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STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD

2017 041367

2017 JUL -5 PM 4:03

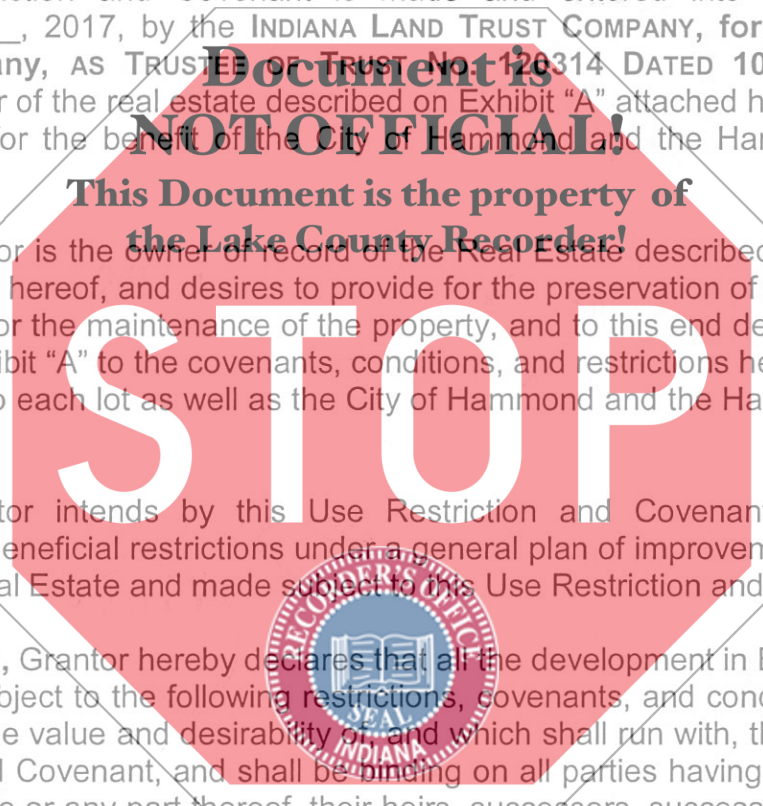
MICHAEL B. BROWN
RECORDER

TAX KEY NO: 45-07-09-204-005.000-023

RETURN TO: David W. Westland, Esq.
Westland & Bennett P.C.
2929 Carlson Dr., Suite 300
HAMMOND IN 46323

USE RESTRICTION AND COVENANT

This Use Restriction and Covenant is made and entered into this _____ day of _____, 2017, by the INDIANA LAND TRUST COMPANY, formerly known as Lake County Trust Company, AS TRUSTEE OF TRUST No. 120314 DATED 10/21/16 (hereinafter the "Grantor"), as the owner of the real estate described on Exhibit "A" attached hereto (the "Encumbered Real Estate"), to and for the benefit of the City of Hammond and the Hammond Redevelopment Commission.



WHEREAS, Grantor is the owner of record of the Real Estate described in Exhibit "A" attached hereto and made a part hereof, and desires to provide for the preservation of values and amenities in the development, and for the maintenance of the property, and to this end desires to subject the real estate described in Exhibit "A" to the covenants, conditions, and restrictions hereinafter set forth, each of which are a benefit to each lot as well as the City of Hammond and the Hammond Redevelopment Commission; and

WHEREAS, Grantor intends by this Use Restriction and Covenant to impose upon the development mutually beneficial restrictions under a general plan of improvement for the benefit of all future owners of the Real Estate and made subject to this Use Restriction and Covenant;

NOW, THEREFORE, Grantor hereby declares that all the development in Exhibit "A" shall be held, sold, and conveyed, subject to the following restrictions, covenants, and conditions which are for the purpose of protecting the value and desirability of, and which shall run with, the real estate subject to this Use Restriction and Covenant, and shall be binding on all parties having right, title, or interest in the described real estate or any part thereof, their heirs, successors, successors in title, and assigns, and shall inure to the benefit of each owner thereof:

1. By this Use Restriction and Covenant, Grantor hereby unconditionally and irrevocably covenants and warrants that the Encumbered Real Estate shall not be used as follows:
 - a. as a retail or wholesale store for the sale of fireworks;
 - b. as a retail store for the sale of alcohol;

FILED

JUL 05 2017

JOHN E. PETALAS
LAKE COUNTY AUDITOR 025362

NO SALES DISCLOSURE NEEDED

Approved Assessor's Office

By: _____

Handwritten signatures and initials: BOS100, JB, and 'Cash' written below the signature line.

- c. as a retail store for the sale of adult items, including but not limited to, books, entertainment items, novelties, merchandise, clothing and videos;
- d. as a retail store that advertises, specializes, or concentrates in the cost of merchandise at common prices (dollar store);
- e. as a bail bonds;
- f. as an adult entertainment or gentlemen's club as defined by Hammond Ordinances; or
- g. a retail store for the resale or consignment of goods (pawn shop/resale shop).

2. That the foregoing Use Restrictions and Covenants may hereafter be modified only with the express written agreement of the City of Hammond and the Hammond Redevelopment Commission.

