

2017 043889

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MICHAEL B. BROWN  
RECORDER

12

**DEED NOTATION FOR CONTAMINATED SOIL THAT HAS BEEN RE-USED AS CONSTRUCTION MATERIAL**

TO: Potential Land Owners

RE: BUCKEYE TERMINALS, LLC

Parcel Numbers: 45-03-20-426-003.000-024 and 45-03-20-575-001.000-024  
3821 Indianapolis Boulevard  
East Chicago, IN 46312

This notation has been prepared for the purpose of notifying any potential purchasers of the subject property or any part thereof that certain portions of the subject property re-used solid waste (contaminated soil) in the construction of containment berms on-site. More particularly the described real estate, located in North Township, Lake County, State of Indiana, as set out in Exhibit "A" which is attached hereto, is described below:

- Parcel number 45-03-20-426-003.000-024 was acquired by BUCKEYE TERMINALS, LLC by Warranty Deed from COZ TERMINALING, INC on February 27, 2002.
- Buckeye East Chicago Railroad LLC is identified as the owner of parcel 45-03-20-575-001.000-024 with no reported sales or transfer history.

These properties have been utilized for the bulk storage and distribution of petroleum products. Contaminated soils were managed in accordance with the Solid Waste Management (Soil Re-use) Plan Proposals that were submitted to Indiana Department of Environmental Management (IDEM) on April 19, 2016 and November 3, 2016 and IDEM letter's dated June 23, 2016 and January 25, 2017, that approved usage of those contaminated soils on-site for a legitimate use (329 Indiana Administrative Code 10-3-1 (16). The re-used contaminated soils contained benzene, ethylbenzene, toluene, total xylenes, and naphthalene above 2016 IDEM Remediation Closure Guide Screening Levels.

A Site Plan and associated geospatial data indicating the surveyed location of where contaminated soil was re-used are provided in Exhibit "B" and Exhibit "C", respectively. The potential purchaser is hereby notified of this condition. Before displacing contaminated soils, qualified individuals familiar with the proper management of contaminated soil should be consulted.

This document is submitted to the Lake County Recorder's Office for a notation to be made on the above referenced Deed(s). This instrument does not dispose of the BUCKEYE TERMINALS, LLC owned land, but adds a notation to the described parcel(s) to inform future title searches that contaminated soil was reused in the construction of containment berms on-site. This Deed Notice shall run with the land, and may not be modified or terminated without the written approval of IDEM.



**NO SALES DISCLOSURE NEEDED**

Approved Assessor's Office

By: T.S.

BUCKEYE TERMINALS, LLC

BY: [Signature]

**FILED**

JUL 18 2017

25  
CASH  
[Signature]

JOHN E. PETALAS  
LAKE COUNTY AUDITOR

ATTEST:

BY: Alexander MacLachlan

STATE OF Pennsylvania  
COUNTY OF Lehigh

Before me, the undersigned a Notary Public in and for said County and State personally appeared the within named Meridith B. Wilson, and acknowledged the execution of the foregoing "DEED NOTATION FOR CONTAMINATED SOIL THAT HAS BEEN RE-USED AS CONSTRUCTION MATERIAL" on behalf of BUCKEYE TERMINALS, LLC.

In WITNESS WHEREOF, I have hereunto subscribed my name and affixed my Notarial Seal this 11<sup>th</sup> day of

July 2017

My commission expires:

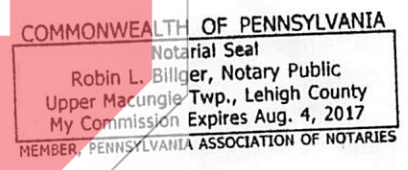
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Robin L. Billger  
(Notary Signature)

My county of residence is: Lehigh

Robin L. Billger  
(Notary Name Printed)

This Instrument prepared by: Mr. Robert Schneider  
Antea Group  
800 West 5<sup>th</sup> Avenue, Suite 210  
Naperville, IL 60563



I affirm under penalties of perjury, that I have taken reasonable care to redact each social security number in this document, unless required by law \_\_\_\_\_.

