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2022-500967
01/07/2022 10:25 AM
TOTAL FEES: 25.00
BY: JAS
PG #: 9

STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD
GINA PIMENTEL
RECORDER

RECORDATION REQUESTED BY:

First Merchants Bank
Munster 45th Branch
1720 45th Street
Munster, IN 46321

WHEN RECORDED MAIL TO:

First Merchants Bank
ATTN: Loan Operations - Documents
P. O. Box 7011
Muncie, IN 47308

MODIFICATION OF MORTGAGE

THIS MODIFICATION OF MORTGAGE dated December 22, 2021, is made and executed between Gayda Properties, Inc., an Indiana Corporation, whose address is 6900 Broadway, Merrillville, IN 46410 (referred to below as "Grantor") and First Merchants Bank, whose address is 1720 45th Street, Munster, IN 46321 (referred to below as "Lender").

MORTGAGE. Lender and Grantor have entered into a Mortgage dated May 19, 2003 (the "Mortgage") which has been recorded in Porter County, State of Indiana, as follows:

Real estate mortgage dated May 19, 2003 and recorded May 30, 2003 as instrument number 2003-022317 in the office of the recorder of Porter County, Indiana to Citizens Financial Services, FSB NKA First Merchants Bank.

REAL PROPERTY DESCRIPTION. The Mortgage covers the following described real property located in Porter County, State of Indiana:

See Exhibit A, which is attached to this Modification and made a part of this Modification as if fully set forth herein.

The Real Property or its address is commonly known as 5260 Mulberry Portage IN 46368; 2581 Parkview Avenue, Portage, IN 46368; 2573 Parkview Avenue, Portage, IN 46368; 406 E. Lincolnway; 552 West Chicago Street; 509 Union Street; 203 North Elmhurst; 832 Elm Street; 2009-2015 Yorktowne; 2017-2023

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MODIFICATION OF MORTGAGE (Continued)

Page 2

Yorktowne; 2217-2223 Yorktowne; 456 West Jefferson Street; 458 West Jefferson Street; 503 East Monroe Street and 2216-2222 Glendale, Valparaiso, IN. The Real Property tax identification number is 000183905; 000183904; 000183903; 000183902; 000183913; 000183912; 000183911; 000183910; 000317261; 000406935; 000183914; 000183915; 000210148; 000210146; 000210161; 000210160.

MODIFICATION. Lender and Grantor hereby modify the Mortgage as follows:

The word "Note" means the Promissory note dated December 22, 2021, in the original principal amount of \$1,589,509.47 from Borrower/Grantor to Lender, together with all renewals of, extensions of, modifications of refinancing of, consolidations of, and substitutions for the promissory note or agreement. The maturity date of the Note is the earlier of DEMAND or December 22, 2051.

CONTINUING VALIDITY. Except as expressly modified above, the terms of the original Mortgage shall remain unchanged and in full force and effect and are legally valid, binding, and enforceable in accordance with their respective terms. Consent by Lender to this Modification does not waive Lender's right to require strict performance of the Mortgage as changed above nor obligate Lender to make any future modifications. Nothing in this Modification shall constitute a satisfaction of the promissory note or other credit agreement secured by the Mortgage (the "Note"). It is the intention of Lender to retain as liable all parties to the Mortgage and all parties, makers and endorser to the Note, including accommodation parties, unless a party is expressly released by Lender in writing. Any maker or endorser, including accommodation makers, shall not be released by virtue of this Modification. If any person who signed the original Mortgage does not sign this Modification, then all persons signing below acknowledge that this Modification is given conditionally, based on the representation to Lender that the non-signing person consents to the changes and provisions of this Modification or otherwise will not be released by it. This waiver applies not only to any initial extension or modification, but also to all such subsequent actions.

GRANTOR ACKNOWLEDGES HAVING READ ALL THE PROVISIONS OF THIS MODIFICATION OF MORTGAGE AND GRANTOR AGREES TO ITS TERMS. THIS MODIFICATION OF MORTGAGE IS DATED DECEMBER 22, 2021.

