



PLAN COMMISSION STAFF REPORT

To: Members of the Plan Commission

From: Sergio Mendoza, Planning Director

Meeting Date: March 12, 2024

Agenda Item: PC 24-002

Application Type: Subdivision

Hearing: Preliminary

Summary: Lake Business Center is requesting a re-plat/resubdivide one Lot of Record into three Lots of Record for: LAKE BUSINESS CENTER SUBDIVISION, RESUBDIVISION, OF LOT 1. The re-plat/resubdivision proposed lots are: LOT 1, LOT 3, and OUTLOT A of SECOND RE-SUBDIVISION OF LOT 1 OF LAKE BUSINESS CENTER SUBDIVISION LOT 1, located at 9200 Calumet Avenue.

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 Public Hearing

Action Required: Schedule Public Hearing
Review of Subdivision Codes

Staff Recommendation: Motion to set PC 24-002 for an April 9, 2024 Public Hearing

Attachments:

1. Site Review Committee Meeting Minutes, Exhibit A (pg 8)
2. PUD Amendment Application, Exhibit B (pg 10)
3. Alta Survey, Exhibit C (pg 16)
4. Re-Subdivision/Replat, Exhibit D (pg 19)

SITE LOCATION

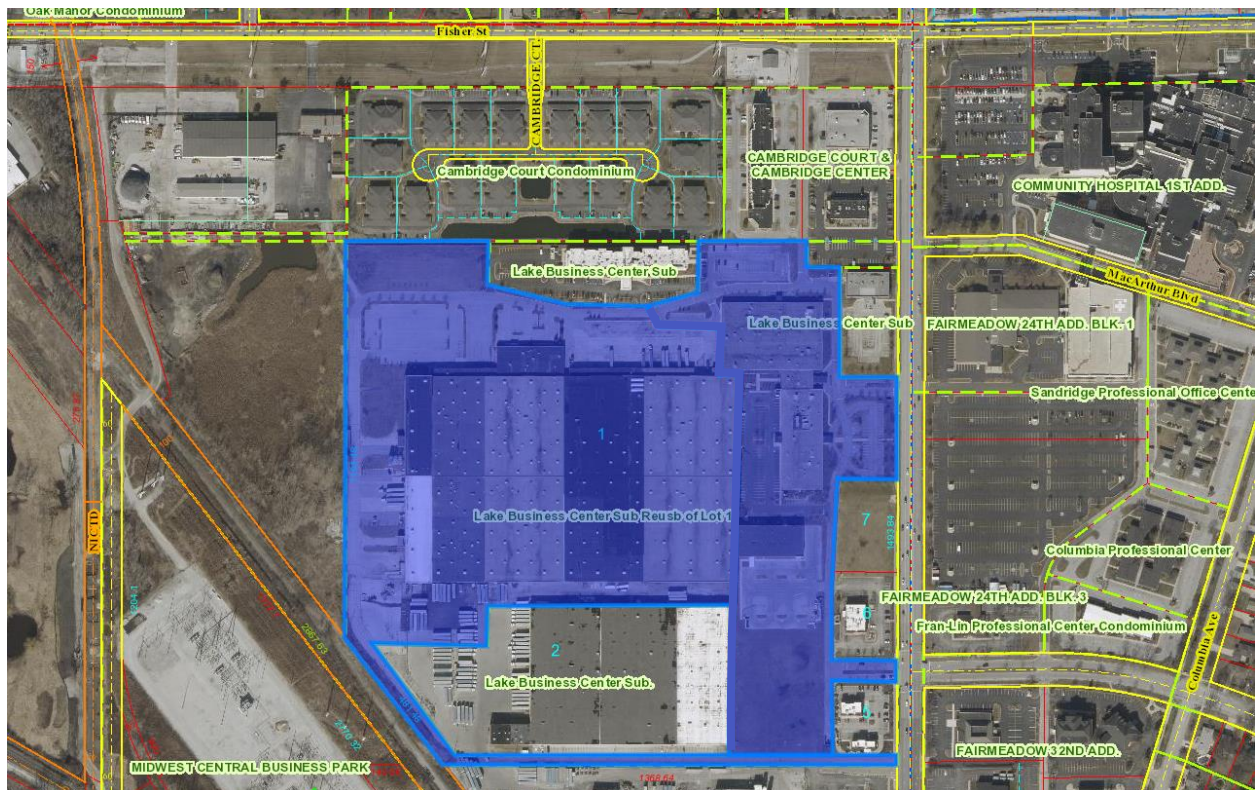


Image 1: Lake Business Center, Lot 1 - Subject property highlighted in blue.

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 plat was approved by the Munster Plan Commission as RE-SUBDIVISION OF LOT 1 FOR LAKE BUSINESS CENTER SUBDIVISION on August 22, 2023; DOC NO. 2013-063067, see Image 2 below. In 2021 said lot was split into two parcels via a TAX DIVISION, RE-PRORATION AND INDEMNITY AGREEMENT executed in September of 2021 and recorded on October 4, 2021; DOC NO. 2021-062103.

