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2017 049402

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REVISION OF EXHIBIT A (Sheet No. 2 of 12) AND EXTENSION OF TERM FOR
EASEMENT AGREEMENT

MICHAEL B. BROWN
RECORDER

As recorded at Lake County Indiana Records office on May 6, 2009 (#2009 029945)

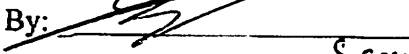
This document provides for revisions to EASEMENT AGREEMENT by and between Gary New Century (GNC), now Majestic Star Casino (MSC), an Indiana limited liability company with offices at One Buffington Harbor Drive, Gary, IN 46406, and City of Gary, a municipal corporation established under the laws of the State of Indiana (CITY OF GARY), whose address is 401 Broadway, Gary, Indiana, Indiana, 46402, recorded May 6, 2009 at Lake County, Indiana Records office as Instrument No. 2009 029495.

The EASEMENT AGREEMENT is included as Permitted Exception 28 by SPECIAL WARRANTY DEED by and between MAJESTIC GARY LAND TRUST, a liquidating trust, and CARMEUSE LIME, INC., a Delaware limited liability company recorded November 5, 2014 at Lake County, Indiana Records office as Instrument No. 2014 070005, and included as Permitted Exception 22 as part of SPECIAL WARRANTY DEED between MAJESTIC GARY LAND TRUST and CARMEUSE LIME, INC., recorded November 5, 2014 at Lake County, Indiana Records office as Instrument No. 2014 070006.

By this document, the property owner, CARMEUSE LIME, INC., with offices at 11 Stanwix Street, Pittsburgh, PA 15222 agrees to a revision to the boundaries of the permanent easement originally described as Exhibit A (Sheet 2 of 12) by Instrument No. 2009 029495 to new description noted as Parcel 4A-2 attached herewith.

Also by this document, the property owner, CARMEUSE LIME, INC., agrees to extend the term of the EASEMENT AGREEMENT made as of the 15th of April, 2009, by and between GNC (now MSC) and the CITY OF GARY (Instrument #2009 029495). The property owner agrees to extend the term of the Right of Way Easement, Utilities Easement, the Temporary Easement and the Drainage Easement per Section 8 of the noted agreement as amended herein to automatically terminate on December 31, 2018. The term of said easement shall be extended in perpetuity if construction on this Phase 2B project has commenced prior to this date and thereafter proceeded to completion. This extension, per Section 8 of the noted Agreement, is specifically limited to those parcels which contain Phase 2B. For the avoidance of doubt, this extension shall not apply to Phases 3, 4 and 5. All other conditions noted by Section 8 Term of the subject agreement remain unchanged.

CARMEUSE LIME, INC.

By: 
Name: Jeff Bittner
Title: Vice President, Operations

Sean Routhledge - Director of Operations,
North. **FILED**

\$25,000

AUG 8 2017

JOHN E. PETALAS
LAKE COUNTY AUDITOR

041151

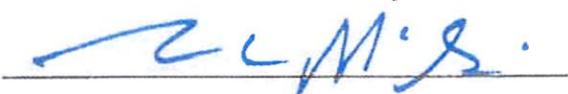
JTB
cash

Project: Gary Marina Access
City of Gary, Indiana

Parcel No. 4A-2
Sheet 1 of 1

A part of the Southeast Quarter of Fractional Section 23, the Northwest Quarter of Fractional Section 25 and the Northeast Quarter of Section 26 all in Township 37 North, Range 9 West, Lake County, Indiana described as follows: Commencing at the southwest corner of the Northwest Quarter of said Section 23; thence North 0 degrees 28 minutes 13 seconds West (assumed bearing) 492.40 feet (calc.) 492.62 feet (deed) to the northeastern boundary of the Elgin, Joliet & Eastern Railway Company; thence South 46 degrees 59 minutes 25 seconds East 228.30 feet along the northeastern boundary of said Elgin, Joliet & Eastern Railway Company; thence Southeasterly 1,404.65 feet along an arc to the left and having a radius of 11,309.20 feet and subtended by a long chord having a bearing of South 50 degrees 32 minutes 54 seconds East and a length of 1,403.75 feet along said northeastern boundary; thence South 54 degrees 50 minutes 49 seconds East 2,944.18 feet (calc.) 2,971.64 feet (deed) along said northeastern boundary; thence South 54 degrees 06 minutes 24 seconds East 397.03 feet along said northeastern boundary; thence Southeasterly 521.89 feet along an arc to the right and having a radius of 733.70 feet and subtended by a long chord having a bearing of South 73 degrees 42 minutes 37 seconds East and a length of 510.94 feet; thence South 53 degrees 08 minutes 30 seconds East 24.07 feet to the point of beginning of this description: thence South 53 degrees 08 minutes 30 seconds East 219.59 feet; thence South 57 degrees 24 minutes 52 seconds East 203.27 feet; thence South 73 degrees 45 minutes 56 seconds East 104.96 feet; thence North 63 degrees 29 minutes 11 seconds East 148.37 feet to a non-tangent curve; thence Southeasterly 164.08 feet along an arc to the right having a radius of 359.00 feet and subtended by a long chord having a bearing of South 38 degrees 5 minutes 4 seconds East and a length of 162.58 feet; thence South 24 degrees 39 minutes 15 seconds East 48.17; thence South 55 degrees 25 minutes 50 seconds West 122.46 feet; thence South 84 degrees 41 minutes 34 seconds West 195.63 feet; thence North 52 degrees 55 minutes 37 seconds West 315.51 feet; thence North 42 degrees 54 minutes 34 seconds West 41.59 feet; thence North 53 degrees 08 minutes 30 seconds West 243.60 feet; thence North 61 degrees 19 minutes 09 seconds West 23.14 feet; thence North 60 degrees 10 minutes 19 seconds East 118.56 feet to the point of beginning and containing 2.558 acres, more or less.