Robert Schneider

# Exhibit A

Legal Description



**EXHIBIT A**

That part of the Southeast 1/4 of Section 20, Township 37 North, Range 9 West of the Second Principal Meridian, in the City of East Chicago, Lake County, Indiana, lying North, Northeast and East of the 75 foot Right of Way of the state line and Indiana City Railway, except therefrom the following described tracts:

**Exception 1:** The North 100 feet; the East 100 feet and the South 40 feet.

**Exception 2:** A strip of land 2 feet in width described as beginning at the intersection of the North line of Columbus Drive (141<sup>st</sup> Street), said line being parallel with and distance 40 feet Northerly by rectangular measurement from the South line of said Section 20, and the Westerly line of the 66 foot Right of Way conveyed to the East Chicago Belt Railroad Company by Deed recorded August 1, 1896 in Book 82, Page 35 of the recorded of Lake County, Indiana; thence Northwesterly along said last described line an arc distance of 159.14 feet more or less to a point of tangency; thence continuing Northwesterly along said Westerly line of said 66 foot Right of Way on a straight line tangent to said last described line at said point of tangency, a distance of 1178.59 feet to a point of curve; thence continuing Northwesterly along a curved line tangent to the last described straight line at said point of curvature, an arc distance of 605.03 feet more or less, to a point of tangency, said curved line being the Southwesterly line of the 20 foot Right of Way conveyed by Deed recorded March 24, 1920 in Deed Record 270, Page 328; thence Westerly along the Southwesterly line of said 20 foot Right of Way and tangent to said last described curved line at said point of tangency, a distance of 744.83 feet more or less to its intersection with the Easterly line of Indianapolis Boulevard (Forsythe Avenue); thence Northerly along said Easterly line of Indianapolis Boulevard (Forsythe Avenue) to its intersection with a line parallel with and 2 feet distant Northerly by rectangular measurement from the Southerly line of said 20 foot Right of Way; thence Easterly along said land described parallel line a distance of 744.83 feet more or less to a point of curve; thence Southeasterly along a curved line convex to the Northeast having a radius of 613.2 feet and being tangent to last described straight line at said point of curvature an arc distance of 607.01 feet more or less to a point of tangency; said curved line being 2 feet Northeasterly of, measured along a radial line, and being concentric with the Southwesterly line of said 20 foot Right of Way; thence continuing Southeasterly along a straight line tangent to the last described curved line at said point of tangency, a distance of 1178.89 feet to a point of a curve, said line being 2 feet distance Northeasterly of and parallel to the Westerly line of said 66 foot Right of Way aforementioned; thence Southeasterly along said curved line and tangent to last described straight line at said point of curvature, an arc distance of 160.41 feet more or less to the North line of Columbus Drive (141<sup>st</sup> Street) said curved line being 2 feet Northeasterly of, measured along a radial line, and being concentric with the Southwesterly line of said 66 foot Right of way; thence Westerly along the North line of Columbus Drive (141<sup>st</sup> Street) heretofore described, to the point of beginning.

**Exception 3:** Part of the Southeast ¼ of Section 20, Township 37 North, Range 9 West of the Second Principal Meridian, in the City of East Chicago, Lake County, Indiana, described as beginning at a point of intersection of the East Right of Way line of City Railway (75 feet wide) with the North line of Columbus Drive (80 feet wide), (said point of beginning being 40 feet North of the South line of Southeast ¼ of said Section 20 and 1392.44 feet East of the West line

of said Southeast  $\frac{1}{4}$  as measured along a line 40 feet North of and parallel with the South line of said Southeast  $\frac{1}{4}$ ); thence North 00 degrees 59 minutes 00 seconds West along the East Right of Way line of said City Railway, a distance of 195.75 feet; thence South 48 degrees 23 minutes 50 seconds East, a distance of 66.25 feet; thence South 00 degrees 00 minutes 00 seconds East, a distance of 151.73 feet to a point in the aforesaid North line of Columbus Drive; thence North 90 degrees 00 minutes 00 seconds West along the North line of said Columbus Drive, a distance of 46.18 feet to the point of beginning.