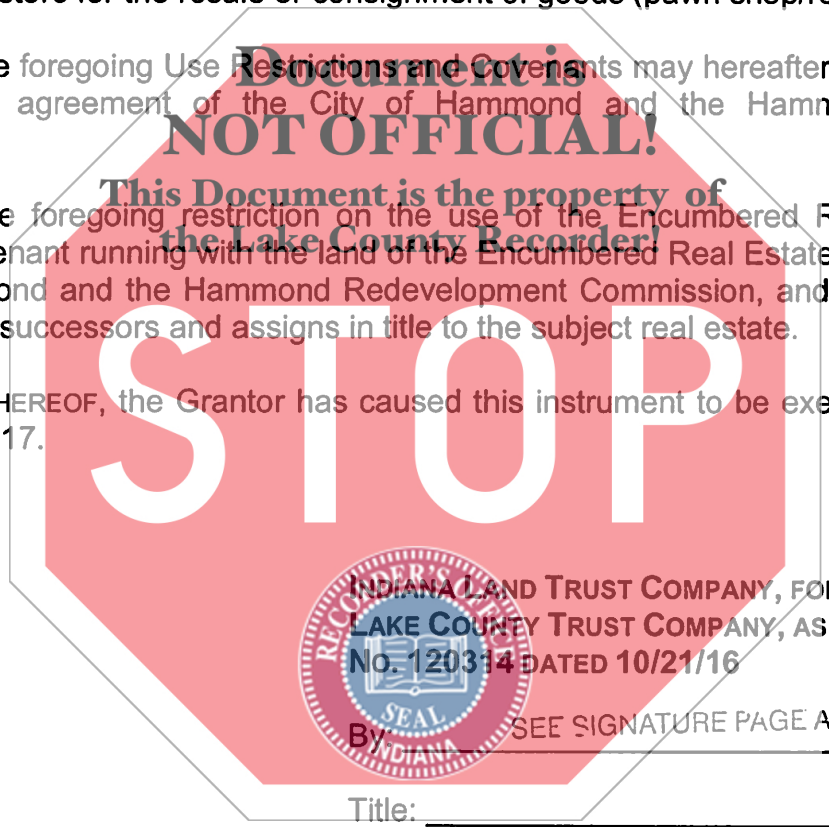
3. That the foregoing restriction on the use of the Encumbered Real Estate is hereby declared to be a covenant running with the land of the Encumbered Real Estate to and for the benefit of the City of Hammond and the Hammond Redevelopment Commission, and shall be fully binding upon Grantor and its successors and assigns in title to the subject real estate.

IN WITNESS WHEREOF, the Grantor has caused this instrument to be executed this ____ day of _____, 2017.

GRANTOR:

INDIANA LAND TRUST COMPANY, FORMERLY KNOWN AS
 LAKE COUNTY TRUST COMPANY, AS TRUSTEE OF TRUST
 No. 120314 DATED 10/21/16
 By _____ SEE SIGNATURE PAGE ATTACHED

Title: _____



STATE OF INDIANA)
) SS:
COUNTY OF LAKE)

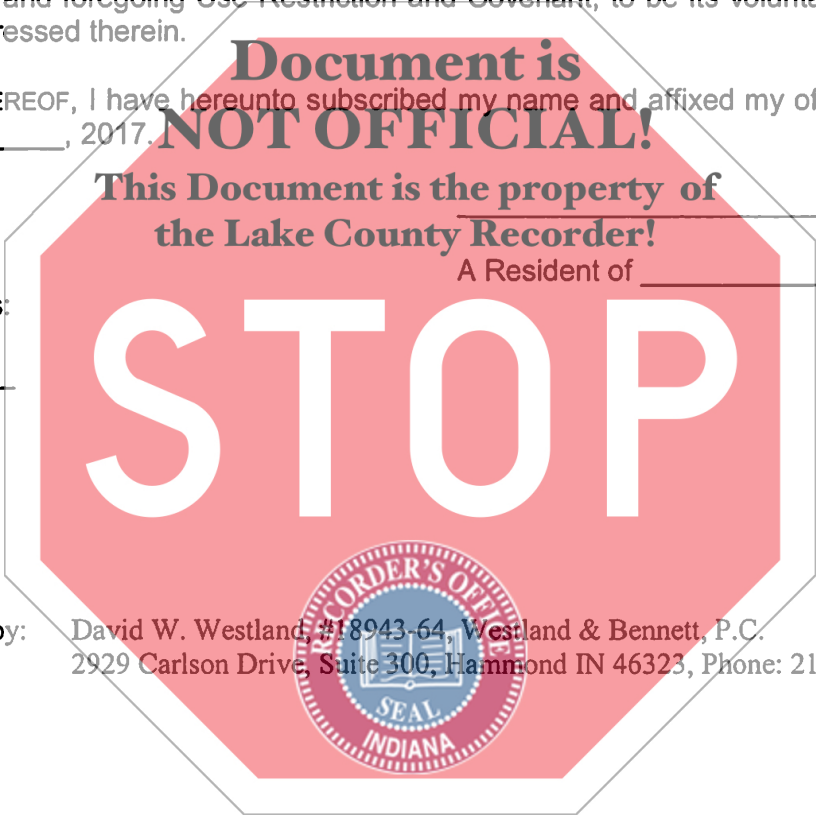
Before me, the undersigned, a Notary Public, in and for said County and State, personally appeared Indiana Land Trust Company, formerly known as Lake County Trust Company, as Trustee of Trust No. 120314 dated 10/21/16 by _____, its _____, and acknowledged the execution of the above and foregoing Use Restriction and Covenant, to be its voluntary act and deed for the uses and purposes expressed therein.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal this ____ day of _____, 2017.

My Commission Expires:

This instrument prepared by:

David W. Westland, #18943-64, Westland & Bennett, P.C.
2929 Carlson Drive, Suite 300, Hammond IN 46323, Phone: 219.440.7550



_____, Notary Public
_____, County

A Resident of _____

EXHIBIT "A"

LEGAL DESCRIPTION OF ENCUMBERED REAL ESTATE

Lots 6, 7, 8, 9, and 10, Block 2, Hessville Gardens Addition to the City of Hammond, as per plat thereof, recorded in Plat Book 16 Page 27 in the Office of the Recorder, Lake County, Indiana.