GRANTOR:

GAYDA PROPERTIES, INC.

By: 

Rod L. Gayda, President of Gayda Properties, Inc.

MODIFICATION OF MORTGAGE (Continued)

LENDER:

FIRST MERCHANTS BANK

X


(Paul Omer, Vice President)

CORPORATE ACKNOWLEDGMENT

STATE OF Indiana)

)

COUNTY OF Lake)

) SS



On this 22 day of December, 20 21, the undersigned Notary Public, personally appeared Rod L. Gayda, President of Gayda Properties, Inc., and known to me to be an authorized agent of the corporation that executed the Modification of Mortgage and acknowledged the Modification to be the free and voluntary act and deed of the corporation, by authority of its Bylaws or by resolution of its board of directors, for the uses and purposes therein mentioned, and on oath stated that he or she is authorized to execute this Modification and in fact executed the Modification on behalf of the corporation.

By Christine Klus

Residing at 6900 Broadway Merrillville, IN 46410

Notary Public in and for the State of Indiana

My commission expires 11-13-27

MODIFICATION OF MORTGAGE
(Continued)

LENDER ACKNOWLEDGMENT

STATE OF Indiana)
) SS
COUNTY OF Lake)



On this 22 day of December, 20 21, before me, the undersigned Notary Public, personally appeared Paul Orner and known to me to be the Vice President, authorized agent for First Merchants Bank that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of First Merchants Bank, duly authorized by First Merchants Bank through its board of directors or otherwise, for the uses and purposes therein mentioned, and on oath stated that he or she is authorized to execute this said instrument and in fact executed this said instrument on behalf of First Merchants Bank.

By Christine Klus
Notary Public in and for the State of Indiana

Residing at 6900 BROADWAY MERRILLVILLE IN 46410
My commission expires 11-13-27

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law (Pierson Quinn, Commercial Fulfillment Specialist III).

This Modification of Mortgage was prepared by: Pierson Quinn, Commercial Fulfillment Specialist III

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EXHIBIT "A"

PORTER COUNTY PROPERTIES

LEGAL DESCRIPTION:

PARCEL 1:

A PART OF THE EAST HALF OF LOT 7 IN BLOCK 5 IN WOODHULL'S ADDITION TO THE TOWN (NOW CITY) OF VALPARAISO, AS PER PLAT THEREOF, RECORDED IN MISCELLANEOUS RECORD "A", PAGES 90 AND 91, IN THE OFFICE OF THE RECORDER OF PORTER COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 7; THENCE WEST ALONG THE NORTH LINE OF SAID LOT 7, A DISTANCE OF 29.0 FEET; THENCE SOUTH PARALLEL TO THE EAST LINE OF SAID LOT 7, A DISTANCE OF 70.0 FEET; THENCE SOUTHEASTERLY TO A POINT THAT IS 90.0 FEET SOUTH AND 23.0 FEET WEST OF SAID NORTHEAST CORNER OF LOT 7; THENCE EAST PARALLEL TO THE NORTH LINE OF SAID LOT 7, A DISTANCE OF 23.0 FEET TO THE EAST LINE OF SAID LOT 7; THENCE NORTH ALONG SAID EAST LINE, A DISTANCE OF 90.0 FEET TO THE POINT OF BEGINNING.

COMMONLY KNOWN AS: 406 EAST LINCOLNWAY, VALPARAISO, IN 46383
TAXING UNIT 01; PARCEL 000183905

PARCEL 2:

A PARCEL OF LAND IN THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 35 NORTH, RANGE 6 WEST OF THE SECOND PRINCIPAL MERIDIAN, PORTER COUNTY, INDIANA, DESCRIBED AS THE EAST 4 RODS OF THE SOUTH 10 RODS OF BLOCK 82 IN COUNCILS ADDITION OF 1883 TO THE TOWN (NOW CITY) OF VALPARAISO, AS SHOWN IN MISCELLANEOUS RECORD "E", PAGE 534, PORTER COUNTY, INDIANA.