Interested parties have now requested to have the subject lot (two parcels) be recognized by Town of Munster Plan Commission as three Lots of Records per Section 26- 233 of the Munster Subdivision Code, Which reads: "No plat or replat of a subdivision of land located

RE-SUBDIVISION OF LOT 1
FOR
LAKE BUSINESS CENTER SUBDIVISION

PART OF SECTION 25, TOWNSHIP 34 NORTH, RANGE 13 WEST OF THE SECOND PRINCIPAL MERIDIAN, LAKE COUNTY, INDIANA

LAKE BUSINESS CENTER SUBDIVISION - LOT 2
PLAT BOOK 106, PAGE 20

LAKE BUSINESS CENTER SUBDIVISION - LOT 7
51,485.44 SQ. FT.
1.18 ACRES

LAKE BUSINESS CENTER SUBDIVISION - LOT 6
51,485.44 SQ. FT.
1.18 ACRES

LAKE BUSINESS CENTER SUBDIVISION - LOT 8
42,530.35 SQ. FT.
0.98 ACRES

LOT 1
1,817,797.17 SQ. FT.
41.73 ACRES

LEGEND

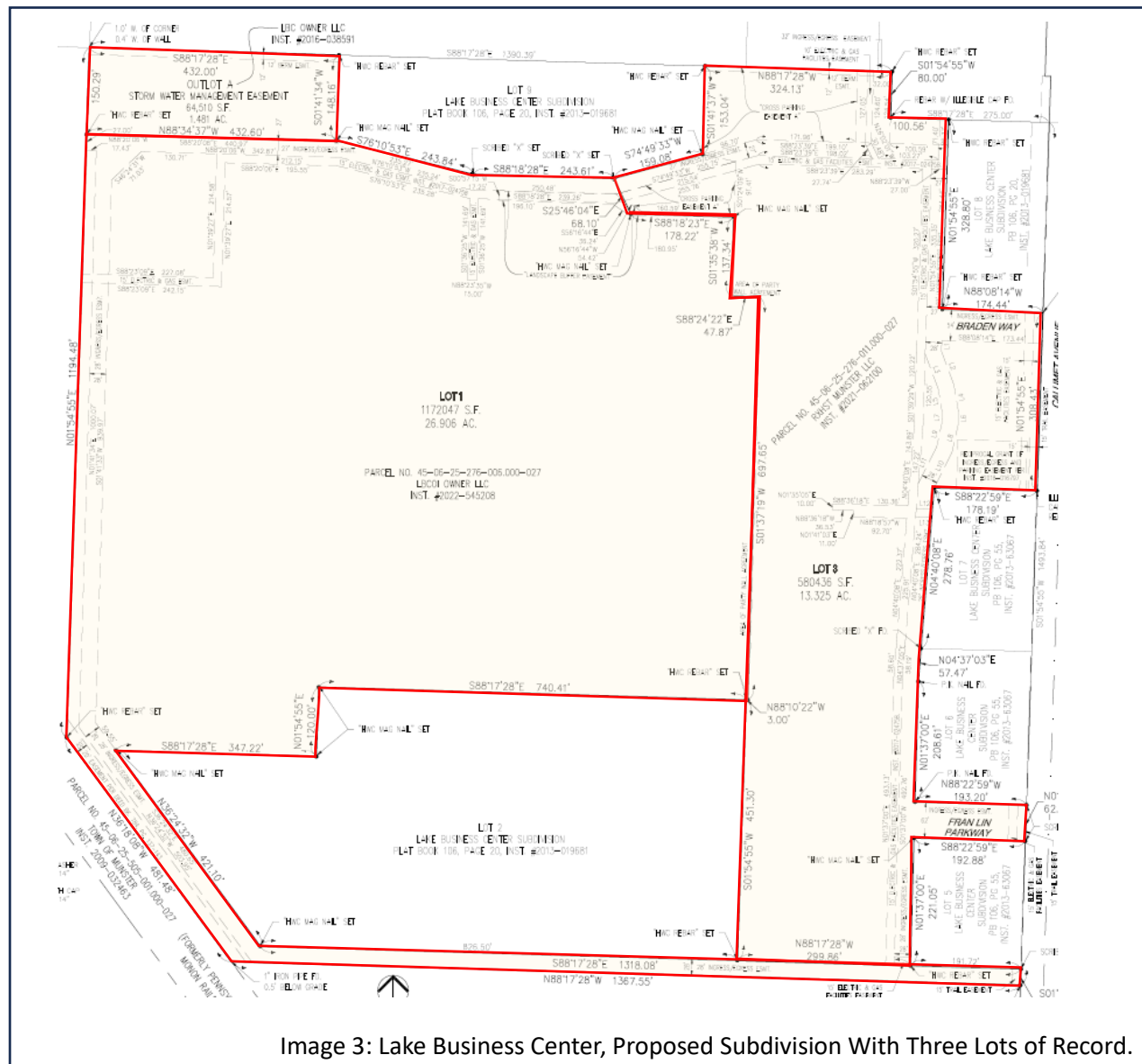
- PROPERTY LINE
- RIGHT OF WAY
- EASEMENT LINE
- PROPOSED UTILITY AND DRAINAGE EASEMENT
- POINT OF BEGINNING
- POINT OF COMMENCEMENT

PEPPI-COLA GENERAL DEVELOPMENT, INC.