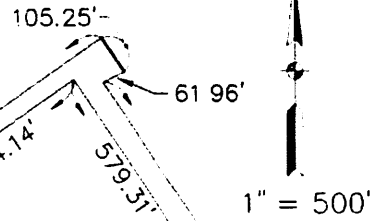
Prepared by:
Tracy L. McGill, Indiana Registered Land Surveyor,
License Number 20500009, on the 10th day of July, 2017.
(Revised 7/14/2017)



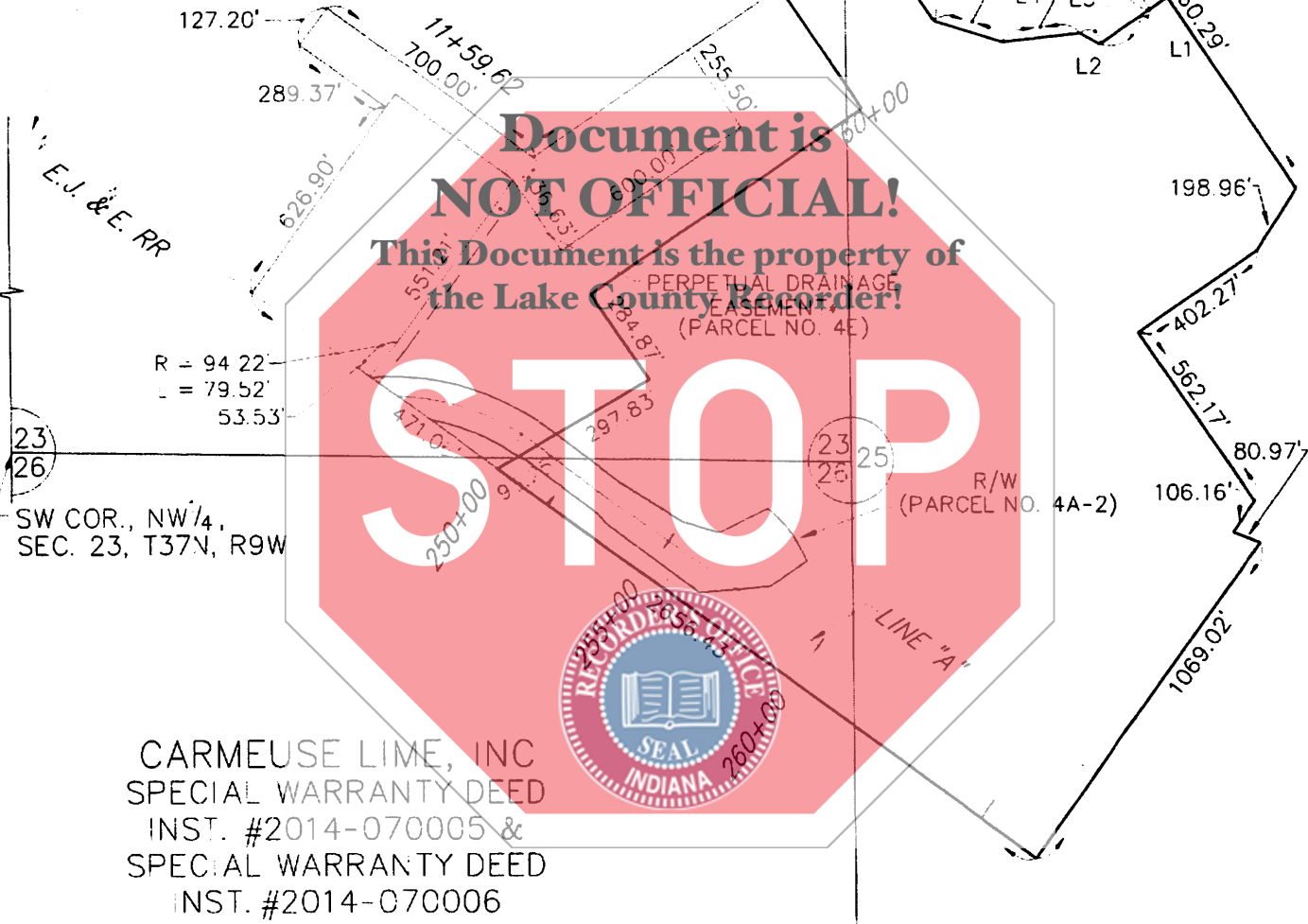
THIS PLAT WAS PREPARED FROM INFORMATION OBTAINED FROM THE RECORDER'S OFFICE AND OTHER SOURCES WHICH WERE NOT NECESSARILY CHECKED BY A FIELD SURVEY.

LINE TABLE	
L1	31.99'
L2	137.64'
L3	63.63'
L4	213.78'
L5	199.25'
L6	268.96'

NORTHEASTERN BOUNDARY OF THE ELGIN, JOLIET & EASTERN RAILWAY COMPANY CORPORATE WARRANTY DEED #2000C67446



EDIT DATE: 6/26/17 EDITED BY: TMC GILL P:\N1999\0726\PARCEL 4A\N1999 0726.P04A-2.DWG



CARMEUSE LIME, INC
SPECIAL WARRANTY DEED
INST. #2014-070005 &
SPECIAL WARRANTY DEED
INST. #2014-07C006

*Denotes previously recorded as Inst. #2004-014285

PARCEL NO. 4A-2

AMERICAN
STRUCTUREPOINT
INC.

7260 SHADELAND STATION
INDIANAPOLIS, IN 46256-3957
TEL 317.547.5580 FAX 317.543.0270
www.structurepoint.com

DATE: 7/14/2017
DRAWN BY: TLM
JOB NO: 99.0726

SHEET NO.
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