016 from Pamela Oliver-Perez of the City of Gary Department of Commerce Division of Zoning, the surveyed parcels are zoned M2-2 General Manufacturing. The zoning report states that 700 Chase Street is in compliance with the City of Gary Zoning Ordinance and meets the miniumum parking space requirements. The following requirements/restrictions are discussed in said

- Maximum FAR for zone M2-2 is 2.0

- Front Yard setback is greater than 25' - Side Yard setback is greater that 10 % of lot width, but need not exceet 20' if width (Along any side lot line directly across the street from a residence district, a side yard shall be wqual in width to 10 % of the zoning lot, but need not exceed 50') - There is no rear vard setback requirement For additional zoning requirements/restrictions, see said zoning report.

4. As it pertains to item 9 of the Table A for ALTA/NSPS Land Title Survey optional survey responsibilites and specifications, at the time the survey work was being conducted, the site contains 373 observed parking spaces. See item 9 below for additional information pertaining to the availability of parking under the "Parking Area Easement" section.

5. As it pertains to item 16 of the Table A for ALTA/NSPS Land Title Survey optional survey responsibilities and specifications, there was no

6. As it pertains to item 17 of the Table A for ALTA/NSPS Land Title Survey optional survey responsibilities and specifications, there was no evidence of any proposed changes in street right of way lines, nor was there any observed evidence of any recent street or sidewalk

Chase Street 2 is the owner of a tract of land, hereinafter referred to as "Parcel 2", and the two above mentioned parties intend to operate their respective Parcels, hereinafter referred to as "Parcel", in conjunction with each other and in order to effectuate the common use and operation thereof they desire to enter into certain covenants and agreements, and to grant to each other certain reciprocal easements in, to, Parcel 1 in said Title Commitment. Parcel 2 described in said Easement Agreement generally describes the Southeast Quarter of Section 6-36-8 lying South of the South Right of Way line of Fifth Avenue, North of the North Right of Way line of the New York Central Railroad and

West of the West Right of Way line of Chase Street, but excepting said Parcel 1 and a 125' by 125' parcel of land at the Southwest corner of Fifth Avenue and Chase Street. Article 2 of said Easement Agremment, titled "Easements", discusses the following Street 2 hereby grants to and creates in favor of Chase Street 1 and any Per arcel 1 and all portions thereof ("Parking Easement") in, to, over and across the "Parking Area", which fied by the Parties within thirty (30) days after the Election Date). on of Parcel 2 (in an area to be reas. The Parking Area shall be suf t in size to contain the Parcel 1 as of the Election Date and shall be shown on a amended s and recorded at the expense of the owner of Parcel 1; provided, however, that in no event shall the Parking Area be required to contain more than eight hundred sixty-three (863) parking spaces for standard sized vehicles. Prior to the Election Date, the

at any time by delivering to the owner of Parcel 2 written notice of its election to do so. The owner of Parcel 1 shall be solely responsible to, and shall, at its sole cost and expense, improve the Parking Area (with striping, paving, traffic islands, andscaping and similar items) to allow its use in accordance with the Parking Easement. From and after the Election Date, the owner of Parcel 1 shall be solely responsible for the maintenance of the Parking Area and all improvements located on the Parking Area. (FOR ADDITIONAL INFORMATION REGARDING SAID PARKING EASEMENT, SEE SAID RECIPROCAL EASEMENT AGREEMENT DOCUME (A) Chase Street 2 hereby grants to and creates in favor of Chase Street 1 and any Permittee a non-exclusive easement for the

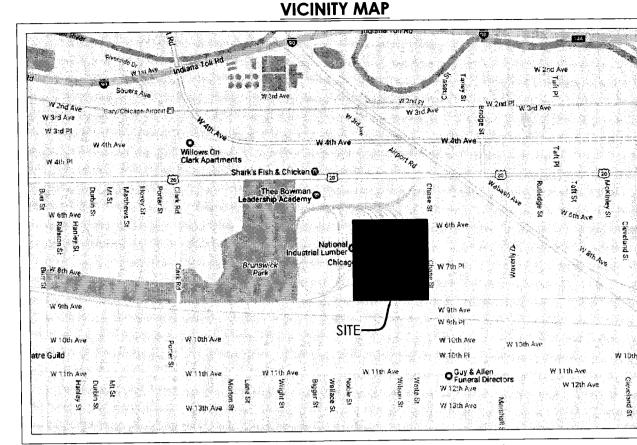
benefit of Parcel 1 and all portions thereof in, on, over, under and across Parcel 2 for the purposes of (i) maintenance, repair, replacement and use of those lines, tracks, spurs and other facilities ("Railroad Facilities") located on Parcel 2 and used for the penefit of Parcel 1 by Chase Street 1, (ii) maintenance, repair, replacement and use of electric, water, stormwater drainage, sanitary sewer and other utility facilities and systems ("Utility Facilities") located on Parcel 2 that serve uses permitted and located on Parcel 1, and (iii) ingress to and egress from Parcel 1.