COMMONLY KNOWN AS: 552 WEST CHICAGO STREET, VALPARAISO, IN 46383
TAXING UNIT 01; PARCEL 000183904

PARCEL 3:

LOTS 4 AND 5 IN JOHNSON'S SUBDIVISION OF BLOCK 18 IN WOODHULL'S ADDITION TO THE CITY OF VALPARAISO, AS PER PLAT THEREOF, RECORDED JULY 17, 1874, IN MISCELLANEOUS RECORD "B", PAGE 550, IN THE OFFICE OF THE RECORDER OF PORTER COUNTY, INDIANA.

COMMONLY KNOWN AS: 509 UNION STREET, VALPARAISO, IN 46383
TAXING UNIT 01; PARCEL 000183903

PARCEL 4:

LOT 6 IN BLOCK 79 IN CHAUTAUQUA PARK, IN THE CITY OF VALPARAISO, AS PER PLAT THEREOF, RECORDED IN MISCELLANEOUS RECORD "E", PAGE 582, IN THE OFFICE OF THE RECORDER OF PORTER COUNTY, INDIANA.

COMMONLY KNOWN AS: 203 NORTH ELMHURST, VALPARAISO, IN 46383
TAXING UNIT 01; PARCEL 000183902

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EXHIBIT "A" (continued)

PARCEL 5:

A PARCEL OF LAND IN LOT 9 IN BLOCK "A", IN BANTA'S SUBDIVISION, IN THE CITY OF VALPARAISO, AS PER PLAT THEREOF, RECORDED IN MISCELLANEOUS RECORD "C", PAGE 489, IN THE OFFICE OF THE RECORDER OF PORTER COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF ELM STREET, 292 FEET WEST OF THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 35 NORTH, RANGE 6 WEST OF THE SECOND PRINCIPAL MERIDIAN, PORTER COUNTY, INDIANA, AND RUNNING THENCE WEST ALONG THE SOUTH LINE OF SAID ELM STREET, A DISTANCE OF 112 FEET; THENCE SOUTH ALONG A LINE PARALLEL TO THE EAST LINE OF SAID SECTION, A DISTANCE OF 165 FEET TO A LINE PARALLEL TO AND 132 FEET NORTH OF THE ORIGINAL SOUTH LINE OF SAID LOT 9; THENCE EAST ALONG SAID PARALLEL LINE 112 FEET; AND THENCE NORTH 165 FEET TO THE POINT OF BEGINNING.

COMMONLY KNOWN AS: 832 ELM STREET, VALPARAISO, IN 46383
TAXING UNIT 01; PARCEL 000183913

PARCEL 6:

LOT 23, EXCEPT THE NORTH 12 FEET, IN YORKTOWNE SQUARE, IN THE CITY OF VALPARAISO, AS PER PLAT THEREOF, RECORDED IN PLAT FILE 15-I-1, IN THE OFFICE OF THE RECORDER OF PORTER COUNTY, INDIANA.

COMMONLY KNOWN AS: 2009-2015 YORKTOWNE, VALPARAISO, IN 46383
TAXING UNIT 01; PARCEL 000183912

PARCEL 7:

LOT 22, EXCEPT THE NORTH 12 FEET, IN YORKTOWNE SQUARE, IN THE CITY OF VALPARAISO, AS PER PLAT THEREOF, RECORDED IN PLAT FILE 15-I-1, IN THE OFFICE OF THE RECORDER OF PORTER COUNTY, INDIANA.

COMMONLY KNOWN AS: 2017-2023 YORKTOWNE, VALPARAISO, IN 46383
TAXING UNIT 01; PARCEL 000183911

PARCEL 8:

LOT 15, EXCEPT THE NORTH 12 FEET AND EXCEPT THE WEST 12 FEET, IN YORKTOWNE SQUARE, IN THE CITY OF VALPARAISO, AS PER PLAT THEREOF, RECORDED IN PLAT FILE 15-I-1, IN THE OFFICE OF THE RECORDER OF PORTER COUNTY, INDIANA.