08/17/2015

Image 2: Lake Business Center, Recorded Subdivision.

PROJECT PROPOSAL



Jason Spain with HWC is representing LBCOI Owner, LLC and LBC Owner, LLC c/o Phil Goldberg for a proposed three lot subdivision. The proposed re-plat/resubdivision of LOT 1 of RESUBDIVISION OF LAKE BUSINESS CENTER SUBDIVISION would recognize three subdivided Lots of Record as: LOT 1, 29.90 acres; LOT 3, 13.32 acres; and OUTLOT A 1.48 acres of SECOND RE-SUBDIVISION OF LOT 1 OF LAKE BUSINESS CENTER SUBDIVISION LOT 1 SUBDIVISION. OUTLOT A is identified as a Stormwater Management Easement which currently has an underground stormwater detention system. LOT 1 is 26.90 acres and

primary use is warehouse and office, and LOT 3 is 13.32 acres primary use is medical office. There are no modifications to existing bulk standards, alterations to design requirements, or changes/addition to the uses. The proposed subdivision can be found in Exhibit D (pg 19).

CODE REVIEW

TOWN OF MUNSTER CHAPTER 26 – LAND DEVELOPMENT CODE

ARTICLE V. SUBDIVISION

DIVISION 2 APPROVAL PROCEDURE

Subdivision II. Preliminary Plat

Sec. 26-274. Basic information.

The preliminary plat of a subdivision shall contain the following information:

- (1)** The proposed name of the subdivision.
- (2)** The location by section, township and range or by other legal description.
- (3)** The name and address of the subdivider.
- (4)** The name, address and seal of the registered professional engineer or land surveyor preparing the plat.
- (5)** The scale of the plat or replat, including the graphic scale, north point and date.

Sec. 26-278. Action by plan commission.

After the public hearing provided for in section 26-277, the commission may, if it finds the preliminary plat meets all the requirements, take the following action:

- (1)** Grant primary approval as to the general acceptability of the layout as submitted.
- (2)** Introduce such changes or revisions as are deemed necessary to the interests and needs of the community.

Sec. 26-277. Public hearing.

- (a)** The plan commission shall consider the application for a subdivision and preliminary plat not later than the second regular monthly meeting following its proper submission. If the commission is satisfied that all conditions have been satisfactorily met by the subdivider, it shall set a date for a public hearing on the proposed plat, giving a written notification to the subdivider. The commission shall then publish a notice of the hearing at least ten days prior to the date set for the hearing. The cost of publishing such notice of the hearing shall be paid by the subdivider to the publisher at the time of inserting the notice.
- (b)** The applicant for subdivision approval shall provide notice of the public hearing on subdivision approval to all property owners who own property within 200 feet of the proposed subdivision at least ten days prior to the hearing. Additionally, the applicant shall cause a notice of the public hearing on the subdivision to be posted prominently on the property for at least ten days prior to the public hearing using a form and sign provided by the town for this purpose.

Sec. 26-280. Findings of fact by plan commission.

The plan commission shall adopt written findings of fact setting forth its reasons for approval or denial of the preliminary plat, and provide such findings to the applicant.

INDIANA CODE TITLE 36. LOCAL GOVERNMENT**ARTICLE 7. PLANNING AND DEVELOPMENT****CHAPTER 4. LOCAL PLANNING AND ZONING****Section 707. Subdivision control; primary approval of plat; findings and decision**

- (a)** If, after the hearing, the plan commission or plat committee determines that the application and plat comply with the standards in the subdivision control ordinance, the commission or committee shall make written findings and a decision granting primary approval to the plat. This decision, which must also specify any condition imposed or waiver granted under section 702 of this chapter, must be signed by an official designated in the subdivision control ordinance.
- (b)** If, after the hearing, the plan commission or plat committee disapproves the plat, the commission or committee shall make written findings that set forth its reasons and a decision denying primary approval and shall provide the applicant with a copy. This decision must be signed by the official designated in the subdivision control ordinance.

TOWN OF MUNSTER CHARACTER BASED ZONING CODE**Section 26-6. 405. O. 1. h. xiii Condition to Subdivision Approval**

- I.** The parking requirements of this Section 26-6.405.O must be complied with before any subdivision may be approved, both for the subdivided Lot and for the Lot or Lots which remain the same.
- II.** In the event that any Lot is unable to comply with such requirements, a Variance may be granted only if alternate parking spaces are provided or if it shall be shown that no such alternate spaces are available, that the Lot otherwise complies with this Article and that no economic return can be realized without the grant of Variance, and that the Variance granted is the minimum necessary.
- III.** Where two Lots are in the same ownership and one of the Lots is undeveloped, those Lots shall be improved in a coordinated manner to provide parking required for both Lots.

