



# PLAN COMMISSION STAFF REPORT

**To:** Members of the Plan Commission

**From:** Sergio Mendoza, Planning Director

**Meeting Date:** March 12, 2024

**Agenda Item:** PC 24-001

**Application Type:** PUD Amendment

**Hearing:** Preliminary

**Summary:** Lake Business Center is requesting an amendment to the Lake Business Center Planned Unit Development to modify the the recorded lots of the development plan for LAKE BUSINESS CENTER SUBDIVISION, RESUBDIVISION, OF LOT 1 by creating LOT 1, LOT 3, and OUTLOT A, of propsoed SECOND RE-SUBDIVISION OF LOT 1 OF LAKE BUSINESS CENTER SUBDIVISION LOT 1, at 9200 Calumet Avenue.

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**Applicant:** Jason Spain, HWC for Lake Business Center LBCOI Owner, c/o Phil Goldberg

**Property Address:** 9200 Calumet Avenue

**Current Zoning:** SD-PUD Planned Unit Development Special District

**Adjacent Zoning:**  
North: SD-PUD Planned Unit Development Special District  
South: SD-PUD Planned Unit Development Special District  
East: SD-PUD Planned Unit Development Special District  
West: SD-PUD Planned Unit Development Special District

**Applicant Requesting:** Schedule for Public Hearing

**Action Required:** Schedule Public Hearing  
Review of: 26-6.804. L. 9. k. xiii. l. - XII

**Staff Recommendation:** Motion to set PC 24-001 for an April 9, 2024 Public Hearing

**Attachments:**

1. PUD Amendment Application, Exhibit A (pg 6)
2. Alta Survey, Exhibit B (pg 13)
3. Re-Subdivision/Replat, Exhibit C (pg 16)

## SITE LOCATION

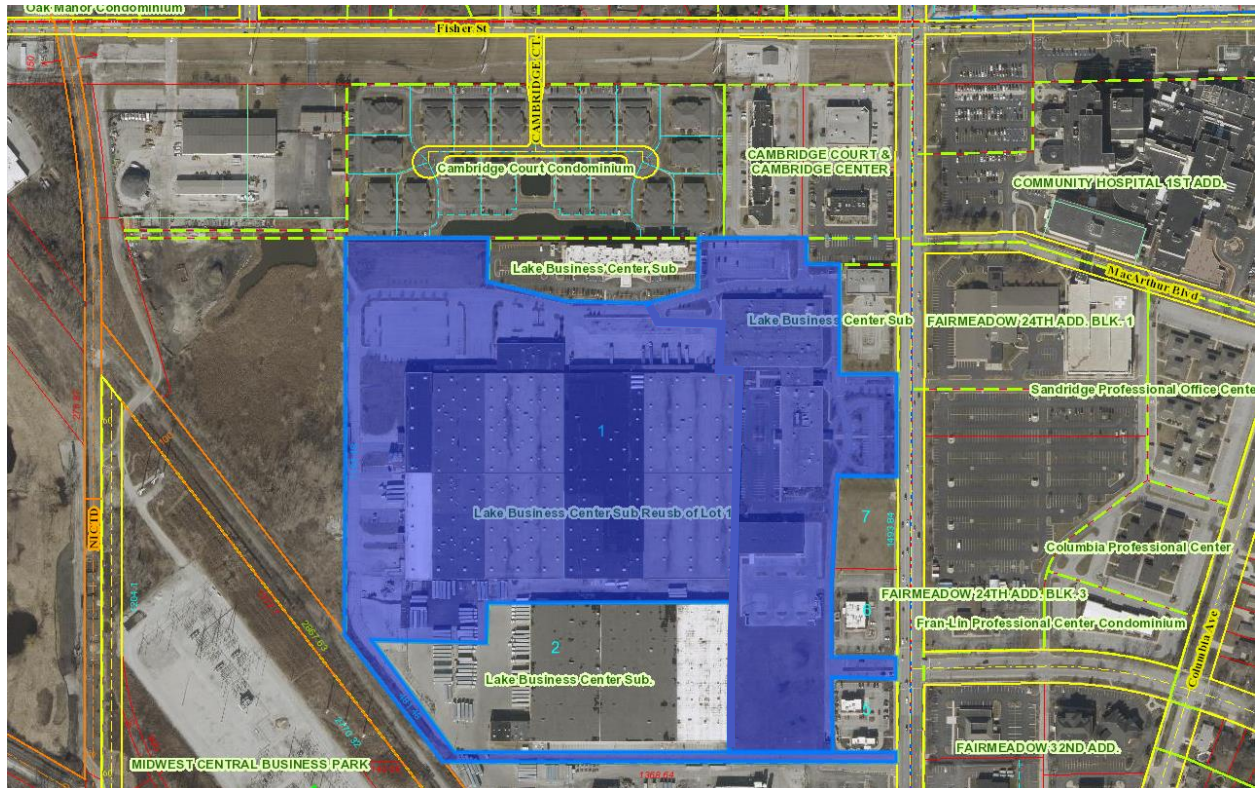


Image 1: Lake Business Center, Lot - subject property highlighted in blue.

## PROJECT BRIEFING

The subject property is located at 9200 Calumet Avenue, Lake Business Center development. The site is approximately 41.5 acres of mixed warehouse, office, and medical uses. The site was rezoned in 2006 from from M (manufacturing) to PUD (ORD. 1311) for “Lifestyle Shopping Center.” In 2012 the PUD was amended per ORD 1559 to change the Lifestyle Shopping Center to a “Mixed use Retail Office Warehouse Facility.” The PUD was amended again in 2013 per ORD. 1602 for the re-subdivision/replat of Lot 1 Lake Business Center Subdivision into lots 5, 6, and 7 and to include a Development Plan for one building, two restaurants on lot 6. In 2015 the PUD was amended per ORD. 1658 to include a Development Plan for two standalone restaurant buildings on Lot 5, including road and access reconfiguration. Last year, in 2023, the PUD was amended per ORD. 1897 to expand an existing warehouse use, modify parking and docks, and landscaping plan. Also in 2023, the PUD was updated to include a signage program per ORD. 1905.

Jason Spain with HWC is representing LBCOI Owner, LLC and LBC Owner, LLC c/o Phil Goldberg for a proposed Amendment to the LAKE BUSINESS CENTER PLANNED UNIT DEVELOPMENT. The proposed Planned Unit Development (PUD) Amendment is to modify the plat and increase the total number of Lots of Record in LAKE BUSINESS CENTER PLANNED UNIT DEVELOPMENT. The proposed amendment will recognize three subdivided lots: LOTS 1, 3, and OUTLOT A in accordance with the plats, plans and specification submitted for the proposed SECOND RE-SUBDIVISION OF LOT 1 OF LAKE BUSINESS CENTER SUBDIVISION LOT 1 SUBDIVISION. The proposed PUD Amendment would recognize previous Lot 1 of the RESUBDIVISION OF LAKE BUSINESS CENTER SUBDIVISION as: OUTLOT A, 1.48 acre as a Stormwater Management Easement which has a pre-existing underground stormwater detention system as it's

primary use. The remaining proposed two lots are as follows: LOT 1, 26.90 acres and LOT 3, 13.32 acres. No modification to bulk standards, alterations to design requirements, or changes/addition to the uses are proposed to the PUD Amendment of Lake Business Center.

## **CODE REFERENCE**

### **TOWN OF MUNSTER CHARACTER BASED ZONING CODE**

#### **Section 26-6.804. L. 9. Specifics Supplemental Provisions Related to Planned Unit Developments. (pg 402)**

**k.** The procedure for...amending an existing SD-PUD...shall be as follows:

**xiii.** The Plan Commission may recommend ... amendment to the SD-PUD...provided that it finds that:

- I.** The proposed Development in the SD-PUD Planned Unit Development Special District or amended SD-PUD Planned Unit Development Special District will not detrimentally affect present or potential property values or Uses of Adjacent property or elsewhere in Town.
- II.** The proposed Development in the SD-PUD Planned Unit Development Special District or amended SD-PUD Planned Unit Development Special District adequately takes into account existing and proposed conditions and character of the land, Uses, Buildings, and Development proposed to be subject to the SD-PUD Planned Unit Development Special District or amended SD-PUD Planned Unit Development Special District and within all Adjacent Districts.
- III.** The proposed Development in the SD-PUD Planned Unit Development Special District or amended SD-PUD Planned Unit Development Special District will have a beneficial effect on the Town, which could not be achieved if the SD-PUD Planned Unit Development Special District or amended SD-PUD Planned Unit Development Special District were not approved and the such Development was developed under the standards of any other District.
- IV.** Any deviation from the standards or requirements that otherwise would be applicable with another District is warranted by the design and amenities incorporated in the Development Plan.
- V.** The SD-PUD Planned Unit Development Special District or amended SD-PUD Planned Unit Development Special District is necessary to address unique site conditions that are not characteristics of other sites in the Town and the application and Development Plan adequately address the same.
- VI.** The proposed SD-PUD Planned Unit Development Special District or amendment to SD-PUD Planned Unit Development Special District and the Development proposed therein are:
  - 1)** either compatible with the land and existing or anticipated Development Adjacent to such SD-PUD Planned Unit Development Special District or the land and existing or anticipated Development Adjacent to such SD-PUD Planned Unit Development Special District can be planned in coordination with the proposed Development within such SD-PUD Planned Unit Development Special District;

- 2) the most desirable Development and Use(s) for which the property subject to the proposed SD-PUD Planned Unit Development Special District or amended SD-PUD Planned Unit Development Special District is adapted; and
  - 3) constitute responsible growth and Development.
- VII. The proposed SD-PUD Planned Unit Development Special District or amendment to SD-PUD Planned Unit Development Special District is in conformance with the general intent of this Article and the Comprehensive Plan.
- VIII. Existing and proposed Thoroughfares are suitable and adequate to carry anticipated traffic within the proposed SD-PUD Planned Unit Development Special District or amended SD-PUD Planned Unit Development Special District and its vicinity.
- IX. Existing and proposed utility services are adequate for the proposed Development within the proposed SD-PUD Planned Unit Development Special District or amended SD-PUD Planned Unit Development Special District.
- X. Each phase of the proposed Development within the proposed SD-PUD Planned Unit Development Special District or amended SD-PUD Planned Unit Development Special District, contains the required parking spaces, and landscape and utility areas necessary for creating and sustaining a desirable and stable environment.
- XI. The proposed SD-PUD Planned Unit Development Special District or amended SD-PUD Planned Unit Development Special District and all proposed Buildings, parking accommodations, and landscape and utility areas therein can be completely Developed within five (5) years of the initial establishment of the District.
- XII. All conditions and requirements of Sections 26-6.804. L. 9. a. - .k have been satisfied.