**Exception 4:** Part of the Southeast  $\frac{1}{4}$  of Section 20, Township 37 North, Range 9 West of the Second Principal Meridian, in the City of East Chicago, Lake County, Indiana described as commencing at the Southwest corner of said Southeast  $\frac{1}{4}$ ; thence East along the South line thereof, a distance of 1392.44 feet to the East line of a 75 foot strip identified as the State Line and Indiana City Railway; thence North 00 degrees 59 minutes 00 seconds West along said East line, a distance of 40 feet to the Southwest corner of property owned by Buckeye Pipe Line Company (the same being recorded by Quit Claim Deed on July 1, 1970 as Document No. 74505); thence East along said Buckeye Pipe Line Company property, 46.18 feet to the point of beginning; thence North 151.73 feet along the East line of aforesaid Buckeye Pipe Line Company property; thence South 48 degrees 23 minutes 50 seconds East, a distance of 93.5 feet; thence East, a distance of 59.9 feet; thence South a distance of 90 feet to the North line of 80 foot wide Columbus Drive; thence West a distance of 130 feet to the point of beginning.

**Exception 5:** Part of the Southeast  $\frac{1}{4}$  of Section 20, Township 37 North, Range 9 West of the Second Principal Meridian, in the City of East Chicago, Lake County, Indiana, described as beginning at a point in the South line of the tract of land conveyed to the Roxana Petroleum Corporation by Warranty Deed recorded in Book 373, Page 241, in Lake County, Indiana, which point is 490 feet West of the East line of said Southeast  $\frac{1}{4}$  and on a line running East and West through a point which is 1336.47 feet North of the South line of said Southeast  $\frac{1}{4}$  as measured on a line which is 100 feet West of and parallel to the East line of said Southeast  $\frac{1}{4}$ ; thence Easterly along the South line of said tract of land conveyed to Roxana Petroleum Corporation (which said line is perpendicular to the East line of said Southeast  $\frac{1}{4}$ ) a distance of 390 feet to the Southeast corner of said tract of land conveyed to the Roxana Petroleum Corporation; thence in a Southerly direction along a line parallel to and Westerly 100 feet by rectangular measurement from the East line of said Southeast  $\frac{1}{4}$ , a distance of 600 feet measured along said parallel line; thence Westerly along a line which is perpendicular to said East line of said Southeast  $\frac{1}{4}$ , a distance of 180 feet; thence Northwesterly along a straight line to the point of beginning.

**Exception 6:** Part of the Southeast  $\frac{1}{4}$  of Section 20, Township 37 North, Range 9 West of the Second Principal Meridian, in the City of East Chicago, Lake County, Indiana, described as for the point of beginning, draw a line 100 feet South of and parallel to the North line of said Southeast  $\frac{1}{4}$ , and at a point on said line 1150 feet West (measured along said line) of the East line of said Southeast  $\frac{1}{4}$  and beginning at the point so located; running thence Eastwardly along a line parallel to and 100 feet South of the North line of said Southeast  $\frac{1}{4}$ , a distance of 1050 feet to a point on a line 100 feet West of and parallel to the East line of said Southeast  $\frac{1}{4}$  thence Southwardly along a line 100 feet West of and parallel to the East line of said Southwest  $\frac{1}{4}$ , a distance of 450 feet; thence Northwesterly 195.45 feet along a line, if extended, would intersect a line 100 feet South of the North line of said Southeast  $\frac{1}{4}$  at a point 450 feet West of the East line of said Southeast  $\frac{1}{4}$ ; thence West parallel to the North line of said Southeast  $\frac{1}{4}$  a distance of