(B) Chase Street 1 hereby grants to and creates in favor of chase Street 2 and any Permittee a non-exlusive easement for the benefit of Parcel 2 and all portions thereof in, on, over, under and across Parcel 1 for the purpose of (i) maintenance, repair, replacement and use of Railroad Facilities located on Parcel 1 and used for the benefit of Parcel 2 by Chase Street 2, (ii)

asement document, it states the purpose of this document is to terminate (Purchaser) to Sell certain real property legally described as

TERMINATION OF EASEMENT DOCUMENT FOR LEGAL DESCRIPTION Finally, the above described "Parking Area Easement" and "Reciprocal Easement" affect the surveyed parcels. However, the above described "Termination of Easement" document does not remove any portion of the previously described easements from the surveyed parcels.

2017-020236



THIS PROPERTY IS LOCATED IN FLOOD ZONE(S) X (UNSHADED) AS DETERMINED BY USING SCALE MEASUREMENT FOR LOCATION UPON THE APPLICABLE FLOOD INSURANCE RATE MAP FOR THE CITY OF GARY, LAKE COUNTY, INDIANA AS SHOWN IN COMMUNITY PANEL(S) 18089C0132E EFFECTIVE JANUARY 18, 2012.



FILED

MAR **3 0** 2017

JOHN E. PETALAS LAKE COUNTY AUDITOR

SURVEYOR'S REPORT:

This Plat represents a Retracement Survey of the parcels of land described in the Chicago Title Insurance Company Title Commitment NBU No. 21602771 dated November 1, 2016.

This Survey is based on the locations of called-for and uncalled-for monuments found at or near the corners of the subject parcel, and at or

Reference was made to the following: 1. A Plat of Legal Description performed by John Stuart Allen of Torrenga Surveying, LLC, recorded in Survey Book 18, page 15 as

Instrument Number 2008 002035. 2. A Plat of Description performed by Kenneth D. Gembala of Plumb Tuckett & Associates recorded in Survey Book 18, page 21 as

Instrument Number 2008 007361. 3. An ALTA/ACSM Land Title Survey performed by Gary P. Torrenga of Torrenga Engineering, Inc., dated July 31, 2016 and having a Job 4. The Lake County Surveyor's Office Section corner record witness sheets for the Southwest & Southeast corners of Section 6-36-8 (corner

I.D. Numbers H-16 & I-16 respectively) 5. Page Q 608 from the Gary Plat Book depicting the Southeast Quarter of Section 6-36-8.

6. A Special Warranty Deed recorded October 10, 2000 as Instrument Number 2000-073292. 7. A Quitclaim Deed recorded June 27, 1997 as Instrument Number 97041650. This Quitclaim deed is the document which creates the

The purpose of this ALTA/NSPS Land Title Survey was to perform a retracement survey of the above described parcels of land. A search was performed throughout the surveyed parcels and surrounding parcels for monuments and the results of said search are shown hereon. The basis of bearings for this survey was an assumed bearing for the East line of the Southeast Quarter of Section 6-36-8 (N 00°00'00" E). The Southeast corner of said Southeast Quarter was found and held as shown on the survey. The Northwest corner of Parcel 1 and the Northeast corner of Parcel 3 (both Parcels 1 & 3 depicted on above described Plat of Legal Description performed by Torrenga Surveying, LLC) were found and held as shown on the survey. The line created between these two points was then extended Easterly the platted distance of 334.59 feet to establish a point on the East line of said Southeast Quarter (also the centerline of Chase Street). A line was then ran from this established point South to the Southeast corner of said Southeast Quarter, effectively establishing the East line of said Southeast Quarter. The now establised East line of said Southeast Quarter was then offset 40' West in order to establish the East line of the surveyed parcel. The Southeast corner of the surveyed parcel was established by commencing at a point 101' North of the Southeast corner of said Southeast Quarter, which is on the East line of said Southeast Quarter, and turning the platted angle of 89°13'15" from North to West (taken from above described Gary Plat Book page Q 608) and then running along this turned line 40' to the East line of the surveyed parcel. The South line and Southwest corner of the surveyed parcel were established by continuing West on said turned line the deeded distance of 1477.86 feet along the North right of way line of the Penn Central Railroad (formerly the Gary and Western Railroad) to said Southwest corner. The West line and Northwest corner of the surveyed parcel were established by running a line North along the deeded bearing (N 00°43'45" E) the deeded distance of 1473.32 feet to said Northwest corner. The North line and Northeast corner of the surveyed parcel were established by running a line East along the deeded bearing

(S 89°16'15" E) the deeded distance of 1459.09 feet to said Northeast corner. A.) AVAILABILITY OF MONUMENTS:

Uncertainties in Monument locations are noted. Unless otherwise stated, found monuments were undisturbed, in good condition, of unknown origin, and at or near grade.

No apparent uncertainties resulted due to occupation or possession lines, unless specifically shown on the plat.

C.) CLARITY OR AMBIGUITY OF RECORD DESCRIPTIONS:

No apparent ambiguity in the record description of the subject parcel

D.) RELATIVE POSITIONAL ACCURACY (due to random errors in measurements):

The survey performed met the requirements of a URBAN SURVEY according to title 865 IAC 1.1 - 12 et seq. The allowable relative positional accuracy is not less than 0.07 feet (21 millimeters) plus 50 parts per million for set monuments.



