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STATE OF INDIANA  
LAKE COUNTY  
FILED FOR RECORD

2017 070343

2017 OCT 18 AM 9:12

MICHAEL B. BROWN  
RECORDER

When Recorded Return To: K. Keebler  
First American Title Insurance Company  
National Commercial Services  
1201 Walnut, Suite 700  
Kansas City, MO 64106  
File No: NCS 8105700-4

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**RELEASE OF USE RESTRICTION**

**THIS RELEASE OF USE RESTRICTION** ("Release") is executed as of the 6th day of October, 2017, by **ASSOCIATED WHOLESALE GROCERS, INC.**, a Kansas corporation ("**AWG**") for the benefit of **INDIANA GROCERY GROUP, LLC**, a Delaware limited liability company ("**Grantor**").



**This Document is the property of the Lake County Recorder!**

**The following Recitals are a material part of this Release.**

- A. Grantor executed that certain Use Restriction for the benefit of AWG effective as of August 3, 2017, and recorded on August 17, 2017 as Document No. 2017 054818 in the Office of the Recorder of Deeds of Lake County, Indiana (the "**Use Restriction**").
- B. The Use Restriction set forth certain use restrictions for the benefit of AWG, encumbering Grantor's interest in the property located at 2244 45<sup>th</sup> Street, Highland, Lake County, Indiana and located on the real property more particularly described on **Exhibit "A"** attached hereto and incorporated herein (the "**Property**").
- C. AWG is willing to release the Use Restriction from the Property.

**NOW, THEREFORE**, in consideration of the foregoing Recitals and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree that the Use Restriction is hereby terminated and released effective as of the date hereof.

[SIGNATURE ON FOLLOWING PAGE]

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IN WITNESS WHEREOF, Grantor has executed this Release effective as of the day and year first above written.

**ASSOCIATED WHOLESALE GROCERS, INC.,**  
a Kansas corporation

By: [Signature]  
David E. Smith, President  
and Chief Executive Officer

**ACKNOWLEDGMENT**

STATE OF KANSAS

COUNTY OF WYANDOTTE

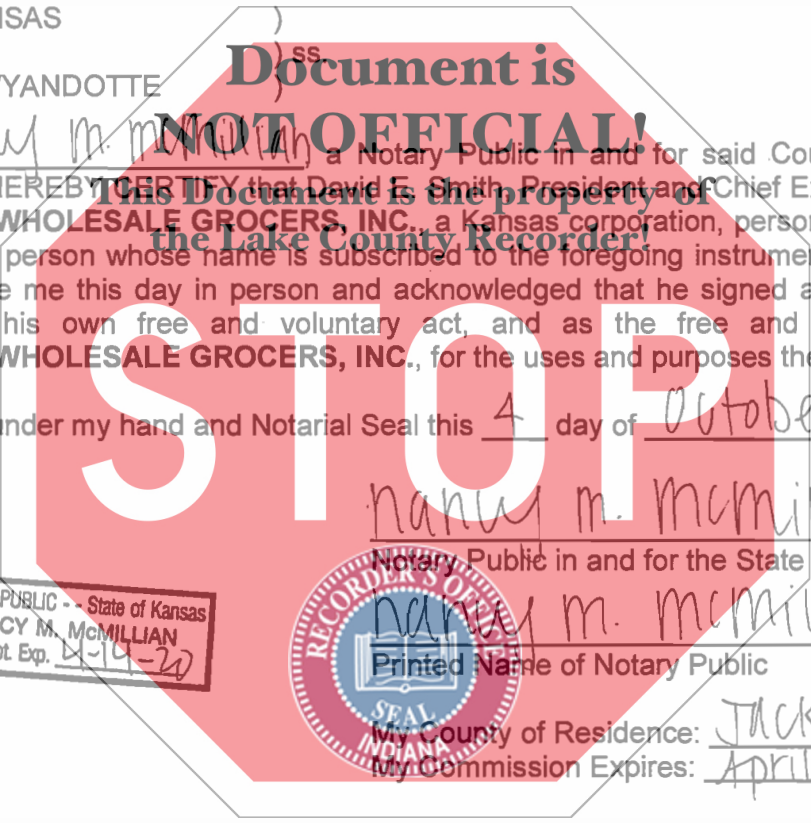
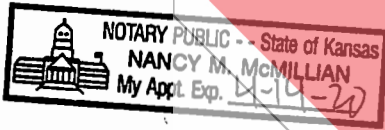
I, Nancy M. McMillian, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that David E. Smith, President and Chief Executive Officer of **ASSOCIATED WHOLESALE GROCERS, INC.**, a Kansas corporation, personally known to me to be the same person whose name is subscribed to the foregoing instrument as such officer, appeared before me this day in person and acknowledged that he signed and delivered said instrument as his own free and voluntary act, and as the free and voluntary act of **ASSOCIATED WHOLESALE GROCERS, INC.**, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 4 day of October, 2017.

Nancy M. McMillian  
Notary Public in and for the State of Kansas

Nancy M. McMillian  
Printed Name of Notary Public

My County of Residence: Jackson  
My Commission Expires: April 14, 2020



This document prepared by and after recording mail to:

Stephen M. James, Esq.  
Associated Wholesale Grocers, Inc.  
5000 Kansas Avenue  
Kansas City, KS 66106

I affirm, under the penalties of perjury, that I have taken reasonable care to redact each social security number in this document, unless required by law: Stephen M. James.

**EXHIBIT "A"**

**LEGAL DESCRIPTION**

The West 400 feet of the East 1,115 feet of the North 540 feet of the Northeast Quarter of the Northeast Quarter of Section 32, Township 36 North, Range 9 West of the Second Principal Meridian, in Lake County, Indiana.

and

The West 400 feet of the East 1,115 feet of the South 350 feet of the North 890 feet of the Northeast Quarter of Section 32, Township 36 North, Range 9 West of the 2<sup>nd</sup> P.M. in Lake County, Indiana.