#### **STAFF FINDINGS AND RECOMMENDATIONS**

Staff finds the applicant and interested parties have submitted a complete application, supporting document, including affidavit rights via email confirmation from Attorney Ari W. Krigel with Smith Gambrell Russell where he affirms an interested party is “generally on board” and where he expects Jason Spain, with HWC “...is going to continue to handle” the referenced PUD Amendment. Staff recommends compliance with SECTION 26-6.804. L. 9. k. xii. for Public Notice and Public Hearing and review of SECTION 26-6.804. L. 9. k. xiii. I. - XII of the TOWN OF MUNSTER CHARACTER BASED ZONING CODE summarized for the Public Hearing.

#### **MOTION**

Plan Commission may consider the following motion:

*Motion to schedule PC Docket 24-001, a proposed Amendment to the LAKE BUSINESS CENTER PLANNED UNIT DEVELOPMENT for an April 9, 2024 Public Hearing, including all discussion and findings.*





## EXHIBIT A

**Town of Munster** Plan Commission Petition ApplicationPetition PC 24 - 001

Date: \_\_\_\_\_

Application Fee: \$ \_\_\_\_\_

Sign Fee: \$ \_\_\_\_\_

**OWNER INFORMATION:**

LBCOI Owner, LLC and LBC Owner, LLC (see attached for additional owner information)	(708) 799-4900
Name of Owner	Phone Number
c/o Phil Goldberg, 1133 W 175th Street, Homewood, IL 60430	phil@simborg.com
Street address, City, ST, ZIP Code	Email address

**APPLICANT OR PETITIONER INFORMATION (if different than above):**

LBCOI Owner, LLC	(708) 799-4900
Name of Applicant/Petitioner	Phone Number
c/o Phil Goldberg, 1133 W 175th Street, Homewood, IL 60430	phil@simborg.com
Street address, City, ST, ZIP Code	Email address

**PROPERTY INFORMATION:**

Business or Development Name (if applicable)	
Lake Business Center See attached for legal description	
Address of Property or Legal Description	Current Zoning

**APPLICATION INFORMATION:**

Please select what this Application is for:

- ☐ **Subdivision**      If yes, select one of the following:      ☐ **Preliminary Plat**      ☐ **Final Plat**  
☐ **Development Plan Review**  
☒ **Rezoning (including Planned Unit Development) – Proposed Zoning District**

**Brief Description of Project:**

A portion of Lake Business Center was sold by LBC Owner, LLC to RXHST Munster, LLC, and the goal of the resubdivision is to divide the former lot 1, into separate legal lots, so there is no joint ownership of any legal lots.

Jason Spain, HWC Engineering

219-730-8722

Name of Registered Engineer, Architect or Land Surveyor

Phone Number

2929 Carlson Drive Ste. 305, Hammond, IN 46323

jspain@hwcengineering.com

Street address, City, ST, ZIP Code

Email address



Petition PC 24 - 001

***Town of Munster*** Plan Commission Application Signature Page

I hereby authorize \_\_\_\_\_ to act on my behalf as my agent in this petition and to furnish, upon request, supplemental information in support of this petition application.

DocuSigned by:  
LBCO Owner, LLC and LBC Owner, LLC

By: Phil Goldberg

1/22/24

0854FDEFAA054EA...  
**Signature of Owner**'s Authorized Signatory, Philip Goldberg

**Date**

DocuSigned by:  
LBCO Owner, LLC

By: Phil Goldberg

1/22/24

0854FDEFAA054EA...  
**Signature of Applicant**'s Authorized Signatory, Philip Goldberg

**Date**

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Additional Owner Information:

RXHST Munster, LLC  
120 N. Racine Ave., Suite 110  
Chicago, IL 60607  
Phone: (312) 498-5617  
Email: RBrenner@rxhst.com

RXHST Munster, LLC

By: \_\_\_\_\_  
Name: Russell Brenner  
Title: Authorized Signatory  
Date: 1/22/24

## REQUIRED ATTACHMENTS

### Required Attachments for Plan Commission Applications

To ensure that adequate information is provided to the Plan Commission, please check off each of these items and provide documentation to the Community Development Department at the time of submittal of the application.

ALL APPLICATIONS	Included	N/A
Narrative statement describing project	X	
Property owner consent (Signature page)	X	
Proof of Ownership (e.g. copy of tax bill)	X	
Current ALTA Survey	X	
Vicinity Plan (A dimensioned drawing to scale of the planned building(s)/improvements in the context of the surrounding properties, including existing buildings and driveways at least one block in every direction)	X	

The following pages list the additional attachments required for specific applications. Please refer to your type of petition request and provide the additional required attachments.

SUBDIVISION - PRELIMINARY PLAT	Included	N/A
<b>Single-Family Residential Subdivision</b>		
Preliminary Plat		
Engineering Plans		
Storm Water Report		
<b>Commercial or Multi-Family Residential Subdivision</b>		
Preliminary Plat		
Engineering Plans		
Storm Water Reports		
Preliminary Development Plan containing: Note: Existing Development Plan		
Boundary identification		
Fire hydrant locations		
Accessory structures		
Parking lot design		
Utility location		
Building footprints		
Proposed curb cuts		
Drainage/detention plans		
Traffic circulation		
Ingress/egress locations		
Major topographic information		
Infrastructure improvements		



<b>SUBDIVISION - FINAL PLAT</b>	Included	N/A
Final Plat		
Engineering Plans		
Stormwater report		
Special Studies as required – see Site Plan Review Committee minutes		

<b>REZONING (including PLANNED UNIT DEVELOPMENT amendments)</b>	Included	N/A
Preliminary Development Plan containing at a minimum:		
Boundary Identification	X	
Fire hydrant locations	X	
Accessory structures	X	
Parking lot design	X	
Utility location	X	
Building footprints	X	
Proposed curb cuts		X
Drainage/detention plans		X
Traffic circulation	X	
Ingress/egress locations	X	
Major topographic information	X	
Proposed Use table		X
Stormwater report		X
Special Studies as Required– see Site Plan Review Committee minutes		X

<b>DEVELOPMENT PLAN</b>	Included	N/A
Detailed Site plan including:		
Boundary identification		
Fire hydrant locations		
Accessory structures		
Parking lot design		
Utility location		
Building footprints		
Proposed curb cuts		
Drainage/detention plans		
Traffic circulation		
Ingress/egress locations		
Major topographic information		
Infrastructure improvements		
Square footage of:		
Lot or parcel		
Existing impervious surface		
Proposed total impervious (existing plus current proposal)		
Existing building		
Proposed total building (existing plus current proposal)		

Existing parking and pavement		
Proposed total parking and pavement (existing plus current proposal)		
Relevant dimensions including:		
Buildings		
Parking stalls		
Driveway widths		
Setbacks to buildings and other improvements		
Parking lot aisles, turnarounds, turning radii, etc.		
Distance from driveway to street corner if less than 200'		
Sidewalk, walkway and handicap ramp widths and locations		
Widths of abutting R.O.W.'s, roadways, and terraces.		
Full color architectural renderings of all building elevations with materials identified		
Proposed lighting for site, including:		
Photometric Plan		
Location of all light fixtures		
Pole height		
Luminaire type and manufacturer's specifications for all exterior light fixtures		
Landscaping plan drawn to scale including:		
Common and Latin plant names		
Planting specifications		
Total number of trees provided		
Total square footage of landscaped area on site and internal to the parking lot		
Identification of area used to calculate internal parking lot landscaping		
Fence detail drawing		
Dumpster enclosure detail drawing		
Sign detail drawing		
Special studies as required— see Site Plan Review Committee minutes		

**NOTE: If you checked any exhibits "N/A", please explain:**

Please note that there are no proposed site improvements for the site. Items listed as N/A have no impact. Items listed under Planned Unit Development Amendment are existing and can be reviewed and referenced in the ALTA survey.

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**AFFIDAVIT**

The undersigned are the Owners of the property at 9200 Calumet Avenue, Munster, Indiana.