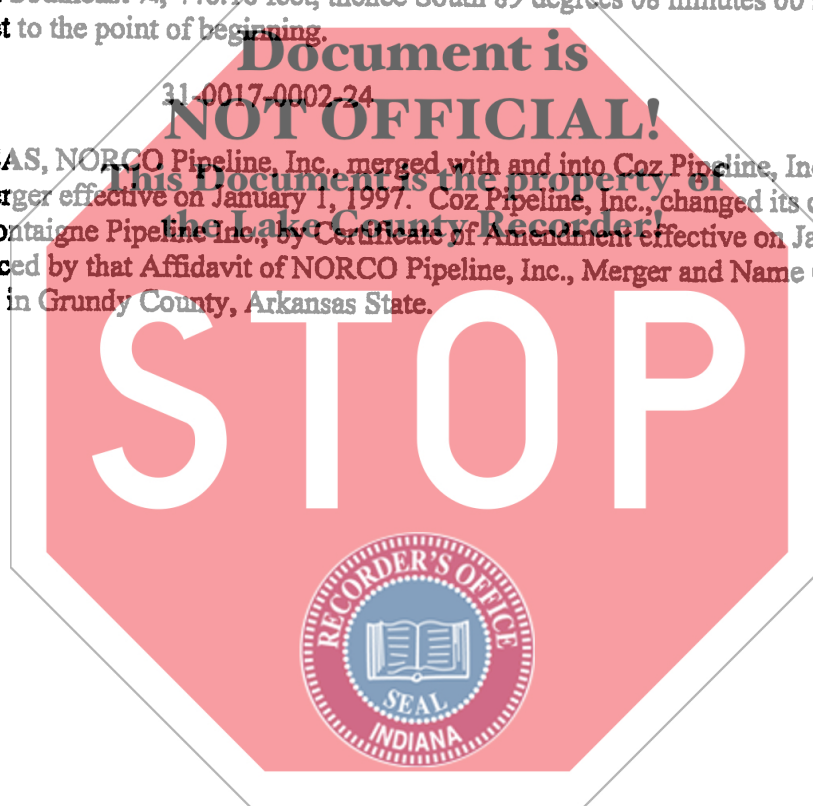
790.31 feet; thence Northwesterly 339.44 feet to the place of beginning.

**Exception 7:** A parcel of land in the Southeast ¼ of Section 20, Township 37 North, Range 9 West of the Second Principal Meridian, in the City of East Chicago, Lake County, Indiana, more Particularly described as follows: Commencing at the Northwest corner of the Southeast ¼ of said Section 20; thence South 00 degrees 54 minutes 00 seconds East, along the West line of said Southeast ¼, 346.03 feet to the point of beginning for said parcel; thence continuing South 00 degrees 54 minutes 00 seconds East, along said West line, 436.29 feet; thence South 89 degrees 55 minutes 10 seconds East, parallel with the North line of said Southeast ¼, 577.74 feet; thence North 00 degrees 54 minutes 00 seconds West, parallel with the West line of said Southeast ¼, 446.18 feet; thence South 89 degrees 08 minutes 00 seconds West, 577.65 feet to the point of beginning.

Key No.:

31-0017-0002-24

**WHEREAS**, NORCO Pipeline, Inc., merged with and into Coz Pipeline, Inc., by Certificate of Merger effective on January 1, 1997. Coz Pipeline, Inc., changed its corporate name to TransMontaigne Pipeline Inc., by Certificate of Amendment effective on January 1, 1997. As evidenced by that Affidavit of NORCO Pipeline, Inc., Merger and Name Change filed on May 27, 1997 in Grundy County, Arkansas State.