COMMONLY KNOWN AS: 2217-2223 YORKTOWNE, VALPARAISO, IN 46383
TAXING UNIT 01; PARCEL 000183910

PARCEL 9:

LOTS 47, 48, AND 49 AND LOT 50, EXCEPT THE SOUTH 141 FEET, IN COOLEY'S 2ND ADDITION, IN THE CITY OF PORTAGE, AS PER PLAT THEREOF, RECORDED APRIL 9, 1913 IN MISCELLANEOUS RECORD "J", PAGE 235 (PLAT FILE 9-C-6A), IN THE OFFICE OF THE RECORDER OF PORTER COUNTY, INDIANA.

COMMONLY KNOWN AS: 5260 MULBERRY, PORTAGE, IN 46368
TAXING UNIT 08; PARCEL 000210148; 000210146

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EXHIBIT "A" (continued)

PARCEL 10-1:

PARCEL A:

A PARCEL OF LAND BEING PART OF LOT 20 IN BENDER'S RIDGE, UNIT #1, IN THE CITY OF PORTAGE, AS PER PLAT THEREOF, RECORDED IN PLAT BOOK 3, PAGE 60, IN THE OFFICE OF THE RECORDER OF PORTER COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 20; THENCE NORTH 00 DEGREES 04 MINUTES 30 SECONDS EAST ALONG THE EAST LINE OF SAID LOT 20, 139.97 FEET TO THE NORTHEAST CORNER OF SAID LOT 20; THENCE NORTH 76 DEGREES 05 MINUTES 21 SECONDS WEST ALONG THE NORTH LINE OF SAID LOT 20, 91.83 FEET; THENCE SOUTH 13 DEGREES 52 MINUTES 17 SECONDS WEST, 120.76 FEET; THENCE NORTH 84 DEGREES 24 MINUTES 19 SECONDS WEST, 56.46 FEET; THENCE SOUTH 63 DEGREES 13 MINUTES 13 SECONDS WEST, 36.7 FEET, MORE OR LESS, TO THE SOUTHWESTERLY LINE OF SAID LOT 20, SAID LINE ALSO BEING THE RIGHT-OF-WAY LINE OF PARKVIEW AVENUE; THENCE SOUTHEASTERLY ALONG SAID SOUTHWESTERLY LINE OF SAID LOT 20, 308 FEET, MORE OR LESS, TO THE SOUTH LINE OF SAID LOT 20, THENCE SOUTH 90 DEGREES 0 MINUTES EAST ALONG SAID SOUTH LINE, 201.42 (202.00 PLAT) FEET TO THE POINT OF BEGINNING, TOGETHER WITH THE RIGHT AND EASEMENT TO GO UPON, ACROSS, UNDER AND TO USE THE FOLLOWING DESCRIBED REAL ESTATE, TO-WIT:

A PARCEL OF LAND BEING PART OF LOT 20 IN BENDER'S RIDGE, UNIT #1, IN THE CITY OF PORTAGE, AS PER PLAT THEREOF, RECORDED IN PLAT BOOK 3, PAGE 60, IN THE OFFICE OF THE RECORDER OF PORTER COUNTY, INDIANA, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 20, 139.97 FEET TO THE NORTHEAST CORNER OF SAID LOT 20, THENCE NORTH 76 DEGREES 05 MINUTES 21 SECONDS WEST ALONG THE NORTH LINE OF SAID LOT 20, 91.83 FEET, THENCE SOUTH 13 DEGREES 52 MINUTES 17 SECONDS WEST, 86.96 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 88 DEGREES 36 MINUTES 57 SECONDS EAST, 18.43 FEET; THENCE SOUTH 00 DEGREES 17 MINUTES 19 SECONDS WEST, 66.20 FEET; THENCE NORTH 88 DEGREES 11 MINUTES 43 SECONDS WEST; 110.16 FEET, MORE OR LESS, TO THE SOUTHWESTERLY LINE OF SAID LOT 20, THENCE NORTHWESTERLY ALONG SAID SOUTHWESTERLY LINE, 29.9 FEET; THENCE NORTH 60 DEGREES 07 MINUTES 03 SECONDS EAST, 42.3 FEET; THENCE NORTH 00 DEGREES 57 MINUTES 10 SECONDS EAST, 16.77 FEET; THENCE SOUTH 88 DEGREES 36 MINUTES 57 SECONDS EAST, 67.27 FEET TO THE POINT OF BEGINNING; EXCEPTING THEREFROM ALL THAT PART LYING WITHIN PARCEL "A" DESCRIBED ABOVE, FOR PURPOSES OF INGRESS AND EGRESS TO AND FROM PARCEL "A" ABOVE.