STAFF FINDINGS AND RECOMMENDATION

Staff's review of Section 26-6. 405. O. 1. h. xiii of the Munster Character Based Zoning Code, *Condition to Subdivision Approval*, has determined that parking requirements were established within PUD Ordinance 1897 and therefore no variance or Amendment to the PUD would be required to comply with this section of the Zoning Code. Additionally, lot ownership, cross access easements, shared parking agreements, and shared wall structures along proposed property lines have been established have all been recorded and referenced on the proposed plat (see Exhibit D).

Additionally, staff find the proposed preliminary plat meets the basic information outlined in Sec. 26-274 of the Munster Subdivision Control Ordinance. However, additional review of Division 3 – Design Requirements of the Subdivision Control Ordinance is required so that the plan commission may take action on written Findings and Decisions after the public hearing, at the next regularly scheduled Plan Commission meeting so they may generally accept the layout as submitted, recognize waivers, or introduce changes or revisions.

Finally, staff finds the applicant and interested parties have properly submitted a complete application, supporting document, including affidavit. Staff also finds this matter complies with Sec. 26-277 of the Munster Subdivision Code and recommends the Plan Commission consider schedule a Public Hearing for PC 24-002, proposed 3-Lot Subdivision at Lake Business Center.

Motion

Plan Commission may consider the following motion:

Motion to schedule PC Docket 24-002, a proposed 3-Lot Subdivision for an April 9, 2024 Public Hearing, including all discussion and findings.



EXHIBIT A

MEETING: Site Plan Review Committee
SUBJECT: Lot 1 Subdivision
ADDRESS: 9200 Calumet Ave.

LOCATION: Main Meeting Room
DATE: February 15, 2024
ZONING: SD-PUD

PRELIMINARY SITE PLAN REVIEW

IN ATTENDANCE: (area code 219)

Chuck Collins, Building Commissioner
836.6993 – ccollins@munster.org
Robin Lawson, Water Billing
836.6949 – rlawson@munster.org
Dan Broelmann, Police Department
836.6610 – dbroelmann@munster.org
Glenn Rhodes, Building Inspector
836.6997 – grhodes@munster.org
Charlie Remmers, GIS/IT
836.6910 – cremmers@munster.org
Kim Wenzel, PE, SEH Engineering
595.2500 – kwenzel@sehinc.com
Mark Heintz, Parks Director
836.6925 – mheintz@munster.org

PRESENTERS:

Jason Spain, Project Representative
730.8722 – jspain@hwcengineering.com

The following is a summary of discussion:

OPENING: The Site Plan Review Committee convened to discuss the proposed subdivision of Lake Business Center, Lot 1, 9200 Calumet Avenue. Collins stated that site plan review is not an approval. Rather, it is a preliminary discussion of the requirements and issues to be considered by the developer or owner. It is possible it will need to come back before site plan review or to seek other approvals aside from those discussed today.

EXPLANATION OF PROJECT: HWC Engineering's client recently purchased a portion of Lot 1 within the Lake Business Center. Spain said what they are looking to do is clean it up so there are not two owners of one lot. There are no planned exterior improvements. It is simply a subdivision of a PUD.

STAFF COMMENTS:

MAZUR: Mazur had recently been looking at the property on GIS and it appears the lots have already been subdivided. Spain confirmed that they have already been parceled and there are now two different tax parcels, but they have yet to be subdivided. Mazur asked if a change of use was being made to which Spain said there was not. Mazur inquired how the parking would be handled. There is shared parking on the PUD. Spain said there are shared parking easements on all the parking lots within the development. Mazur explained for the subdivision they will have to do a preliminary plat, a final plat, and then a PUD amendment which all three will require separate plan commission applications. The PUD, after recommendation from plan commission, shall go before town council. Mazur noted what is to be submitted for the subdivision of which a stormwater report is to be included. Collins questioned why the report would be required if there is no development or redevelopment to occur. Mazur said it is a question for Mendoza to answer while pointing out that the single lot will now be treated as two creating a stormwater management easement. (Mendoza has since been in contact with Spain to explain this required submittal.)

LAWSON: Lawson asked if there would be any changes in water metering. Currently, there is one water bill. Spain assumed there would be separate water billing accounts established. Lawson noted that an order for a larger meter takes longer than standard sizes. Depending on the size of the meter, there would be a deposit. There would also be a new billing account created and signed.

REMMERS: Remmers asked if there would be an address change resulting from the approved subdivision or will 9200 to remain for both lots. Spain said 9200 will remain and suite numbers or letters would be used to distinguish between the two lots. The buildings are connected at one point, so they have provided a shared wall easement as part of that and there are different suite numbers within the building.

COLLINS: Collins referred to the shared wall easement and the potential requirement for that wall to be a fire wall or a rated assembly separating the two newly created lots. Spain pointed out a hallway access between the buildings and that is where there was a shared wall easement was created. Collins will review the potential need for the described separation.