**RAILROAD PARCEL WEST SIDE**

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 20, TOWNSHIP 37 NORTH, RANGE 9 WEST OF THE SECOND PRINCIPAL MERIDIAN, IN THE CITY OF EAST CHICAGO, LAKE COUNTY, INDIANA, DESCRIBED AS FOLLOWS: COMMENCING AT THE POINT OF INTERSECTION OF A LINE 100.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 20 AND THE SOUTH LINE OF SAID SOUTHEAST QUARTER; THENCE NORTH 00 DEGREES 13 MINUTES 21 SECONDS WEST BEING AN ASSUMED BEARING ON SAID 100.00 FOOT WEST OF AND PARALLEL LINE, 1477.68 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 87 DEGREES 03 MINUTES 48 SECONDS WEST 496.51 FEET; THENCE SOUTH 88 DEGREES 50 MINUTES 31 SECONDS WEST 234.89 FEET; THENCE NORTH 28 DEGREES 04 MINUTES 30 SECONDS WEST 503.87 FEET; THENCE SOUTH 61 DEGREES 43 MINUTES 58 SECONDS WEST 121.04 FEET; THENCE NORTH 30 DEGREES 12 MINUTES 38 SECONDS WEST 40.80 FEET; THENCE NORTH 89 DEGREES 59 MINUTES 22 SECONDS WEST 206.76 FEET; THENCE NORTH 03 DEGREES 05 MINUTES 50 SECONDS WEST 324.95 FEET; THENCE SOUTH 86 DEGREES 54 MINUTES 10 SECONDS WEST 10.00 FEET; THENCE SOUTH 03 DEGREES 05 MINUTES 50 SECONDS EAST 304.38 FEET; THENCE NORTH 89 DEGREES 59 MINUTES 22 SECONDS WEST 60.09 FEET; THENCE NORTH 03 DEGREES 05 MINUTES 50 SECONDS WEST 623.35 FEET; THENCE SOUTH 83 DEGREES 09 MINUTES 03 SECONDS WEST 218.93 FEET; THENCE NORTH 89 DEGREES 37 MINUTES 19 SECONDS WEST 568.77 FEET; THENCE NORTH 85 DEGREES 26 MINUTES 35 SECONDS WEST 130.00 FEET; THENCE NORTH 01 DEGREES 09 MINUTES 09 SECONDS EAST 30.05 FEET; THENCE SOUTH 85 DEGREES 26 MINUTES 35 SECONDS EAST 130.00 FEET; THENCE SOUTH 89 DEGREES 37 MINUTES 19 SECONDS EAST 566.87 FEET; THENCE NORTH 83 DEGREES 09 MINUTES 03 SECONDS EAST 296.51 FEET; THENCE NORTH 01 DEGREES 14 MINUTES 44 SECONDS WEST 11.33 FEET; TO A LINE 100.00 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 20; THENCE SOUTH 88 DEGREES 56 MINUTES 49 SECONDS EAST ON SAID 100.00 FEET SOUTH OF AND PARALLEL LINE 30.06 FEET; THENCE SOUTH 02 DEGREES 40 MINUTES 31 SECONDS EAST 240.63 FEET; THENCE SOUTH 89 DEGREES 59 MINUTES 22 SECONDS EAST 177.58 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 38 SECONDS WEST 383.25 FEET; THENCE SOUTH 30 DEGREES 12 MINUTES 38 SECONDS EAST 88.63 FEET; THENCE NORTH 61 DEGREES 43 MINUTES 58 SECONDS EAST 122.81 FEET; THENCE SOUTH 28 DEGREES 04 MINUTES 30 SECONDS EAST 511.50 FEET; THENCE NORTH 89 DEGREES 06 MINUTES 40 SECONDS EAST 192.26 FEET; THENCE NORTH 01 DEGREES 07 MINUTES 49 SECONDS WEST 9.46 FEET; THENCE NORTH 87 DEGREES 10 MINUTES 08 SECONDS EAST 526.97 FEET; THENCE SOUTH 00 DEGREES 13 MINUTES 21 SECONDS EAST 30.03 FEET TO THE POINT OF BEGINNING ALL IN EAST CHICAGO, LAKE COUNTY, INDIANA.