COMMONLY KNOWN AS: 2581 PARKVIEW AVENUE, PORTAGE, IN 46368
TAXING UNIT 08; PARCEL 000210161

PARCEL 10-2:

PARCEL B:

A PARCEL OF LAND BEING PART OF LOT 20 IN BENDER'S RIDGE, UNIT #1, IN THE CITY OF PORTAGE, AS PER PLAT THEREOF, RECORDING IN PLAT BOOK 3, PAGE 60, IN THE OFFICE OF THE RECORDER OF PORTER COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

COMMENCING AT SOUTHEAST CORNER OF SAID LOT 20; THENCE NORTH 00 DEGREES 04 MINUTES 30 SECONDS EAST ALONG THE EAST LINE OF SAID LOT 20, 139.97 FEET TO THE NORTHEAST CORNER OF SAID LOT 20; THENCE NORTH 76 DEGREES 05 MINUTES 21 SECONDS WEST ALONG THE NORTH LINE OF SAID LOT 20, 91.83 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 13 DEGREES 52 MINUTES 17 SECONDS WEST 120.76 FEET; THENCE NORTH 84 DEGREES 24 MINUTES 19 SECONDS WEST, 56.46 FEET; THENCE SOUTH 63 DEGREES 13 MINUTES 13 SECONDS WEST, 36.7 FEET, MORE OR LESS, TO THE SOUTHWESTERLY LINE OF SAID LOT 20, SAID LINE BEING ALSO THE RIGHT-OF-WAY OF PARKVIEW AVENUE; THENCE NORTHWESTERLY ALONG SAID SOUTHWESTERLY LINE OF SAID LOT, 48.8 FEET, MORE OR LESS, TO THE WEST LINE OF SAID LOT 20; THENCE NORTH 13 DEGREES, 15 MINUTES 20 SECONDS EAST ALONG SAID LINE, 137.60 FEET TO THE NORTHWEST CORNER OF SAID LOT 20; THENCE SOUTH 76 DEGREES 05 MINUTES 21 SECONDS EAST ALONG LINE OF SAID LOT 20; 127.62 FEET TO THE POINT OF BEGINNING, TOGETHER WITH THE RIGHT OF EASEMENT TO GO UPON, OVER, ACROSS, UNDER AND TO USE THE FOLLOWING DESCRIBED REAL ESTATE, TO WIT:

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EXHIBIT "A" (continued)

A PARCEL OF LAND BEING PART OF LOT 20 IN BENDER'S RIDGE, UNIT #1, IN THE CITY OF PORTAGE, AS PER PLAT THEREOF, RECORDED IN PLAT BOOK 3, PAGE 60, IN THE OFFICE OF THE RECORDER OR PORTER COUNTY, INDIANA, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 20; THENCE NORTH 00 DEGREES 04 MINUTES 30 SECONDS EAST ALONG EAST LINE OF SAID LOT 20, 139.97 FEET TO THE NORTHEAST CORNER OF SAID LOT 20; THENCE NORTH 76 DEGREES 05 MINUTES 21 SECONDS WEST ALONG THE NORTH LINE OF SAID LOT 20, 91.83 FEET, THENCE SOUTH 13 DEGREES 52 MINUTES 17 SECONDS WEST, 86.96 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 88 DEGREES 36 MINUTES 57 SECONDS EAST, 18.43 FEET; THENCE SOUTH 00 DEGREES 17 MINUTES 19 SECONDS WEST, 66.2 FEET, THENCE NORTH 88 DEGREES 11 MINUTES 43 SECONDS WEST, 110.16 FEET, MORE OR LESS, TO THE SOUTHWESTERLY LINE OF SAID LOT 20; THENCE NORTHWESTERLY ALONG SAID SOUTHWESTERLY LINE, 29.9 FEET; THENCE NORTH 60 DEGREES 07 MINUTES 03 SECONDS EAST, 42.3 FEET; THENCE NORTH 00 DEGREES 36 MINUTES 57 SECONDS EAST, 67.27 FEET TO THE POINT OF BEGINNING; EXCEPTING THEREFROM ALL THAT PART LYING WITHIN PARCEL "B" DESCRIBED ABOVE, FOR PURPOSES OF INGRESS AND EGRESS TO AND FROM PARCEL "B" ABOVE.