HEINTZ: Heintz noted the uniqueness of this parcel including the entire road. Spain pointed out that there a shared ingress and egress throughout the PUD and the Pepsi property. Heintz also noted shared dumpster access. Heintz brought up signage to which Mazur explained that a variance was secured for the monument sign on Calumet that has not yet been built and is supposed to be completed this year. The signs were very specific in the original PUD and site signage was amended into the PUD a few years ago. It was either an amendment or a variance for the monument. Spain will ask if they plan to share the monument sign. Heintz questioned the potential need for an additional Knox Box. Hajduk had no comments concerning this meeting, but will confirm that an additional is not required.

ISSUES TO BE RESOLVED:

Drainage Plan
Plan Commission
Town Council



EXHIBIT B

Petition PC 24 - 002

Date: _____

Application Fee: \$ _____

Sign Fee: \$ _____

Town of Munster Plan Commission Petition Application

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 - 002

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:
LBC Owner, LLC and LBC Owner, LLC

By: *Phil Goldberg*

0854FDEFAA054EA...

Signature of Owner's Authorized Signatory, Philip Goldberg

1/22/24

Date

DocuSigned by:
LBC Owner, LLC

By: *Phil Goldberg*

0854FDEFAA054EA...

Signature of Applicant's Authorized Signatory, Philip Goldberg

1/22/24

Date

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
Single-Family Residential Subdivision		
Preliminary Plat		
Engineering Plans		
Storm Water Report		
Commercial or Multi-Family Residential Subdivision		
Preliminary Plat	X	
Engineering Plans		X
Storm Water Reports		X
Preliminary Development Plan containing: Note: Existing Development Plan		
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	
Infrastructure improvements	X	

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

REZONING (including PLANNED UNIT DEVELOPMENT amendments)	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

DEVELOPMENT PLAN	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 Commercial Subdivision and Planned Unit Development Amendment are existing and can be reviewed and referenced in the ALTA survey.