In connection with the Town of Munster Site Plan Review Application (the “**Application**”), the undersigned authorize Jason Spain of HWC Engineering to act as their Project representative in order to obtain municipal approval of the Replat of Subdivision attached to the Application, and attend the Village meeting on behalf of the Owners.

**OWNERS:**

LBCOI Owner, LLC

By: 

Name: Phil Goldberg

Title: Authorized Signatory

Date: 1/ /24

RXHST Munster, LLC

DocuSigned by:



F4728C5FBD20495...

By:

Name: Russell Brenner

Title: Authorized Signatory

Date: 1/ /24

LBCOI Owner, LLC

1133 W 175th Street

Homewood, IL 60430

Phone: (708) 799-4900

Email: [phil@simborg.com](mailto:phil@simborg.com)

RXHST Munster, LLC

120 N. Racine Ave., Suite 110

Chicago, IL 60607

Phone: (312) 498-5617

Email: [RBrenner@rxhst.com](mailto:RBrenner@rxhst.com)

**From:** [Krigel, Ari](#)  
**To:** [Sergio Mendoza](#); [Denise Core](#)  
**Cc:** [Jason Spain](#); [Nicole Mazur](#); [Zahour, Kimberly](#); [Chuck Collins](#)  
**Subject:** RE: resub of LBC Sub Resub of Lot 1  
**Date:** Wednesday, February 28, 2024 1:51:40 PM  
**Attachments:** [image001.png](#)

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Sergio – The lender is already generally on board, so that's not a material concern at this point. I see the timeline puts this into May, so we're comfortable moving forward.

We'll follow up regarding payment.

Yes, we expect Jason is going to continue to handle. I'll coordinate with Jason.

**Ari W. Krigel**  
*Partner*

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**p** | 312-360-6726  
**m** | 847-708-9626  
**f** | 312-360-6520  
**e** | [akrigel@sgrlaw.com](mailto:akrigel@sgrlaw.com)  
311 South Wacker Drive | Suite 3000 | Chicago, IL 60606  
[www.sgrlaw.com](http://www.sgrlaw.com) | [My Bio](#) | [vCard](#)



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**From:** Sergio Mendoza <[smendoza@munster.org](mailto:smendoza@munster.org)>  
**Sent:** Wednesday, February 28, 2024 7:54 AM  
**To:** Denise Core <[DCore@munster.org](mailto:DCore@munster.org)>; Krigel, Ari <[akrigel@sgrlaw.com](mailto:akrigel@sgrlaw.com)>  
**Cc:** Jason Spain <[jspain@hwcengineering.com](mailto:jspain@hwcengineering.com)>; Nicole Mazur <[nmazur@munster.org](mailto:nmazur@munster.org)>; Zahour, Kimberly <[kzahour@sgrlaw.com](mailto:kzahour@sgrlaw.com)>; Chuck Collins <[ccollins@munster.org](mailto:ccollins@munster.org)>  
**Subject:** RE: resub of LBC Sub Resub of Lot 1

Some people who received this message don't often get email from [smendoza@munster.org](mailto:smendoza@munster.org). [Learn why this is important](#)

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning All: Yes, Please, let's keep this process moving forward.

I'm working on staff reports this week. If we don't receive payment by Friday I'll note that in the report and ask that the matter be deferred to next month.

Ari: Do you know when we would have the lender consent for the PUD Amendment? Also, will you or Jason be representing the PUD Amendment? The affidavit we have on file reads "obtain ... approval of the Replat of Subdivision ..."

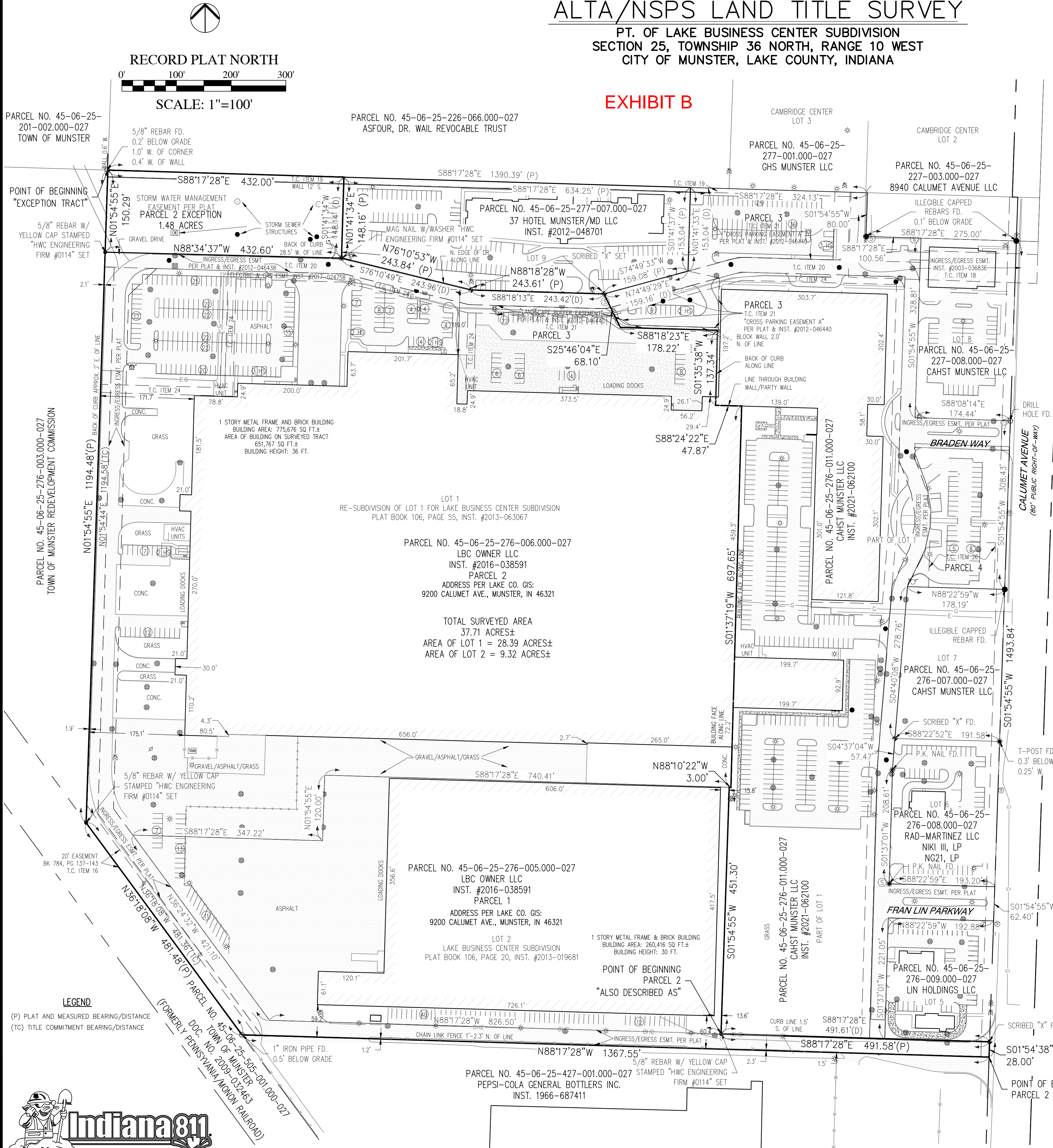
Sergio Carrera Mendoza  
Planning Director



ALTA/NSPS LAND TITLE SURVEY

PT. OF LAKE BUSINESS CENTER SUBDIVISION  
SECTION 25, TOWNSHIP 36 NORTH, RANGE 10 WEST  
CITY OF MUNSTER, LAKE COUNTY, INDIANA

EXHIBIT B



LAND DESCRIPTION – CHICAGO TITLE INSURANCE  
COMMITMENT NO. CCH12205970NT  
DATED 8/15/22, REVISED 9/27/22

Parcel 1:  
LOT 2 IN LAKE BUSINESS CENTER SUBDIVISION, AS PER PLAT THEREOF, RECORDED IN PLAT BOOK 106, PAGE 20 AS DOCUMENT NUMBER 2013-019681, IN THE OFFICE OF THE RECORDER, LAKE COUNTY, INDIANA.

Parcel 2:  
THAT PART OF LOT 1 IN THE RE-SUBDIVISION OF LOT 1 FOR LAKE BUSINESS CENTER SUBDIVISION, AS PER PLAT THEREOF, RECORDED IN PLAT BOOK 106, PAGE 55 AS DOCUMENT NUMBER 2013-063067, IN THE OFFICE OF THE RECORDER, LAKE COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 1; THENCE, N 88° 17' 28" W ALONG THE SOUTH LINE OF SAID LOT 1 FOR A DISTANCE OF 1367.55 FEET TO THE WEST OF LINE OF SAID LOT 1; THENCE, N 36° 18' 08" W FOR A DISTANCE OF 481.36 FEET; THENCE CONTINUING ALONG SAID WEST LINE N 01° 54' 44" E FOR A DISTANCE OF 1194.58 FEET TO THE NORTH LINE OF SAID LOT 1; THENCE ALONG SAID NORTH LINE, S 88° 17' 28" E FOR A DISTANCE OF 432.00 FEET TO THE NORTHWEST CORNER OF LOT 9 IN SAID LAKE BUSINESS CENTER; THENCE ALONG THE WEST LINE OF SAID LOT 9, S 01° 41' 34" W FOR A DISTANCE OF 148.14 FEET TO THE SOUTH LINE OF SAID LOT 9; THENCE ALONG SAID SOUTH LINE, S 76° 10' 49" E FOR A DISTANCE OF 243.96 FEET; THENCE CONTINUING ALONG SAID SOUTH LINE, S 88° 18' 23" E FOR A DISTANCE OF 243.42 FEET; THENCE, S 25° 46' 04" E FOR A DISTANCE OF 68.10 FEET; THENCE, S 88° 18' 23" E FOR A DISTANCE OF 178.22 FEET; THENCE, S 01° 35' 38" W FOR A DISTANCE OF 137.34 FEET; THENCE, S 88° 24' 22" E FOR A DISTANCE OF 47.87 FEET; THENCE, S 01° 37' 19" W FOR A DISTANCE OF 697.65 FEET; THENCE N 88° 10' 22" W FOR A DISTANCE OF 3.00 FEET; THENCE S 01° 54' 55" W FOR A DISTANCE OF 451.30 FEET; THENCE S 88° 17' 28" E FOR A DISTANCE OF 491.61 FEET TO THE EAST LINE OF SAID LOT 1; THENCE, S 01° 54' 38" W FOR A DISTANCE OF 28.00 FEET TO THE POINT OF BEGINNING.

