

2023 09/11/23 03:43 PM  
TOTAL FEES: 25.00  
BY: JAS  
PG #: 5  
RECORDED AS PRESENTED

STATE OF INDIANA  
LAKE COUNTY  
FILED FOR RECORD  
GINA PIMENTEL  
RECORDER

CTNW8303455

## PARTIAL RELEASE OF TRI-PARTY AGREEMENT

**FOR THE PROTECTION OF THE OWNER, THIS PARTIAL RELEASE SHALL BE FILED WITH THE RECORDER OF DEEDS OR THE REGISTRAR OF TITLES IN WHOSE OFFICE THE MORTGAGE AND ASSIGNMENT OF RENTS WAS FILED.**

KNOW ALL MEN BY THESE PRESENTS, That **D.R. HORTON, INC. - MIDWEST**, a California corporation, its successors and assigns ("Purchaser"), **CENTER BANK**, its successors and assigns ("Lender"), and **LBL DEVELOPMENT, LLC**, an Indiana limited liability company, its successors and assigns ("Seller"), each for and in consideration of the obligations set forth therein and the payment by Seller of a portion of the indebtedness owed to each Purchaser and Lender, HEREBY REMISE and RELEASE that certain Tri-Party Agreement dated June 15, 2022, recorded on June 28, 2022 as Document No. 2022-526591 with the Lake County, Indiana Recorder's Office, SOLELY WITH RESPECT to the premises herein described in Exhibit A, attached hereto and made a part hereof.

This Release is in no way to operate to discharge the lien or applicability of said Tri-Party Agreement upon any other of the premises described therein, but it is only to release the portion particularly described herein and none other; the remaining or unreleased portions of the premises described in said Tri-Party Agreement shall remain subject to all covenants, conditions, and obligations contained in said Tri-Party Agreement.

This Release is executed and delivered this 6 day of September, 2023, by a duly authorized officer of the Mortgagee.

[Signatures Follow]

CHICAGO TITLE INSURANCE COMPANY

# NOT AN OFFICIAL DOCUMENT

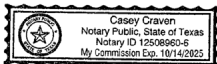
D. R. HORTON, INC. - MIDWEST,  
a California Corporation

By: *Bill W. Wheat*  
Name: Bill W. Wheat  
Title: Chief Financial Officer

STATE OF Texas )  
COUNTY OF Tarrant ) SS )

I, the undersigned, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY that Bill W. Wheat the CFO of D.R. HORTON, INC. - MIDWEST ("Purchaser"), personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day, in person and severally acknowledged that he signed and delivered the said instrument, as his free and voluntary act and the free and voluntary act of Purchaser or the uses and purposes therein set forth.

Given under my hand and official seal, this 7<sup>th</sup> day of August, 2023.



*Casey Craven*  
NOTARY PUBLIC Casey Craven

# NOT AN OFFICIAL DOCUMENT

LBL DEVELOPMENT, LLC, an Indiana limited liability company

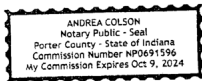
By: Lotton Development, Inc., an Illinois corporation

By:   
Jonathan Lotton, Vice-President

STATE OF INDIANA                    )  
  ) SS  
COUNTY OF LAKE                    )

I, the undersigned, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY that Jonathan Lotton, Vice President of Lotton Development, Inc., manager of LBL DEVELOPMENT, LLC, an Indiana limited liability company ("Seller"), personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day, in person and severally acknowledged that he signed and delivered the said instrument, as his free and voluntary act and the free and voluntary act of Seller or the uses and purposes therein set forth.

Given under my hand and official seal, this 9 day of September, 2023.



  
NOTARY PUBLIC Andrea Colson



# NOT AN OFFICIAL DOCUMENT

## EXHIBIT A LEGAL DESCRIPTION

**For APN/Parcel ID(s): 45-15-02-300-002.000-059**

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PARCEL 1:

LOTS 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, AND 2514 IN THE GATES OF ST. JOHN UNIT 25, THE PLAT OF THEREOF RECORDED AUGUST 3, 2023, IN PLAT BOOK 117, PAGE 34, AS INSTRUMENT NUMBER 2023-019771 IN THE OFFICE OF THE RECORDER OF LAKE COUNTY, INDIANA. AMENDED BY AN AFFIDAVIT AND CERTIFICATION OF AMENDMENT RECORDED SEPTEMBER 1, 2023 AS INSTRUMENT NO. 2023-528625.

**For APN/Parcel ID(s): 45-15-02-300-002.000-059**

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PARCEL 2:

LOTS 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, AND 2584 IN THE GATES OF ST. JOHN UNIT 25, THE PLAT OF THEREOF RECORDED AUGUST 3, 2023, IN PLAT BOOK 117, PAGE 34, AS INSTRUMENT NUMBER 2023-019771, IN THE OFFICE OF THE RECORDER OF LAKE COUNTY, INDIANA. AMENDED BY AN AFFIDAVIT AND CERTIFICATION OF AMENDMENT RECORDED SEPTEMBER 1, 2023 AS INSTRUMENT NO. 2023-528625.

**For APN/Parcel ID(s): 45-15-02-300-002.000-059**

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PARCEL 3:

LOTS 2515, 2516, AND 2517 IN THE GATES OF ST. JOHN UNIT 25, THE PLAT OF THEREOF RECORDED AUGUST 3, 2023, IN PLAT BOOK 117, PAGE 34, AS INSTRUMENT NUMBER 2023-019771, IN THE OFFICE OF THE RECORDER OF LAKE COUNTY, INDIANA. AMENDED BY AN AFFIDAVIT AND CERTIFICATION OF AMENDMENT RECORDED SEPTEMBER 1, 2023 AS INSTRUMENT NO. 2023-528625.

**For APN/Parcel ID(s): 45-15-02-300-002.000-059**

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PARCEL 4:

LOTS 2570, 2571, 2572, AND 2573 IN THE GATES OF ST. JOHN UNIT 25, THE PLAT OF THEREOF RECORDED AUGUST 3, 2023, IN PLAT BOOK 117, PAGE 34, AS INSTRUMENT NUMBER 2023-019771, IN THE OFFICE OF THE RECORDER OF LAKE COUNTY, INDIANA. AMENDED BY AN AFFIDAVIT AND CERTIFICATION OF AMENDMENT RECORDED SEPTEMBER 1, 2023 AS INSTRUMENT NO. 2023-528625.