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

RXHST Munster, LLC

120 N. Racine Ave., Suite 110

Chicago, IL 60607

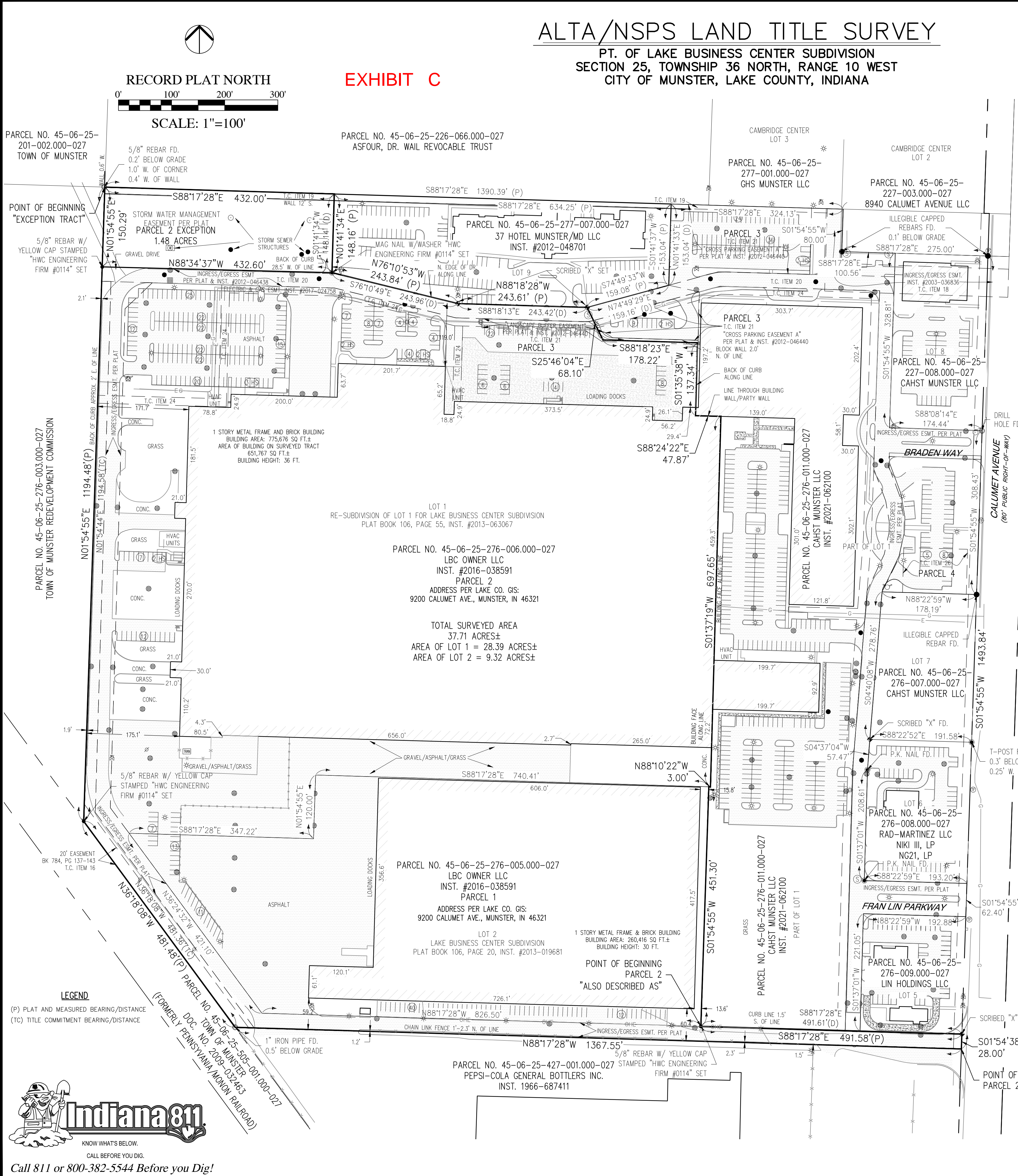
Phone: (312) 498-5617

Email: RBrenner@rxhst.com

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 C



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 - Cable TV
Town of Munster - Fiber Optic
IN Fiber Network dba Intelligent Fiber Network - Fiber Optic
Munster Utility Department - Sewer, Water
Wolverine Pipeline - Pipeline
NIPSCO Gas (Hammond) - Gas
NIPSCO Electric (Hammond) - Electric
AT&T - Distribution - 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. 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 16. 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.]

Item 17. Ingress & Egress Easement conveyed to ATG Development Company, recorded as Inst. #2003-036836. Assigned to Cambridge Center Commercial Association, Inst. #2004-048018. (affects Parcel 2) [EASEMENT CROSSES LOT 1 AND 8 OF LAKE BUSINESS SUBDIVISION, DOES NOT CROSS SURVEYED TRACT.]

Item 18. Berm Easement granted to ATG Development Company, recorded as Inst. #2003-036834. Assigned to Munster Inn, LLC, Inst. #2006-025984, amended by Inst. #2012-046437. (affects Parcel 2) [INST. #2003-036834 CREATED AN 80 FOOT EASEMENT ALONG PART OF THE NORTH LINE OF LAKE BUSINESS CENTER SUBDIVISION. INST. #2012-046437 REDEFINES THE EASEMENT TO AN AREA "AS SHOWN ON THE SITE PLAN". THE RECORDED SITE PLAN IS ILLICIT. THE PRIOR SITE SURVEY AS WELL AS SUBDIVISION PLATS DEPICT THE EASEMENT 8 TO 12 FEET SOUTH OF THE NORTH LINE OF THE SUBDIVISION, AND IS PLOTTED BASED UPON THE PRIOR SEH SURVEY AND PLATS. THE EASEMENT RUNS ALONG A NORTH LINE OF THE SURVEYED TRACT.]

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]

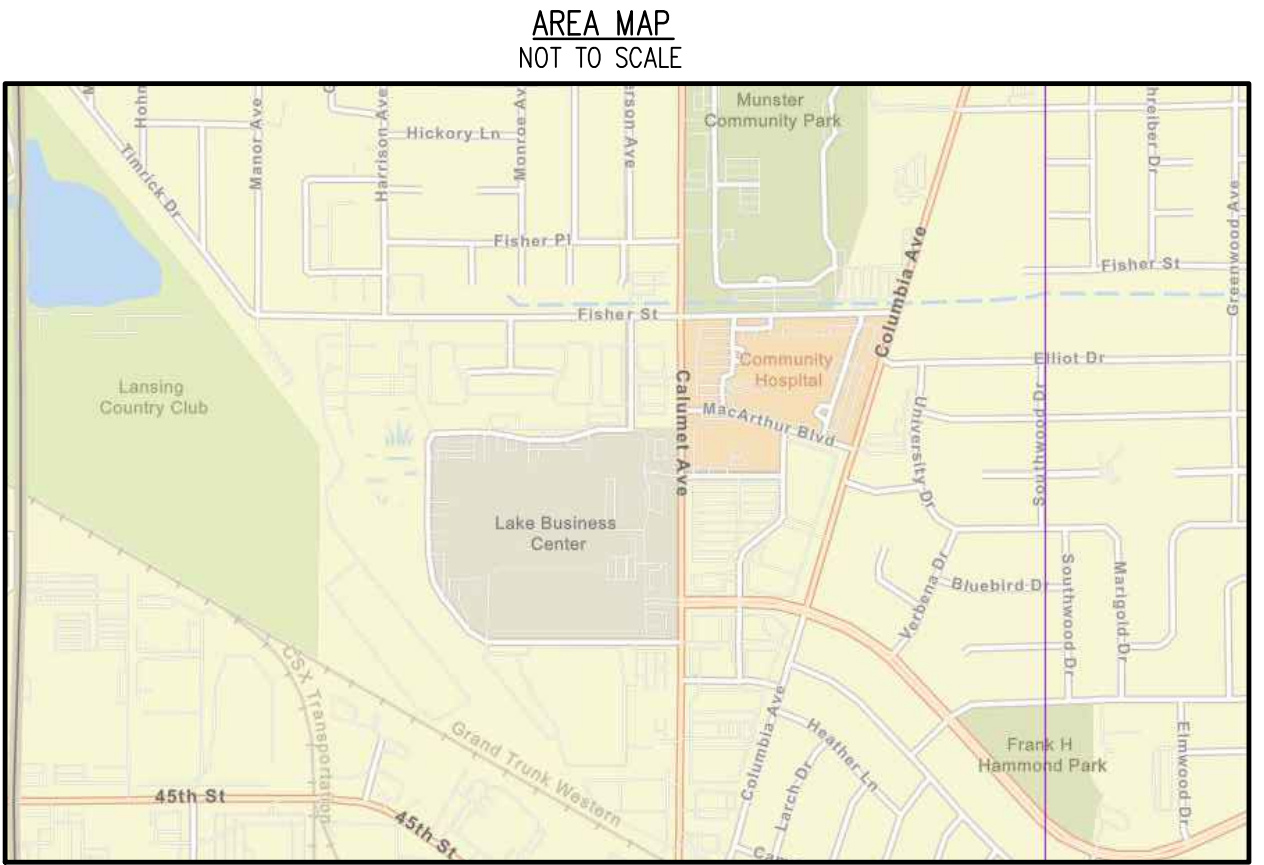
Item 28. Tax Division, Re-Proration and Indemnity Agreement between LBC Owner LLC and CAHST Munster, LLC, recorded as Inst. #2021-062103. [DESCRIPTION IS OF EXCEPTION TRACT TO LOT 1, NO PLOTTABLE EASEMENTS]