Parcel 2 ('AS-SURVEYED') (MEASURED):  
THAT PART OF LOT 1 IN THE RE-SUBDIVISION OF LOT 1 FOR LAKE BUSINESS CENTER SUBDIVISION, AS PER PLAT THEREOF, RECORDED IN PLAT BOOK 106, PAGE 55 AS DOCUMENT NUMBER 2013-063067, IN THE OFFICE OF THE RECORDER, LAKE COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 1; THENCE, N 88° 17' 28" W ALONG THE SOUTH LINE OF SAID LOT 1 FOR A DISTANCE OF 1367.55 FEET TO THE WEST OF LINE OF SAID LOT 1; THENCE, N 36° 18' 08" W ALONG A WEST LINE OF SAID LOT 1 FOR A DISTANCE OF 481.48 FEET TO A WEST LINE OF SAID LOT 1; THENCE ALONG SAID WEST LINE N 01° 54' 55" E FOR A DISTANCE OF 1194.48 FEET TO THE NORTH LINE OF SAID LOT 1; THENCE ALONG SAID NORTH LINE, S 88° 17' 28" E FOR A DISTANCE OF 432.00 FEET TO THE NORTHWEST CORNER OF LOT 9 IN SAID LAKE BUSINESS CENTER; THENCE ALONG THE WEST LINE OF SAID LOT 9, S 01° 41' 34" W FOR A DISTANCE OF 148.16 FEET TO THE SOUTH LINE OF SAID LOT 9; THENCE ALONG SAID SOUTH LINE, S 76° 10' 53" E FOR A DISTANCE OF 243.84 FEET; THENCE CONTINUING ALONG SAID SOUTH LINE, S 88° 18' 28" E FOR A DISTANCE OF 178.22 FEET; (3) THENCE, S 01° 35' 38" W FOR A DISTANCE OF 137.34 FEET; (4) THENCE, S 88° 24' 22" E FOR A DISTANCE OF 47.87 FEET; (5) THENCE, S 01° 37' 19" W FOR A DISTANCE OF 697.65 FEET; (6) THENCE N 88° 10' 22" W FOR A DISTANCE OF 3.00 FEET TO THE NORTHEAST CORNER OF LOT 2 OF SAID SUBDIVISION; (7) THENCE S 01° 54' 55" W ALONG THE EAST LINE OF SAID LOT 2 FOR A DISTANCE OF 451.30 FEET TO THE SOUTHEAST CORNER OF SAID LOT 2; THENCE S 88° 17' 28" E ALONG A NORTH LINE OF THE INGRESS AND EGRESS EASEMENT PER SAID SUBDIVISION PLAT FOR A DISTANCE OF 491.58 FEET TO THE EAST LINE OF SAID LOT 1; THENCE, S 01° 54' 38" W ALONG SAID EAST LINE FOR A DISTANCE OF 28.00 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THAT PART OF LOT 1 IN LAKE BUSINESS CENTER SUBDIVISION, AS PER PLAT THEREOF, RECORDED IN PLAT BOOK 106, PAGE 20 AS INSTRUMENT NUMBER 2013-019681 AND PART OF LOT 1 IN THE RE-SUBDIVISION OF LOT 1 FOR LAKE BUSINESS CENTER SUBDIVISION, AS PER PLAT THEREOF, RECORDED IN PLAT BOOK 106, PAGE 55 AS INSTRUMENT NUMBER 2013-063067, IN THE OFFICE OF THE RECORDER, LAKE COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 1; THENCE SOUTH 88 DEGREES 17 MINUTES 28 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 1 A DISTANCE OF 432.00 FEET TO THE NORTHWEST CORNER OF LOT 9 OF SAID PLOT; THENCE SOUTH 01 DEGREE 41 MINUTES 34 SECONDS WEST ALONG THE WEST LINE OF SAID LOT 9 A DISTANCE OF 148.16 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE NORTH 88 DEGREES 34 MINUTES 37 SECONDS WEST ALONG THE NORTH LINE OF ON INGRESS AND EGRESS EASEMENT AS DEPICTED ON SAID PLAT A DISTANCE OF 432.60 FEET TO THE WEST LINE OF AFORESAID LOT 1; THENCE NORTH 1 DEGREE 54 MINUTES 55 SECONDS EAST ALONG SAID WEST LINE A DISTANCE OF 150.29 FEET TO THE POINT OF BEGINNING, CONTAINING 1.48 ACRES, MORE OR LESS.

Parcel 3:  
A non-exclusive easement for the benefit of Parcels 1 and 2 for vehicular access, ingress, egress, cross-parking and landscaping as recited in Declaration of Easement and Restrictive Covenant by Munster Development LLC, recorded July 16, 2012 as Instrument No. 2012-046440 and amended by First Amendment to Declaration of Easements and Restrictive Covenant between LBC Owner LLC, Munster Development LLC and 37 Hotel Munster/MD LLC dated September 22, 2021 and recorded October 4, 2021 as Instrument No. 2021-062099.

Parcel 4:  
A non-exclusive easement for the benefit of Parcel 2 for ingress, egress and parking as recited in Reciprocal Grant of Ingress/Egress and Parking Easement recorded March 15, 2018 as Instrument Number 2018 016797.

Parcel 5:  
A non-exclusive easement for the benefit of Parcels 1 and 2 for party wall, garbage, and shared facilities as recited in Declaration of Party Wall & Grant of Easements Agreement between LBC Owner LLC and CAHST MUNSTER, LLC dated September 22, 2021 and recorded October 4, 2021 as Instrument Number 2021-062102.

UTILITY NOTE

This survey reflects above ground indications of utilities and information available from utility companies. Utility locations were requested from Indiana 811 on September 22, 2022 (reference ticket numbers 2209222877, 2209222882, 2209222886, 2209222889, 2209222923, 2209222927, 2209222933, and 2209222937). The surveyor makes no guarantee that the underground utilities shown comprise all such utilities in the area, either in service or abandoned. The surveyor further does not warrant that the underground utilities shown are in the exact location indicated, although he does certify that they are located as accurately as possible from the information available. The surveyor has not physically located the underground utilities.

Member Utilities contacted during this project include:

- Comcast North
- Town of Munster
- IN Fiber Network dba Intelligent Fiber Network
- Munster Utility Department
- Wolverine Pipeline
- NIPSCO Gas (Hammond)
- NIPSCO Electric (Hammond)
- AT&T – Distribution
- Cable TV
- Fiber Optic
- Sewer, Water
- Pipeline
- Gas
- Electric
- Communications

TITLE COMMITMENT SCHEDULE BII ITEMS  
CHICAGO TITLE INSURANCE COMMITMENT NO. CCH12205970NT,  
DATED 8/15/22, REVISED 9/27/22

Items 1-14. Items not shown by Public Record; Taxes; Assessments; Rights of the public for road purposes; Rights of way for drainage features; and Acreage contained in legal descriptions. [NOT A SURVEY MATTER, NOTHING PLOTTED]

Item 15. Covenants, conditions, restrictions, easements and building lines set out on the Plat of Lake Business Center Subdivision, recorded as PB 106, PG 20, Inst. #2013-019681; Re-Subdivision of Lot 1 recorded as PB 106, PG 55, Inst. #2013-063067. [EASEMENTS DEPICTED ON PLAT PLOTTED HERON, EASEMENT PROVISIONS ARE GENERAL OR BLANKET IN NATURE, NOT PLOTTABLE.]

Item 16. Easement in favor of Monon Railroad, recorded in Book 784, Pages 137-143. (affects Parcel 2) [EASEMENT PLOTTED, 20' PARALLEL TO RAILROAD ALONG SOUTHWEST LINE OF SURVEYED TRACT.]

Item 17. Grant of Easement conveyed to the Town of Munster recorded as Inst. #98090848, re-recorded Inst. #99003407. (affects Parcels 1 & 2) [EASEMENT FOR TRAIL ALONG CALUMET AVE., DOES NOT CROSS SURVEYED TRACT.]

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Item 20. Ingress & Egress Easement by and between Munster Development LLC and Town of Munster, recorded as Inst. #2012-046438. (affects Parcel 2) [EXHIBIT C ACCESS EASEMENT DESCRIPTION PLOTTED, CROSSES SURVEYED TRACT, FALLS ON LOT 1 OF SUBDIVISION.]