CERTIFY TO: 1. Chase Street Industrial Center 2. BMO Harris Bank N.A. Chicago Title Insurance Company STATE OF INDIANA } § COUNTY OF LAKE }

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 6(a), 7(a), 7(b)(1), 7(c), 8, 9, 13, 16, 17, 19 and 20 of Table A thereof. The field work was completed on November 21, 2016 and I, John Stuart Allen, a Registered Land Surveyor in the State of Indiana, License #29900011, further certify that the above described survey was prepared wholly by me or under my direct supervision in accordance with Rule 12 of Title 865, Article 1 of the Indiana Administrative Code for Boundary/Retracement Surveys.

DATE OF SURVEY: December 12, 2016

TORRENGA SURVEYING, LLC.

JOHN STUART ALLEN - Registered Land Surveyor No. LS29900011



SHEET (1) OF (2)

VICINITY MAP STATE OF INDIANA

FILED

JOHN E. PETALAS LAKE COUNTY AUDITOR

THIS PROPERTY IS LOCATED IN FLOOD ZONE(S) X (UNSHADED) AS DETERMINED BY USING SCALE MEASUREMENT FOR LOCATION UPON THE APPLICABLE FLOOD INSURANCE RATE MAP FOR THE CITY OF GARY, LAKE COUNTY, INDIANA AS SHOWN IN COMMUNITY PANEL(S) 18089C0132F

LEGAL DESCRIPTIONS (AS PER CHICAGO TITLE INSURANCE COMPANY TITLE COMMITMENT NBU NUMBER 2160277 **DATED NOVEMBER 1, 2016**

Part of the Southeast Quarter of Section 6, Township 36 North, Range 8 West of the Second Principal Meridian, in the City of Gary, Lake County, Indiana, being more particularly described as follows: Commencing at the Southeast corner of said Section 6; thence North 00 degrees 00 minutes 00 seconds East, along the center line of Chase Street, a distance of 101.00 feet; thence North 89 degrees 13 minutes 15 seconds West, along the North right-of-way line of the Penn Central Railroad (formerly the Gary and Western Railroad), a distance of 40 feet to the true place of beginning; thence continuing along said line, a distance of 1,477.86 feet; thence North 00 degrees 43 minutes 45 seconds East, a distance of 1,473.32 feet; thence South 89 degrees 16 minutes 15 seconds East, a distance of 1,459.09 feet; thence South 00 degrees 00 minutes 00 seconds East, along the West right-of-way line of said Chase Street, a distance of 1474.72 feet to the place of beginning.

PARCEL 2 (NOT DEPICTED ON THE SURVEY, EASEMENT EXTENDS BEYOND THE LIMITS OF THE SURVEYED AREA; ADDITIONALLY, EASEMENT PARTIALLY TERMINATED BY TERMINATION OF EASEMENT RECORDED FEBRUARY 29, 2008

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Beginning at the intersection of the South line of Fifth Avenue (80 feet) with the West line of Chase Street (80 feet); thence West along the South line of Fifth Avenue 125 feet; thence South and parallel with the West line of Chase Street, 125 feet; thence East and parallel with the South line of Fifth Avenue, 125 feet to the West line of Chase Street; thence North along the West line of Chase Street 125 feet to the place of beginning; and also excepting therefrom that certain tract of land described as follows:

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POWER POLE / ANCHOR WATER VALVE ◆ FIB FOUND IRON BAR FOUND MAG NAIL FOUND IRON PIPE OPEN GRATE MANHOLE B-B0X ⊠G GAS VALVE SECTION LINE OVERHEAD LINES GUARD RAIL 0 0 0 0 0 IRON FENCE LINE TELEPHONE PEDESTAL ELECTRIC MANHOLE WATER MAIN LINE NUMBER IN DIAMOND CORRESPONDS TO SCHEDULE B-2 EXCEPTION ITEMS AS

CERTIFY TO: 1. Chase Street Industrial Center 2. BMO Harris Bank N.A. 3. Chicago Title Insurance Company STATE OF INDIANA } § COUNTY OF LAKE }

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 6(a), 7(a), 7(b)(1), 7(c), 8, 9, 13, 16, 17, 19 and 20 of Table A thereof. The field work was completed on November 21, 2016 and I, John Stuart Allen, a Registered Land Surveyor in the State of Indiana, License #29900011, further certify that the above described survey was prepared wholly by me or under my direct supervision in accordance with Rule 12 of Title 865, Article 1 of the Indiana Administrative Code for Boundary/Retracement Surveys.

DATE OF SURVEY: December 12, 2016

TORRENGA SURVEYING, LLC

JOHN STUART ALLEN - Registered Land Surveyor No. LS29900011

LS29900011 STATE OF

FOUND IN CHICAGO TITLE

INSURANCE COMPANY TITLE

COMMITMENT NBU NUMBER

21602771 DATED NOVEMBER 1,

0010.2

PROFI

2 OF 2