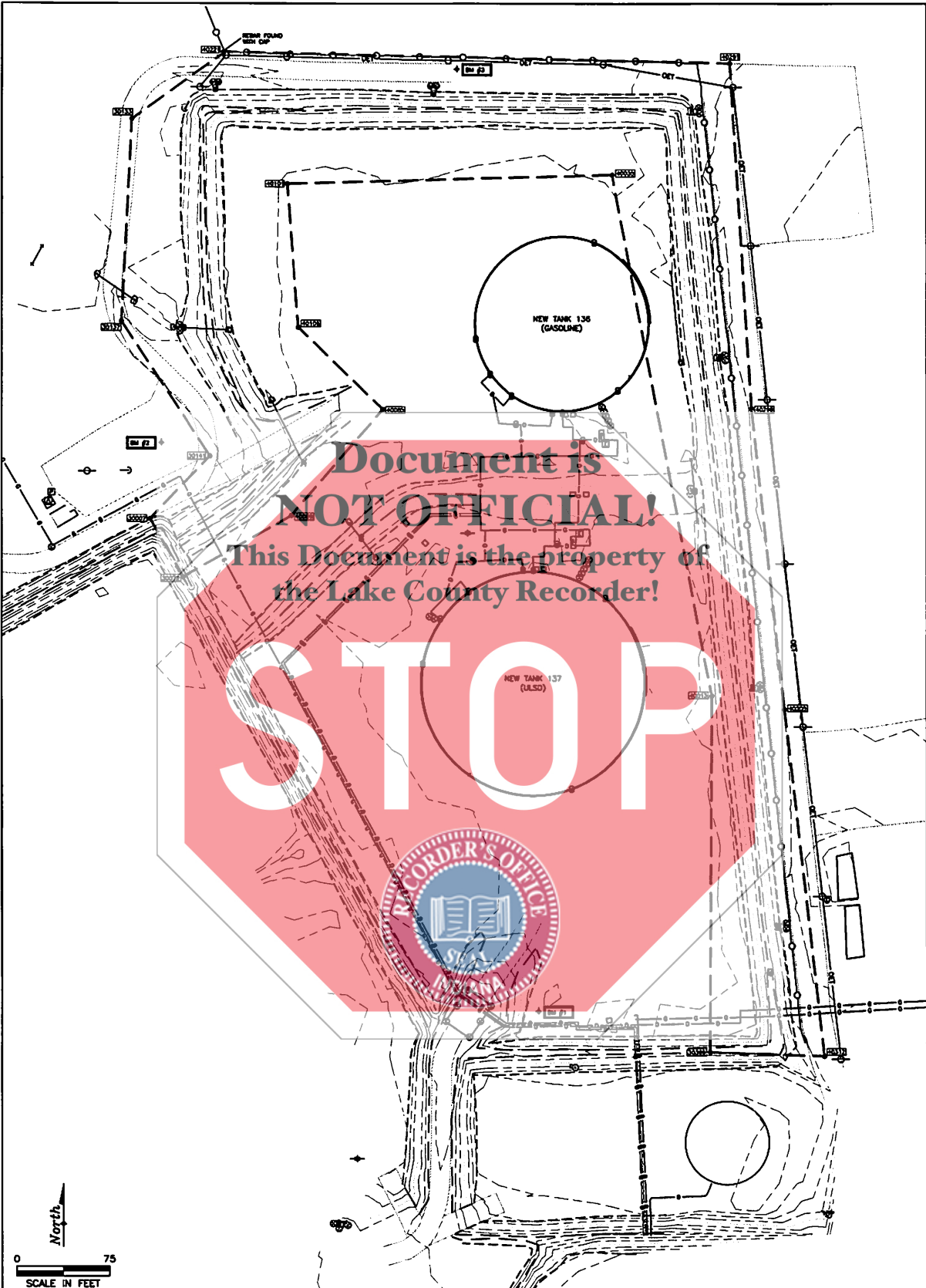
CONTAINING 206140 SQUARE FEET OR 4.732 ACRES, MORE OR LESS.