COMMONLY KNOWN AS: 2573 PARKVIEW AVENUE, PORTAGE, IN 46368
TAXING UNIT 08; 000210150

PARCEL 11:

THE EAST HALF OF LOTS 6 AND 7 IN BLOCK 1 IN WEST VALPARAISO, IN THE CITY OF VALPARAISO, AS PER PLAT THEREOF, RECORDED IN MISCELLANEOUS RECORD "A", PAGE 32, IN THE OFFICE OF THE RECORDER OF PORTER COUNTY, INDIANA.

COMMONLY KNOWN AS: 456 WEST JEFFERSON STREET, VALPARAISO, IN 46385
TAXING UNIT 01; PARCEL 000317261

PARCEL 12:

THE WEST HALF OF LOT 7 IN BLOCK 1 IN WEST VALPARAISO, IN THE CITY OF VALPARAISO, AS PER PLAT THEREOF, RECORDED IN MISCELLANEOUS RECORD "A", PAGE 32, IN THE OFFICE OF THE RECORDER OF PORTER COUNTY, INDIANA.

COMMONLY KNOWN AS: 458 WEST JEFFERSON STREET, VALPARAISO, IN 46385
TAXING UNIT 01; PARCEL 000406935

PARCEL 13:

THE EAST 39 FEET OF LOTS 1 AND 2 IN BLOCK 15 IN WOODHULL'S ADDITION TO THE TOWN (NOW CITY) OF VALPARAISO, AND THE TRACT ORIGINALLY PLATTED AS THE NORTH AND SOUTH ALLEY BETWEEN LOTS 1, 2, 7 AND 8 IN SAID BLOCK 15 OF WOODHULL'S ADDITION TO THE TOWN (NOW CITY) OF VALPARAISO, AS PER PLAT THEREOF, RECORDED IN MISCELLANEOUS RECORD "A", PAGES 90 AND 91, IN THE OFFICE OF THE RECORDER OF PORTER COUNTY, INDIANA, AND MORE PARTICULARLY DESCRIBED AS BEGINNING AT THE SOUTHWEST CORNER OF LOT 8 OF BLOCK 15 OF WOODHULL'S ADDITION TO THE TOWN (NOW CITY) OF VALPARAISO, AND RUNNING THENCE WEST 55 1/2 FEET; THENCE NORTH 132 FEET; THENCE EAST 55 1/2 FEET TO THE NORTHWEST CORNER OF LOT 7 IN SAID BLOCK 15; THENCE SOUTH 132 FEET ALONG THE WEST LINE OF SAID LOTS 7 AND 8 TO THE PLACE OF BEGINNING.

COMMONLY KNOWN AS: 503 EAST MONROE STREET, VALPARAISO, IN 46388
TAX UNIT 01; PARCEL 000183914

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EXHIBIT "A" (continued)

PARCEL 14:

LOT 34, EXCEPT THE SOUTH 12 FEET THEREOF, IN YORKTOWNE SQUARE, IN THE CITY OF VALPARAISO, AS PER PLAT THEREOF, RECORDED APRIL 19, 1976 IN PLAT FILE 15-I-1, IN THE OFFICE OF THE RECORDER OF PORTER COUNTY, INDIANA.

COMMONLY KNOWN AS: 2216-2222 GLENDALE, VALPARAISO, IN 46383
TAXING UNIT 01; PARCEL 000183915

Property of Lake County Recorder