Item 21. Covenants, conditions, restrictions, easements set out in Declaration of Easement and Restrictive Covenant by Munster Development LLC, Inst. #2012-046440; First Amendment to Declaration, Inst. #2021-062099. [INGRESS/EGRESS EASEMENT B (SAME AS ITEM 20), CROSS PARKING EASEMENT (TOGETHER WITH); AND LANDSCAPE BUFFER EASEMENT PLOTTED, ALL EASEMENTS CROSS SURVEYED TRACT AND FALLS ON LOT 1 OF SUBDIVISION.]

Item 22. Covenants, conditions, restrictions, and easements set out in Declaration of Easements, Covenants, Conditions, and Restrictions by Munster Development LLC, Inst. #2013-081770. [NO PLOTTABLE EASEMENTS, DOCUMENT APPEARS TO APPLY TO THE LAKE BUSINESS CENTER SUBDIVISION.]

Item 23. Financing and Covenant Agreement, Inst. #2011-046474, re-recorded as Inst. 2012-040598. [NO PLOTTABLE EASEMENTS, DOCUMENT APPEARS TO APPLY TO THE LAKE BUSINESS CENTER SUBDIVISION.]

Item 24. Electric & Gas Facilities Easement granted to NIPSCO, Inst. #2017-024758. [EASEMENT PLOTTED, CROSSING SURVEYED TRACT AND LOT 1.]

Item 25. Covenants, conditions, restrictions set out in Declaration of Restrictive Covenant, Inst. #2012-046439 [NO PLOTTABLE EASEMENT, EXHIBIT A IS NORTH ADJOINER AND EXHIBIT B INCLUDES SURVEYED TRACT]

Item 26. Reciprocal Grant of Ingress/Egress and Parking Easement, recorded as Inst. #2018-016797. [EASEMENT PLOTTED ALONG NORTH LINE OF LOT 7.]

Item 27. Declaration of Party Wall & Grant of Easements between LBC Owner LLC and CAHST Munster, LLC, recorded as Inst. #2021-062102. [BUILDINGS ARE CONNECTED ON THE SURVEYED TRACT TO THE EAST ADJOINER. DOCUMENT CREATES AGREEMENTS ON SHARED USE ITEMS. NO PLOTTABLE EASEMENTS. DESCRIPTION A-1 IN DOCUMENT IS SAME AS TITLE COMMITMENT SCHEDULE A DESCRIPTION]

Item 28. Tax Division, Re-Proration and Indemnity Agreement between LBC Owner LLC and CAHST Munster, LLC, recorded as Inst. #2021-062103. [DESCRIPTION IS OF EXCEPTION TRACT TO LOT 1, NO PLOTTABLE EASEMENTS]

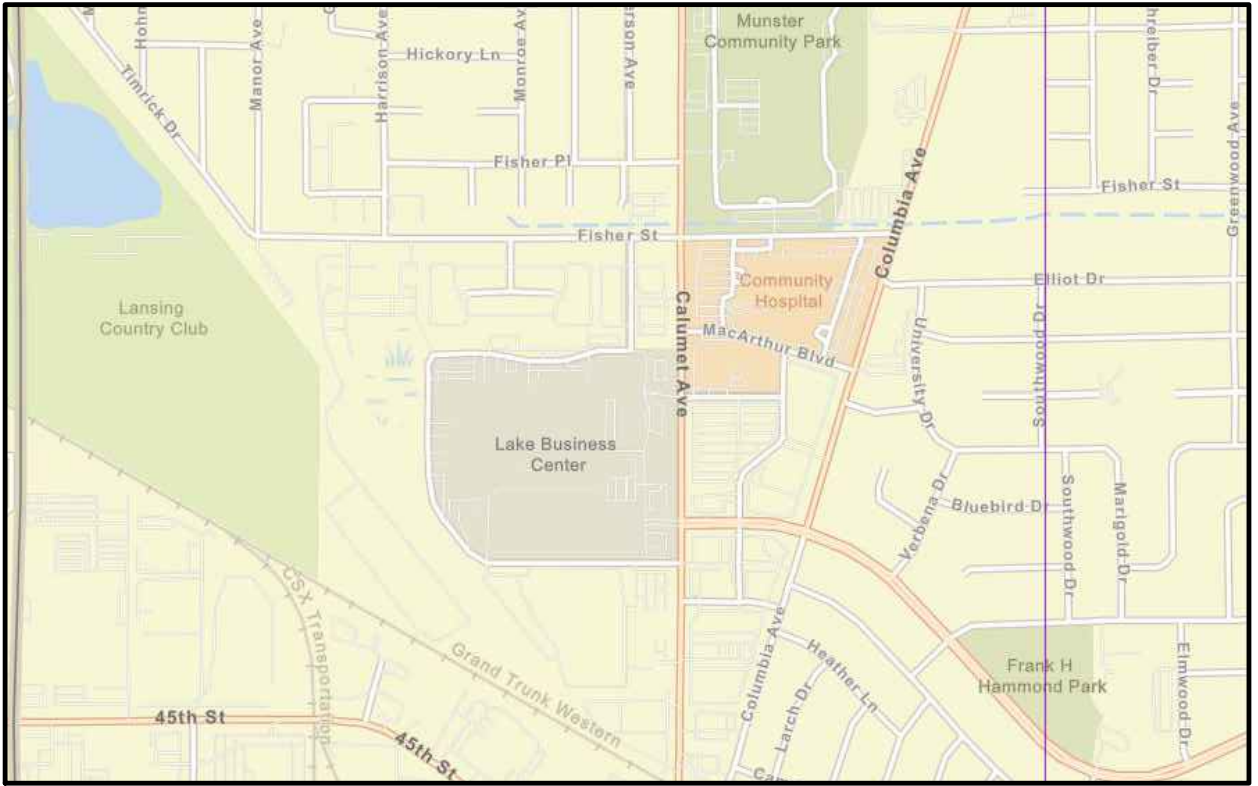
Item 29. Rights of tenants in possession as tenants only under unrecorded leases. [UNRECORDED LEASES ARE NOT A SURVEY MATTER, NOTHING PLOTTED]

Item 30. Mortgage, Assignment of Leases and Rents Security Agreement, Inst. 2021-062104. [NO PLOTTABLE EASEMENTS, LEGAL DESCRIPTION SAME AS TITLE COMMITMENT SCHEDULE A DESCRIPTION]

Item 31. Assignment of Leases and Rents, Inst. 2021-062105. [NO PLOTTABLE EASEMENTS, LEGAL DESCRIPTION SAME AS TITLE COMMITMENT SCHEDULE A DESCRIPTION]

Item 32. A judgment search has been made versus LBC Owner LLC, a Delaware limited liability company and none found. [NOT A SURVEY MATTER, NOTHING PLOTTED]

AREA MAP  
NOT TO SCALE



REVISIONS

DATE	DESCRIPTION	BY

**HWC**  
ENGINEERING  
INDIANAPOLIS - TERRE HAUTE  
LAFAYETTE - MUNICE - NEW ALBANY  
www.hwcengineering.com

LAKE BUSINESS CENTER  
ALTA/NSPS LAND TITLE RETRACEENT SURVEY

LOCATION: 9200 CALUMET AVE., MUNSTER, IN  
CLIENT: LBC OWNER LLC

DRAWN BY  
AJS  
CHECKED BY  
MGJ  
DATE  
October 5, 2022  
SCALE  
AS SHOWN  
SHEET

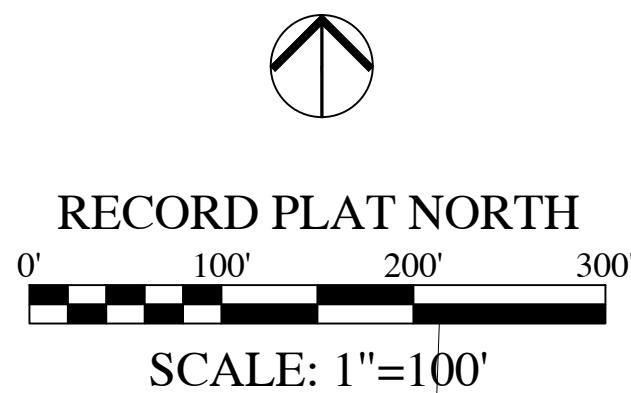
**S1.1**  
ALTA/NSPS BOUNDARY SURVEY  
PAGE 1 of 3  
© 2022



Call 811 or 800-382-5544 Before you Dig!



NOTE  
BOUNDARY DIMENSIONS REMOVED FOR CLARITY PURPOSES



# ALTA/NSPS LAND TITLE SURVEY

PT. OF LAKE BUSINESS CENTER SUBDIVISION  
SECTION 25, TOWNSHIP 36 NORTH, RANGE 10 WEST  
CITY OF MUNSTER, LAKE COUNTY, INDIANA

## Surveyor's Report

General  
In accordance with Title 865, Article 1, Chapter 12 of the Indiana Administrative Code ("Rule 12"), the following observations and opinions are submitted regarding the various uncertainties in the locations of the lines and corners established this survey as a result of uncertainties in reference monumentation; in record descriptions and plats; in lines of occupation; and as introduced by random errors in measurement ("Relative Positional Accuracy"). There may be unwritten rights associated with these uncertainties. The client should assume there is an amount of uncertainty along any line equal in magnitude to the discrepancy in the location of the lines and possession from the surveyed lines.