# Exhibit B

Site Plan



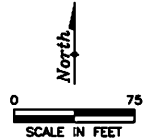
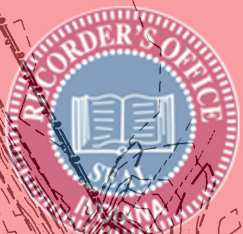




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**STOP**



**LEGEND:**

- UNDERGROUND ELECTRIC
- OVERHEAD ELECTRIC/TELEPHONE LINE
- OVERHEAD ELECTRIC LINE
- GAS PIPELINE
- WATER PIPELINE
- CHAINLINK FENCE
- FIRE HYDRANT
- GAS MARKER
- GAS VALVE
- GAS TEST STATION
- WATER METER
- WATER VALVE
- MONITORING WELL
- ELECTRIC SERVICE BOX
- ELECTRIC METER
- ELECTRIC TRANSFORMER
- ELECTRIC OUTLET
- UTILITY POLE
- LIGHT POLE
- GUY ANCHOR
- MANHOLE
- BOLLARD
- BENCHMARK
- REBAR FOUND
- PERIMETER OF CONTAMINATED SOIL
- RE-USED FOR CONSTRUCTION OF TANK Dikes
- DIKE POINTS AND IDs

**FIGURE 1  
SITE PLAN**

**BUCKEYE EAST CHICAGO WEST (NORCO) STATION  
3823 INDIANAPOLIS BOULEVARD  
EAST CHICAGO, INDIANA**

PROJECT NO. PK16NDR16A	PREPARED BY KR	DRAWN BY DR
DATE 04/18/17	REVIEWED BY RS	FILE NAME PK16NDR16A

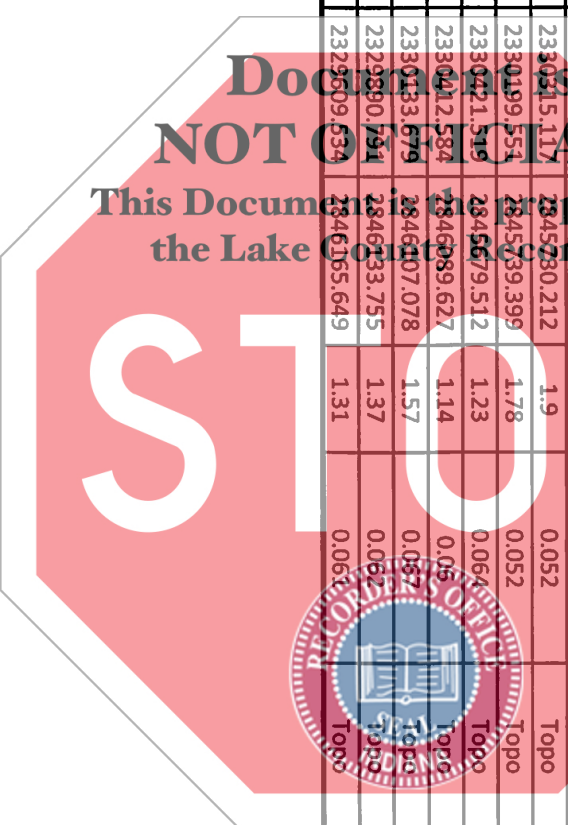


# Exhibit C

Geospatial Data



Projection:		Indiana SPC, West Zone						
Datum:		NAD 83 (2011)						
Units:		US Survey Feet						
Point ID	Feature Name	Feature Type	Northing	Eastng	PDOP	H. Precision (95%)	Field Method	Antenna Model
30007	Toe of Slope	Topo	2330045.328	2845619.026	1.62	0.166	Topo	R10
30072	Top of Bank	Topo	2329998.335	2845645.867	1.34	0.122	Topo	R10
30133	Edge of Drive	Topo	2330367.584	2845604.346	1.22	0.042	Topo	R10
30137	Edge of Drive	Topo	2330204.375	2845595.978	1.23	0.044	Topo	R10
30141	Edge of Drive	Topo	2330095.631	2845667.511	1.36	0.043	Topo	R10
30389	Top of Bank	Topo	2329612.737	2846072.789	1.3	0.062	Topo	R10
40013	Ground Shot	Topo	2329901.714	2846074.569	1.59	0.066	Topo	R10
40035	Ground Shot	Topo	2330322.249	2845993.979	1.94	0.071	Topo	R10
40085	Ground Shot	Topo	2330133.178	2845807.748	1.61	0.052	Topo	R10
40089	Ground Shot	Topo	2330047.786	2845733.444	1.75	0.052	Topo	R10
40101	Ground Shot	Topo	2330315.117	2845230.212	1.9	0.052	Topo	R10
40106	Ground Shot	Topo	2330199.551	2845739.399	1.78	0.052	Topo	R10
40221	Property Corner	Control Point	2330421.519	2845679.512	1.23	0.064	Topo	R10
