

①

RECORDED AS PRESENTED STATE OF INDIANA
MICHAEL B BROWN LAKE COUNTY
RECORDER FILED FOR RECORD

2019-072380

2019 October 23

9:32:40 AM

SPECIAL WARRANTY DEED

4

This INDENTURE WITNESSETH, That **BRODERSEN ACQUISITIONS LLC** ("Grantor"), an Illinois limited liability company and existing under the laws of the State of Illinois, grants, bargains, sells and conveys to **HZ PROPS RE, LTD.**, a Texas limited partnership ("Grantee") for the sum of Ten Dollars and No/100 Dollars (\$10.00) and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the following described real estate in Lake County, Indiana:



Legal description:

Lot 6 in Marina District Development, a Planned Unit Development, Addition to the City of Hammond, Lake County, Indiana, as per plat thereof, recorded in Plat Book 108, page 91; Affidavit of Correction recorded March 21, 2016, in the Office of the Recorder of Lake County, Indiana, as affected by Affidavit of Correction dated March 15, 2016 and recorded March 21, 2016 as Instrument No. 2016 017100 in the Office of the Recorder of Lake County, Indiana.

Property Address: 922 Indianapolis Boulevard, Hammond, Indiana

Parcel No. 45-02-01-127-003-000-023

Subject to all matters set forth in Exhibit A attached to this Special Warranty Deed and incorporated herein by this reference (collectively, the "Permitted Exceptions").

Grantor by execution and delivery hereof warrants the title to said real estate as to and against its own acts only and none other.

The undersigned person executing this Special Warranty Deed on behalf of Grantor represents and certifies that he is the duly named Manager of Grantor and has been fully empowered, by proper resolution of the Grantor, to execute and deliver this Special Warranty Deed; that Grantor has full capacity to convey the real estate described herein; and that all necessary company action for the making of such conveyance has been taken and done.

(SIGNATURE AND NOTARY PAGE IMMEDIATELY FOLLOWS)

DULY ENTERED FOR TAXATION SUBJECT
FINAL ACCEPTANCE FOR TRANSFER

RETURN TO
Chicago Title
Closer: PE AI
File No. CTEN1908238

#3134285v2

OCT 22 2019

29935

JOHN E. PETALAS
LAKE COUNTY AUDITOR

25-6
12502
D

EXHIBIT A

TO

**SPECIAL WARRANTY DEED FROM BRODERSEN ACQUISITIONS LLC,
AN ILLINOIS LIMITED LIABILITY COMPANY ("GRANTOR") TO HZ PROPS RE,
LTD., A TEXAS LIMITED PARTNERSHIP ("GRANTEE")
FOR THE REAL PROPERTY COMMONLY KNOWN AS
922 INDIANAPOLIS BOULEVARD, HAMMOND, INDIANA**

PERMITTED EXCEPTIONS

1. Real Property Taxes and MS4-Hammond Storm Water Assessments for the year 2019 payable in 2020, and all subsequent years.
2. Governmental limitations and regulations regarding access to U.S. 41, a limited access facility.
3. Covenants, conditions, and restrictions contained in Declaration of Use Restrictions made by Roby Land Partners, LLP ("Grantor") and NH Vegas, LLC ("Grantee"), recorded April 17, 2002 as Document No. 2002-036493, as affected by Consent of Beneficiary Under Declaration of Use Restrictions (Gateway Triangle Corp., Marina District Development LLC, NH Vegas, LLC and Wal-Mart Real Estate Business Trust) recorded June 6, 2017 as Instrument Nos. 2017-034642, 2017-034643, 2017-034644, 2017-034645.
4. Easement for gas and oil pipe line purposes in favor of Indiana Natural Gas and Oil Company authorized by Board of County Commissioners on December 2, 1889 in Commissioner's Record 6 page 186 and further evidenced in receipt dated December 3, 1889 and recorded May 8, 1890 in Miscellaneous Record 7, page 296. Assigned to Northern Indiana Public Service Company by Assignment dated December 7, 1940 and recorded March 27, 1941 in Miscellaneous Record 329, page 98.
5. Right of Way Grant dated March 30, 1953 and recorded July 26, 1954, in Miscellaneous Record 608, page 543, as Document No. 770369, made by Charles C. Shedd, Edith W. Shedd and Alexander A. Nottmeyer, as Trustees under Trust Agreement dated December 1, 1927, granting to the State of Indiana an easement for constructing and maintaining an underground sewer.
6. Covenants, conditions, restrictions, easements for public utilities and drainage, and building setback lines as contained in the plat of New Roby First Addition to the City of Hammond, recorded September 29, 2010 as Document No. 2010 056559 in Plat Book 104 page 70.
7. Declaration of Easement with Covenants and Restrictions made by and between Wal-Mart Real Estate Business Trust, Inc., a Delaware corporation and NH Vegas, LLC, an Indiana limited liability company, dated September 30, 2010 and recorded October 12, 2010 as Document No. 2010 058651.
8. Agreement for Covenants and Restrictions Affecting Land dated September 24, 2014 and recorded December 5, 2014 as Instrument No. 2014 077642.

Exhibit A-1

9. Covenants, conditions, restrictions, terms, provisions, easements for utilities, drainage and building setbacks as set forth in Marina District Development, a Planned Unit Development, Addition to the City of Hammond, Lake County, Indiana, as per plat thereof, recorded in Plat Book 108, page 91; Affidavit of Correction recorded March 21, 2016, in the Office of the Recorder of Lake County, Indiana, as affected by Affidavit of Correction dated March 15, 2016 and recorded March 21, 2016 as Instrument No. 2016 017100 in the Office of the Recorder of Lake County, Indiana.
10. Restrictive Covenant Agreement dated September 27, 2016 and recorded June 6, 2017 as Instrument Number 2017-034647.
11. Declaration of Reciprocal Easement Agreement with Covenants, Conditions and Restrictions recorded February 26, 2016 as Instrument Number 2016 011932.
12. Restrictive Covenant Agreement recorded May 27, 2016 as Instrument Number 2016 032362.
13. All matters as shown on that certain ALTA/NSPS Land Title Survey of the real estate conveyed by this Special Warranty Deed made by William L. Dougherty, PS of Woolpert, Inc. dated September 11, 2019, last revised October 3, 2019, and designated Project No. 80282.