There may be differences of deed dimensions versus measured dimensions along the boundary lines shown hereon and, likewise, there may be found survey markers near, but not precisely at, some boundary corners. In cases where the magnitude of these differences are less than the Relative Positional Accuracy stated below and less than the uncertainty identified for the reference monumentation (discussed below), the differences may be considered insignificant and are shown only for purposes of mathematical closure. Such differences that are greater than the Relative Positional Accuracy and the uncertainty in reference monumentation should be considered worthy of notice and are therefore further discussed below.

This survey and report are based in part upon opinions formed in accordance with an Indiana Land Surveyor's responsibility to conduct a survey in accordance with "federal laws, state and local laws, and court precedent" (865) IAC 1-12-11(5), Rules of the Indiana State Board of Registration for Land Surveyors). Since Indiana has no statutes addressing how to resolve boundary lines, a solution based on principles derived from common law precedent must be relied upon as the basis for a boundary resolution.

Unless otherwise noted or depicted hereon, there is no evidence of occupation along the perimeter lines of the subject tract. All survey monuments set or found this survey are flush with existing grade unless otherwise noted.

The Relative Positional Accuracy (due to random errors in measurement) of this survey is within the specifications for an Urban Class Survey (0.07 feet plus 50 ppm) as defined in IAC 865.

## Purpose

The purpose of this survey is to perform an ALTA/NSPS Land Title retracement survey of part of Lot 1 of the Re-Subdivision of Lot 1 for Lake Business Center Subdivision and Lot 2 of Lake Business Center Subdivision, recorded as Instrument Number 2013-063067 and 2013-019681 in the office of the Recorder, Lake County, Indiana. The surveyed tract has been previously surveyed by SEH of Indiana, project number 161370, certified by Jason Spain, PS #21000202, and dated August 2, 2021.

The following are recorded surveys and plats made reference to in this survey:

- Re-Subdivision of Lot 1 for Lake Business Center Subdivision, Inst. 2013-063067; Plat Book 106, Page 55
- Final Plat of Subdivision for Lake Business Center Subdivision, Inst. 2013-019681; Plat Book 106, Page 20
- ALTA/NSPS Land Title Survey by SEH of Indiana, project number 161370, certified by Jason Spain, PS #21000202, and dated August 2, 2021.

## Basis of Bearings

The basis of bearings for this project is based upon the referenced record plats.

## Theory of Location

### Controlling Monumentation

Monuments found along the platted lines of the Lake Business Center Subdivision were held to establish the location of the boundary lines. A scribed "X" was found at the southeast corner of Lot 5. A PK nail was found at the southwest and west corners of Lot 6. A scribed "X" was found at the northwest corner of Lot 6. A rebar with an illegible cap was found at the northeast corner of Lot 7. A drill hole in concrete was found at the southeast corner of Lot 8. A rebar with an illegible cap was found at the northeast corner of Lot 8. A rebar with an illegible cap was found at a northeast corner of Lot 1 (south corner of 80.00-foot course). A 5/8-inch rebar was found 1.0 foot west of the northwest corner of Lot 1. A one-inch iron pipe was found at a southwest corner of Lot 1 (west corner of 1367.55-foot course).

## Record Descriptions

The descriptions provided in the Title Commitment match along the east lines of the surveyed tract. However, there are slight differences with the dimensions of the recorded Subdivision Plat. Those differences are generally less than 0.2 foot. It is the opinion of this surveyor that those differences were made in error and that the plat dimensions should have been utilized in the preparation of the metes and bounds descriptions. The differences are noted on the face of the survey.

There are no deed gaps or overlaps along the south, west, and north lines of the surveyed tract and the west and south adjoiners. There are no internal deed gaps or overlaps with the Lake Center Subdivision Plats.

## Occupation

The surveyed tract is part of a commercial subdivision. Along part of the west line of the surveyed tract, the back of curb of the drive is generally 2 feet east of the surveyed line. Along the south most line of the surveyed tract, a chain link fence is 1.0 to 2.3 feet north of the line. The south most line also crosses asphalt drives to the south adjoiner. The east lines of the surveyed tract are established by the record description of the east adjoiner. Some of these lines are generally along the east walls of the building that is on both tracts. The northeast lines of the surveyed tract run along features in the parking lot that prevent vehicular traffic (i.e. curb lines and a block wall). The two 243-foot courses run along the north edge of the drive running through the site. The parking lot of Lot 9 crosses the 148.16-foot course by 12.5 feet. There is a wall that runs 12 feet south of the north line of the surveyed tract. The wall runs along the length of the north line of the subdivision from 8 to 12 feet south.

There is a gravel drive crossing the northwest corner of the site that appears to provide access to the Town of Munster tract. No easement document was provided for this drive.

Access to the public right-of-way is via platted ingress and egress easements as well as record easements as noted.

## Notes

The accuracy of any flood hazard data shown on this report is subject to map scale uncertainty and to any other uncertainties in location or elevation on the referenced Flood Insurance Rate Map. The within described tract of land lies within Flood Hazard Zone "X"(unshaded) as said tract plots by scale on Map Number 18089C0117E of the Flood Insurance Rate Maps for Lake County, Indiana (maps dated January 18, 2012).

Ownership information indicated hereon is as identified in County or Township records or on title work provided by others.

The subject tract is zoned "SD-PUD"(Special District, Planned Unit Development) per the online zoning map of Munster (accessed online at <https://www.munster.org/egov/apps/document/center.egov?view=item&id=3555> on September 28, 2022). The setback requirements for "SD-PUD" zoning can be variable, transitional and subject to interpretation, therefore, setback lines are depicted based upon a zoning report by Howard Zoning Associates, LLC dated 9/30/2022.

Evidence of source of title for the Subject Tract was provided in the form of Chicago Title Insurance Company, Commitment No. CCH2205970NT, dated August 15, 2022 and revised September 27, 2022. Some of the items disclosed in Schedule B-II thereof may have been depicted on the survey and are identified by their recording data. Should any additional items need to be depicted on the survey, please advise and provide the appropriate documents.

No cemeteries or burial grounds were observed at time of survey.

The surveyor has no knowledge of wetlands being delineated or observed during the survey.

Table A Item Notes:

- 6. See Notes from Zoning Report.
- 16. No evidence of earth moving work and building additions was observed.
- 17. The surveyor was not made aware of proposed changes to the right-of-way of Calumet Avenue.

## ZONING INFORMATION PER REPORT BY HOWARD ZONING ASSOCIATES, LLC

DATED 9/30/2022, HZA REPORT NO. 9128

CURRENT ZONING DESIGNATION: SD-PUD (SPECIAL DISTRICT - PLANNED UNIT DEVELOPMENT)

SETBACKS: FRONT: REQUIRED: AS EXISTING PER SITE PLAN, EXISTING: EST. 505 FEET

SIDES: REQUIRED: AS EXISTING PER SITE PLAN [RECORDED PLATS DO NOT DEPICT SETBACKS]

REAR: REQUIRED: AS EXISTING PER SITE PLAN [RECORDED PLATS DO NOT DEPICT SETBACKS]

SITE AREA: NO REQUIREMENT

BUILDING HEIGHT: MAXIMUM HEIGHT: AS EXISTING PER SITE PLAN

DENSITY: REQUIREMENTS: AS EXISTING PER SITE PLAN

OFF-STREET PARKING: REQUIRED: 1,135 PARKING SPACES

(NOTE IN ZONING REPORT STATES THAT SITE IS CONFORMING)

## PARKING SPACE COUNT

ON PARCELS 1 AND 2:  
359 STANDARD PARKING SPACES  
7 HANDICAP SPACES

ON PARCEL 3:  
81 STANDARD PARKING SPACES  
5 HANDICAP SPACES

ON PARCEL 4:  
13 STANDARD PARKING SPACES

## REVISIONS

DATE	DESCRIPTION	BY
10/04/22	REV. PER COMMENT LETTER	AJB



## LAKE BUSINESS CENTER ALTA/NSPS LAND TITLE RETRACEMENT SURVEY

LOCATION: 9200 CALUMET AVE., MUNSTER, IN  
CLIENT: LBC OWNER LLC

## DRAWN BY

AJB

## CHECKED BY

MGJ

## DATE

October 5, 2022

## SCALE

AS SHOWN

## SHEET

# S1.2

ALTA/NSPS BOUNDARY SURVEY

PAGE 2 of 3

© 2022



Call 811 or 800-382-5544 Before you Dig!