40291	Edge of Drive	Topo	2330412.584	2846089.627	1.14	0.06	Topo	R10
40299	Edge of Drive	Topo	2330133.679	2846107.078	1.57	0.067	Topo	R10
40305	Edge of Drive	Topo	2329890.791	2846133.755	1.37	0.062	Topo	R10
40312	Edge of Drive	Topo	2329609.534	2846165.649	1.31	0.061	Topo	R10



Projection:	Indiana SPC, West Zone								
Datum:	NAD 83 (2011)								
Units:	US Survey Feet								
Point ID	Feature Name	Feature Type	Manufacturer	Solution Type	Date / Start Time	Epochs	Status	Data File Name	Collector
30007	Toe of Slope	Topo	Trimble	RTK	2/22/2017 14:58	3	Enabled	20170222JAR_TOPO.job	James Randall
30072	Top of Bank	Topo	Trimble	RTK	2/22/2017 15:22	3	Enabled	20170222JAR_TOPO.job	James Randall
30133	Edge of Drive	Topo	Trimble	RTK	2/22/2017 16:13	3	Enabled	20170222JAR_TOPO.job	James Randall
30137	Edge of Drive	Topo	Trimble	RTK	2/22/2017 16:14	3	Enabled	20170222JAR_TOPO.job	James Randall
30141	Edge of Drive	Topo	Trimble	RTK	2/22/2017 16:16	3	Enabled	20170222JAR_TOPO.job	James Randall
30389	Top of Bank	Topo	Trimble	RTK	2/23/2017 9:12	3	Enabled	20170223JAR_TOPO.job	James Randall
40013	Ground Shot	Topo	Trimble	RTK	2/22/2017 16:10	3	Enabled	02222017JAM_TOPO.jxl	Jessica Munday
40035	Ground Shot	Topo	Trimble	RTK	2/22/2017 16:21	3	Enabled	02222017JAM_TOPO.jxl	Jessica Munday
40085	Ground Shot	Topo	Trimble	RTK	2/22/2017 16:49	3	Enabled	02222017JAM_TOPO.jxl	Jessica Munday
40089	Ground Shot	Topo	Trimble	RTK	2/22/2017 16:52	3	Enabled	02222017JAM_TOPO.jxl	Jessica Munday
40101	Ground Shot	Topo	Trimble	RTK	2/22/2017 16:57	3	Enabled	02222017JAM_TOPO.jxl	Jessica Munday
40106	Ground Shot	Topo	Trimble	RTK	2/22/2017 16:59	3	Enabled	02222017JAM_TOPO.jxl	Jessica Munday
40221	Property Corner	Control Point	Trimble	RTK	2/23/2017 10:17	3	Enabled	20170223JAM.jxl	Jessica Munday
40291	Edge of Drive	Topo	Trimble	RTK	2/23/2017 11:06	3	Enabled	20170223JAM.jxl	Jessica Munday
40299	Edge of Drive	Topo	Trimble	RTK	2/23/2017 11:08	3	Enabled	20170223JAM.jxl	Jessica Munday
40305	Edge of Drive	Topo	Trimble	RTK	2/23/2017 11:14	3	Enabled	20170223JAM.jxl	Jessica Munday
40312	Edge of Drive	Topo	Trimble	RTK	2/23/2017 11:14	3	Enabled	20170223JAM.jxl	Jessica Munday