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]



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

S1.1

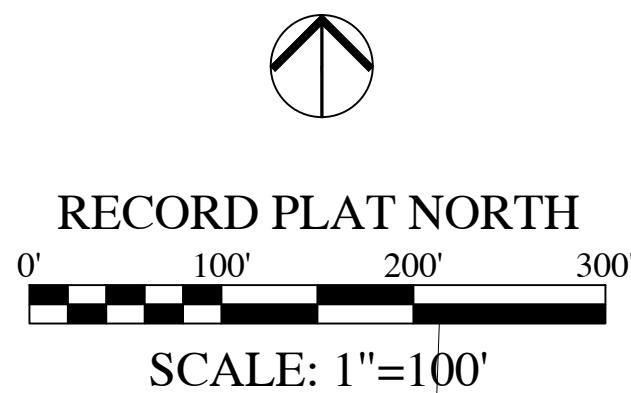
ALTA/NSPS BOUNDARY SURVEY

PAGE 1 of 3

© 2022

File Name: C:\Users\abeery\Documents\Munster Lake Business Center\18XXX\Survey_Local\Bearings.dwg, Layout: S1.1 By: abeery
Plot Time: 1:29pm
Plot Date: Oct 05, 2022

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\18XXX\Survey_Local\Bearings.dwg, Layout: S1.2 By: abeery
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Plot Date: Oct 05, 2022