## REDACTION STATEMENT

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. Adam J. Beery

T	TELEPHONE (UNDERGROUND)	E	ELECTRIC (UNDERGROUND)
W	WATERLINE (UNDERGROUND)	ST	STORM SEWER
FO	FIBER OPTIC (UNDERGROUND)	S	SANITARY SEWER
G	GAS (UNDERGROUND)	OHE	OVERHEAD UTILITY (ELECTRIC/FIBER)

File Name: C:\Users\abeery\Documents\Munster Lake Business Center\18XXXSurvey\_LocalBearings.dwg, Layout: S1.2 By: abeery  
Plot Time: 1:30pm  
Plot Date: Oct 05, 2022



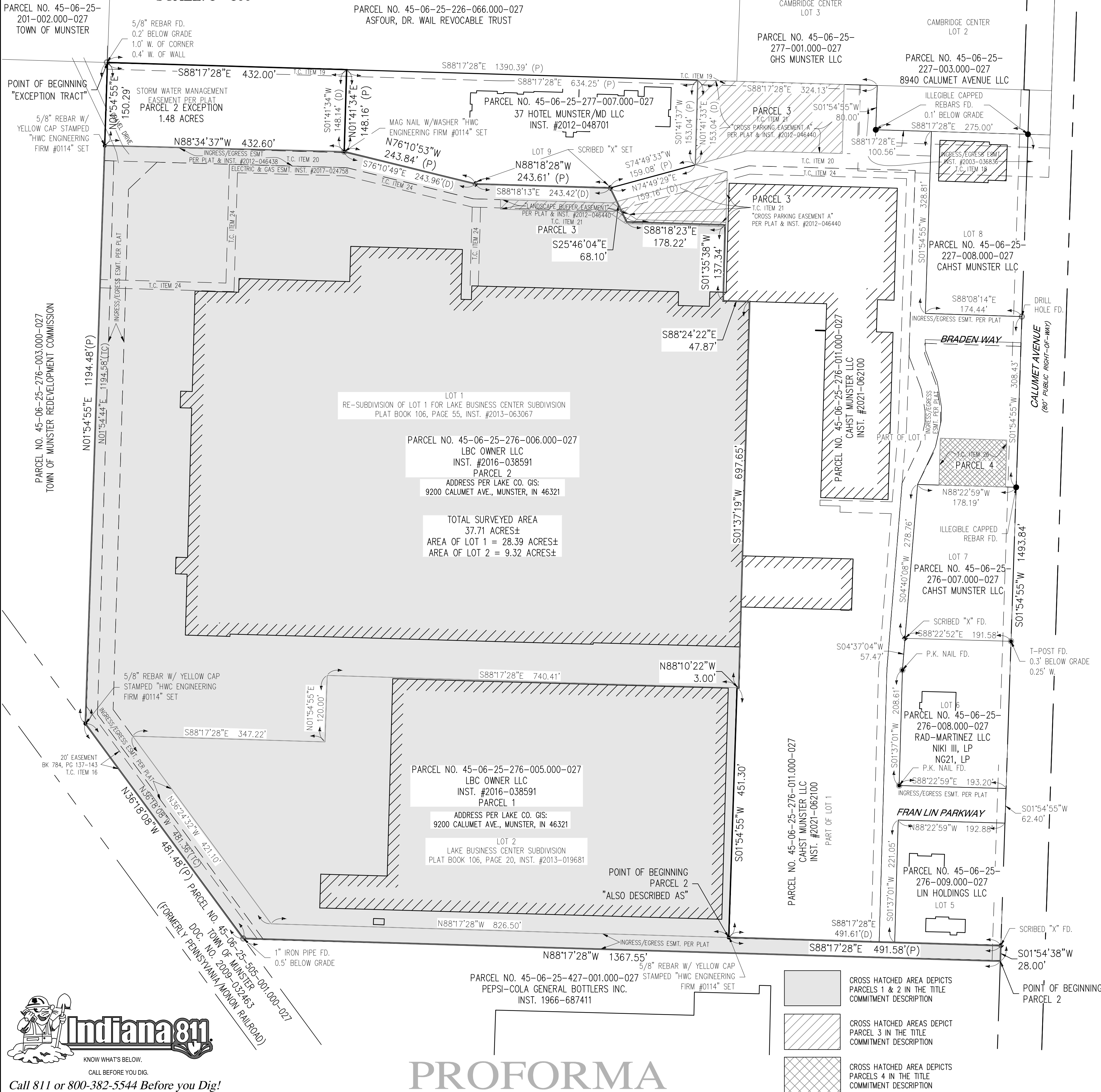
NOTE  
SITE IMPROVEMENTS REMOVED  
FOR CLARITY PURPOSES



RECORD PLAT NORTH  
0' 100' 200' 300'  
SCALE: 1"=100'

# ALTA/NSPS LAND TITLE SURVEY

## PT. OF LAKE BUSINESS CENTER SUBDIVISION SECTION 25, TOWNSHIP 36 NORTH, RANGE 10 WEST CITY OF MUNSTER, LAKE COUNTY, INDIANA



LAND DESCRIPTION - CHICAGO TITLE INSURANCE  
COMMITMENT NO. CCH2205970NT  
DATED 8/15/22, REVISED 9/27/22

Parcel 1:  
LOT 2 IN LAKE BUSINESS CENTER SUBDIVISION, AS PER PLAT THEREOF, RECORDED IN PLAT BOOK 106, PAGE 20 AS DOCUMENT NUMBER 2013-063067, IN THE OFFICE OF THE RECORDER, LAKE COUNTY, INDIANA.

Parcel 2:  
THAT PART OF LOT 1 IN THE RE-SUBDIVISION OF LOT 1 FOR LAKE BUSINESS CENTER SUBDIVISION, AS PER PLAT THEREOF, RECORDED IN PLAT BOOK 106, PAGE 55 AS DOCUMENT NUMBER 2013-063067, IN THE OFFICE OF THE RECORDER, LAKE COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 1; THENCE, N 88° 17' 28" W ALONG THE SOUTH LINE OF SAID LOT 1 FOR A DISTANCE OF 1367.55 FEET TO THE WEST OF LINE OF SAID LOT 1; THENCE, N 36° 18' 08" W FOR A DISTANCE OF 481.36 FEET; THENCE, CONTINUING ALONG SAID WEST LINE N 01° 54' 44" E FOR A DISTANCE OF 1194.58 FEET TO THE NORTH LINE OF SAID LOT 1; THENCE ALONG SAID NORTH LINE, S 88° 17' 28" E FOR A DISTANCE OF 432.00 FEET TO THE NORTHWEST CORNER OF LOT 9 IN SAID LAKE BUSINESS CENTER; THENCE ALONG THE WEST LINE OF SAID LOT 9, S 01° 41' 34" W FOR A DISTANCE OF 148.14 FEET TO THE SOUTH LINE OF SAID LOT 9; THENCE ALONG SAID SOUTH LINE, S 76° 10' 49" E FOR A DISTANCE OF 243.96 FEET; THENCE CONTINUING ALONG SAID SOUTH LINE, S 88° 18' 13" E FOR A DISTANCE OF 243.42 FEET; THENCE, S 25° 46' 04" E FOR A DISTANCE OF 68.10 FEET; THENCE, S 88° 18' 23" E FOR A DISTANCE OF 178.22 FEET; THENCE, S 01° 35' 38" W FOR A DISTANCE OF 137.34 FEET; THENCE, S 88° 24' 22" E FOR A DISTANCE OF 47.87 FEET; THENCE, S 01° 37' 19" W FOR A DISTANCE OF 697.65 FEET; THENCE N 88° 10' 22" W FOR A DISTANCE OF 3.00 FEET; THENCE S 01° 54' 55" W FOR A DISTANCE OF 451.30 FEET; THENCE S 88° 17' 28" E FOR A DISTANCE OF 491.61 FEET TO THE EAST LINE OF SAID LOT 1; THENCE, S 01° 54' 38" W FOR A DISTANCE OF 28.00 FEET TO THE POINT OF BEGINNING.

Parcel 2 ("AS-SURVEYED"/MEASURED):  
THAT PART OF LOT 1 IN THE RE-SUBDIVISION OF LOT 1 FOR LAKE BUSINESS CENTER SUBDIVISION, AS PER PLAT THEREOF, RECORDED IN PLAT BOOK 106, PAGE 55 AS DOCUMENT NUMBER 2013-063067, IN THE OFFICE OF THE RECORDER, LAKE COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 1; THENCE, N 88° 17' 28" W ALONG THE SOUTH LINE OF SAID LOT 1 FOR A DISTANCE OF 1367.55 FEET TO THE WEST OF LINE OF SAID LOT 1; THENCE, N 36° 18' 08" W ALONG A WEST LINE OF SAID LOT 1 FOR A DISTANCE OF 481.48 FEET TO A WEST LINE OF SAID LOT 1; THENCE ALONG SAID WEST LINE N 01° 54' 55" E FOR A DISTANCE OF 1194.48 FEET TO THE NORTH LINE OF SAID LOT 1; THENCE ALONG SAID NORTH LINE, S 88° 17' 28" E FOR A DISTANCE OF 432.00 FEET TO THE NORTHWEST CORNER OF LOT 9 IN SAID LAKE BUSINESS CENTER; THENCE ALONG THE WEST LINE OF SAID LOT 9, S 01° 41' 34" W FOR A DISTANCE OF 148.16 FEET TO THE SOUTH LINE OF SAID LOT 9; THENCE ALONG SAID SOUTH LINE, S 76° 10' 53" E FOR A DISTANCE OF 243.84 FEET; THENCE CONTINUING ALONG SAID SOUTH LINE, S 88° 18' 28" E FOR A DISTANCE OF 178.22 FEET; (3) THENCE, S 01° 35' 38" W FOR A DISTANCE OF 137.34 FEET; (4) THENCE, S 88° 24' 22" E FOR A DISTANCE OF 47.87 FEET; (5) THENCE, S 01° 37' 19" W FOR A DISTANCE OF 697.65 FEET; (6) THENCE N 88° 10' 22" W FOR A DISTANCE OF 3.00 FEET TO THE NORTHEAST CORNER OF LOT 2 OF SAID SUBDIVISION; (7) THENCE S 01° 54' 55" W ALONG THE EAST LINE OF SAID LOT 2 FOR A DISTANCE OF 451.30 FEET TO THE SOUTHEAST CORNER OF SAID LOT 2; THENCE S 88° 17' 28" E ALONG A NORTH LINE OF THE INGRESS AND EGRESS EASEMENT PER SAID SUBDIVISION PLAT FOR A DISTANCE OF 491.58 FEET TO THE EAST LINE OF SAID LOT 1; THENCE, S 01° 54' 38" W ALONG SAID EAST LINE FOR A DISTANCE OF 28.00 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THAT PART OF LOT 1 IN LAKE BUSINESS CENTER SUBDIVISION, AS PER PLAT THEREOF, RECORDED IN PLAT BOOK 106, PAGE 20 AS INSTRUMENT NUMBER 2013-019681 AND PART OF LOT 1 IN THE RE-SUBDIVISION OF LOT 1 FOR LAKE BUSINESS CENTER SUBDIVISION, AS PER PLAT THEREOF, RECORDED IN PLAT BOOK 106, PAGE 55 AS INSTRUMENT NUMBER 2013-063067, IN THE OFFICE OF THE RECORDER, LAKE COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 1; THENCE SOUTH 88 DEGREES 17 MINUTES 28 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 1 A DISTANCE OF 432.00 FEET TO THE NORTHWEST CORNER OF LOT 9 OF SAID LOT; THENCE SOUTH 01 DEGREE 41 MINUTES 34 SECONDS WEST ALONG THE WEST LINE OF SAID LOT 9 A DISTANCE OF 148.16 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE NORTH 88 DEGREES 34 MINUTES 37 SECONDS WEST ALONG THE NORTH LINE OF ON INGRESS AND EGRESS EASEMENT AS DEPICTED ON SAID PLAT A DISTANCE OF 432.60 FEET TO THE WEST LINE OF AFORESAID LOT 1; THENCE NORTH 1 DEGREE 54 MINUTES 55 SECONDS EAST ALONG SAID WEST LINE A DISTANCE OF 150.29 FEET TO THE POINT OF BEGINNING, CONTAINING 1.48 ACRES, MORE OR LESS.

Parcel 3:  
A non-exclusive easement for the benefit of Parcels 1 and 2 for vehicular access, ingress, egress, cross-parking and landscaping as recited in Declaration of Easement and Restrictive Covenant by Munster Development LLC, recorded July 16, 2012 as Instrument No. 2012-046440 and amended by First Amendment to Declaration of Easements and Restrictive Covenant between LBC Owner LLC, Munster Development LLC and 37 Hotel Munster/MD LLC dated September 22, 2021 and recorded October 4, 2021 as Instrument No. 2021-062099.

Parcel 4:  
A non-exclusive easement for the benefit of Parcel 2 for ingress, egress and parking as recited in Reciprocal Grant of Ingress/Egress and Parking Easement recorded March 15, 2018 as Instrument Number 2018 016797.

Parcel 5:  
A non-exclusive easement for the benefit of Parcels 1 and 2 for party wall, garbage, and shared facilities as recited in Declaration of Party Wall & Grant of Easements Agreement between LBC Owner LLC and CAHST MUNSTER, LLC dated September 22, 2021 and recorded October 4, 2021 as Instrument Number 2021-062102.

### SURVEY CERTIFICATION ALTA/NSPS Land Title Survey

To Citi Real Estate Funding Inc., a New York corporation, its successors and assigns and Hillcrest Finance, LLC and EquiTrust Life Insurance Company, and each of their successors, affiliates or assigns may rely upon this report in evaluating a request for an extension of credit to be secured by the property; LBCOI Owner LLC, a Delaware limited liability company; LBC Owner LLC, Freeborn and Peters LLP; and Chicago Title Insurance Company.

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 6(a), 6(b), 7(a), 7(b), 7(c), 8, 9, 10, 11, 13, 14, 16, 17, 18, and 19 of Table A thereof. The fieldwork was completed September 28 and 29, 2022.

To the best of my knowledge and belief, the within plat represents a survey made under my supervision in accordance with Title 865, Article 1, Chapter 12 of the Indiana Administrative Code.

Adam J. Beery  
Adam J. Beery  
Professional Surveyor #20700069  
September 30, 2022  
E-Mail: abeery@hwcengineering.com



This exhibit was prepared by Adam J. Beery

TITLE COMMITMENT SCHEDULE BII ITEMS  
CHICAGO TITLE INSURANCE COMMITMENT NO. CCH2205970NT,  
DATED 8/15/22, REVISED 9/27/22

Items 1-14. Items not shown by Public Record; Taxes; Assessments; Rights of the public for road purposes; Rights of way for drainage features; and Acreage contained in legal descriptions. [NOT A SURVEY MATTER, NOTHING PLOTTED]

Item 15. Covenants, conditions, restrictions, easements and building lines set out on the Plat of Lake Business Center Subdivision, recorded as PB 106, PG 20, Inst. #2013-019681; Re-Subdivision of Lot 1 recorded as PB 106, PG 55, Inst. #2013-063067. [EASEMENTS DEPICTED ON PLAT PLOTTED HERON, EASEMENT PROVISIONS ARE GENERAL OR BLANKET IN NATURE, NOT PLOTTABLE.]

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Item 24. Electric & Gas Facilities Easement granted to NIPSCO, Inst. #2017-024758. [EASEMENT PLOTTED, CROSSING SURVEYED TRACT AND LOT 1.]

Item 25. Covenants, conditions, restrictions set out in Declaration of Restrictive Covenant, Inst. #2012-046439 [NO PLOTTABLE EASEMENT, EXHIBIT A IS NORTH ADJOINER AND EXHIBIT B INCLUDES SURVEYED TRACT]

Item 26. Reciprocal Grant of Ingress/Egress and Parking Easement, recorded as Inst. #2018-016797. [EASEMENT PLOTTED ALONG NORTH LINE OF LOT 7.]

Item 27. Declaration of Party Wall & Grant of Easements between LBC Owner LLC and CAHST Munster, LLC, recorded as Inst. #2021-062102. [BUILDINGS ARE CONNECTED ON THE SURVEYED TRACT TO THE EAST ADJOINER. DOCUMENT CREATES AGREEMENTS ON SHARED USE ITEMS. NO PLOTTABLE EASEMENTS. DESCRIPTION A-1 IN DOCUMENT IS SAME AS TITLE COMMITMENT SCHEDULE A DESCRIPTION]

Item 28. Tax Division, Re-Proration and Indemnity Agreement between LBC Owner LLC and CAHST Munster, LLC, recorded as Inst. #2021-062103. [DESCRIPTION IS OF EXCEPTION TRACT TO LOT 1, NO PLOTTABLE EASEMENTS]

Item 29. Rights of tenants in possession as tenants only under unrecorded leases. [UNRECORDED LEASES ARE NOT A SURVEY MATTER, NOTHING PLOTTED]

Item 30. Mortgage, Assignment of Leases and Rents Security Agreement, Inst. 2021-062104. [NO PLOTTABLE EASEMENTS, LEGAL DESCRIPTION SAME AS TITLE COMMITMENT SCHEDULE A DESCRIPTION]

Item 31. Assignment of Leases and Rents, Inst. 2021-062105. [NO PLOTTABLE EASEMENTS, LEGAL DESCRIPTION SAME AS TITLE COMMITMENT SCHEDULE A DESCRIPTION]

Item 32. A judgment search has been made versus LBC Owner LLC, a Delaware limited liability company and none found. [NOT A SURVEY MATTER, NOTHING PLOTTED]

ACCESS NOTE  
Access to the surveyed site from Calumet Avenue (dedicated public street) is provided by platted and recorded Ingress/Egress Easements via Braden Way and Fran Lin Pkwy as well as the unnamed drive along the south line of the surveyed site. A drive crosses the north line of the subdivision providing access to the north adjoiner (Cambridge Center). There is a gravel drive crossing the west line near the northwest corner of the site.

### REVISIONS

DATE	DESCRIPTION	BY

HWC  
ENGINEERING  
INDIANAPOLIS - TERRE HAUTE  
LAFAYETTE - MUNCIE - NEW ALBANY  
www.hwcengineering.com

LAKE BUSINESS CENTER  
ALTA/NSPS LAND TITLE RETRACEMENT SURVEY  
LOCATION: 9200 CALUMET AVE., MUNSTER, IN  
CLIENT: LBC OWNER LLC

DRAWN BY  
AJB  
CHECKED BY  
MGJ  
DATE  
October 5, 2022  
SCALE  
AS SHOWN  
SHEET  
S1.3  
ALTA/NSPS BOUNDARY SURVEY  
PAGE 3 of 3  
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## EXHIBIT C

SECRETARY

REDACTION STATEMENT: 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.  
ADAM J. BEERY

**LEGEND**

"HWC MAG NAIL" = MAG NAIL WITH WASHER  
STAMPED "HWC ENGINEERING FIRM #0114"

"HWC REBAR" = 5/8 INCH REBAR WITH CAP  
STAMPED "HWC ENGINEERING FIRM #0114"

"ESMT." = EASEMENT

"FD" = FOUND

"S.F." = SQUARE FOOT

"A.C." = ACRES



*Call 811 or 800-382-5544 Before you Dig!*

RECORD PLAT NORTH

0' 100' 200' 300'

SCALE: 1"=100'