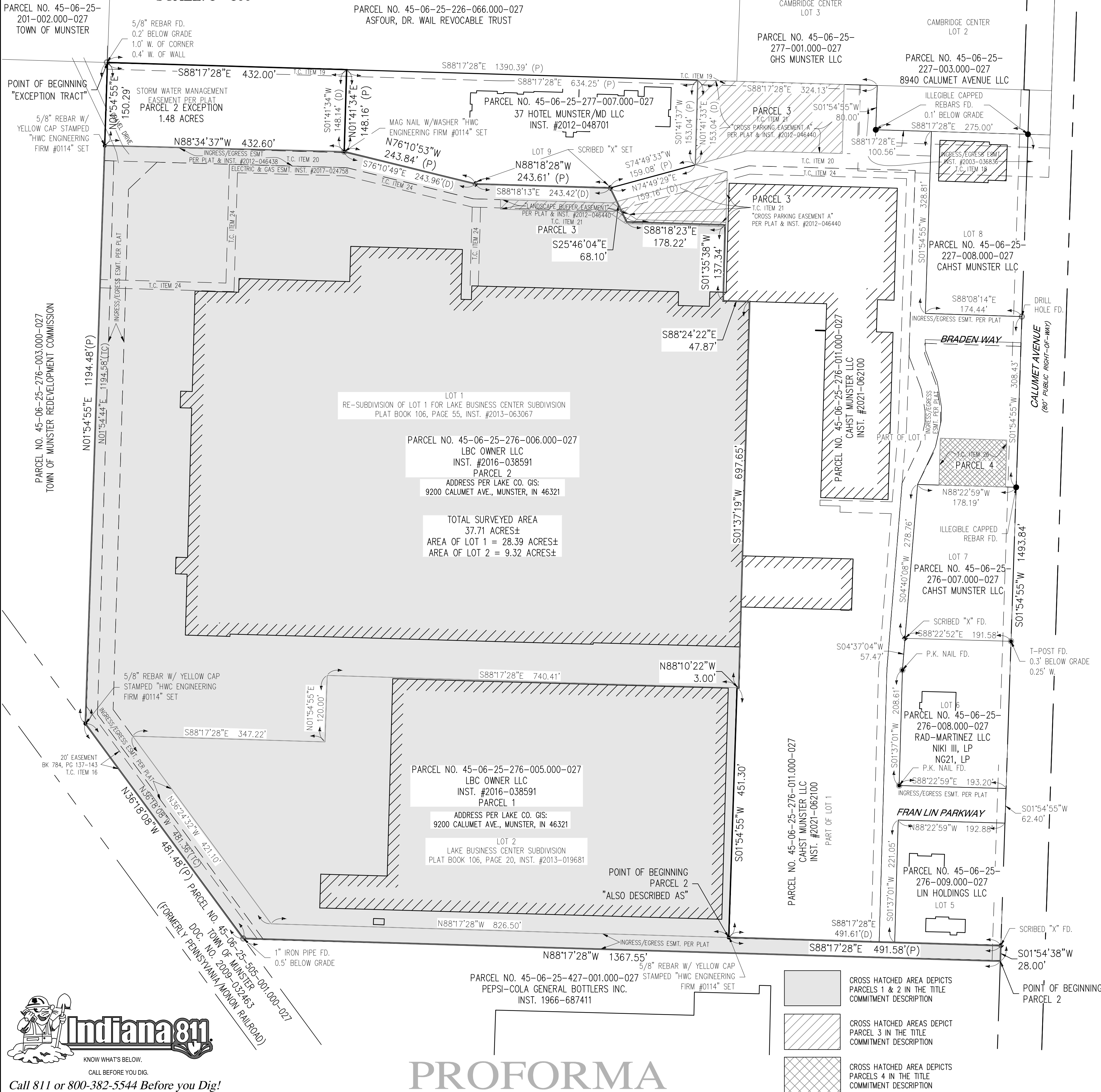
NOTE
SITE IMPROVEMENTS REMOVED
FOR CLARITY PURPOSES



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 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.

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.]

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.]

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Item 18. Ingress & Egress Easement conveyed to ATG Development Company, recorded as Inst. #2003-036836. Assigned to Cambridge Center Commercial Association, Inst. #2004-048018. (affects Parcel 2) [EASEMENT CROSSES LOT 1 AND 8 OF LAKE BUSINESS SUBDIVISION, DOES NOT CROSS SURVEYED TRACT.]

Item 19. Berm Easement granted to ATG Development Company, recorded as Inst. #2003-036834. Assigned to Munster Inn, LLC, Inst. #2006-025984, amended by Inst. #2012-046437. (affects Parcel 2) [INST. #2003-036834 CREATED AN 80 FOOT EASEMENT ALONG PART OF THE NORTH LINE OF LAKE BUSINESS CENTER SUBDIVISION. INST. #2012-046437 REDEFINES THE EASEMENT TO AN AREA "AS SHOWN ON THE SITE PLAN". THE RECORDED SITE PLAN IS ILLIGIBLE. THE PRIOR SURVEY AS WELL AS SUBDIVISION PLATS DEPICT THE EASEMENT 8 TO 12 FEET SOUTH OF THE NORTH LINE OF THE SUBDIVISION, AND IS PLOTTED BASED UPON THE PRIOR SURVEY AND PLATS. THE EASEMENT RUNS ALONG A NORTH LINE OF THE SURVEYED TRACT.]

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 CROSSED 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]

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



LAKE BUSINESS CENTER ALTA/NSPS LAND TITLE RETRACEMENT SURVEY

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

DRAWN BY AJB	JOB NUMBER 2022-276-S
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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SECOND RE-SUBDIVISION OF LOT 1

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

DEDICATION CERTIFICATE

THE UNDERSIGNED, PHILIP GOLDBERG, LBCOI OWNER, LLC, A DELAWARE LIMITED LIABILITY COMPANY, BEING THE OWNER OF THE REAL ESTATE SHOWN AND DESCRIBED HEREON DOES HEREBY LAY OFF, PLAT AND SUBDIVIDE THE SAME IN ACCORDANCE WITH THE PLAT. THIS SUBDIVISION SHALL BE KNOWN AND DESIGNATED AS SECOND RE-SUBDIVISION OF LOT 1 FOR LAKE BUSINESS CENTER SUBDIVISION, AN ADDITION TO THE TOWN OF MUNSTER, LAKE COUNTY, INDIANA.

CERTIFICATE OF OWNERSHIP

WE THE UNDERSIGNED, AS OWNERS OF THE REAL ESTATE (INST. #2016-038591) (LOT 1 AND OUTLOT A) HERON DO HEREBY DECLARE THE REAL ESTATE AS DESCRIBED, SHALL BE KNOWN AS "SECOND RE-SUBDIVISION OF LOT 1 FOR LAKE BUSINESS CENTER SUBDIVISION".

OWNER/DEVELOPER:
PHILIP GOLDBERG
LBCOI OWNER, LLC
1133 WEST 175TH ST
HOMEWOOD, IL 60430

LAND DESCRIPTION

Lot 1 of RE-SUBDIVISION OF LOT 1 FOR LAKE BUSINESS CENTER SUBDIVISION, recorded as Instrument Number 2013-063067 in Plat Book 106, Page 55 in the Office of the Recorder, Lake County, Indiana

DEDICATION CERTIFICATE

THE UNDERSIGNED, PHILIP GOLDBERG, LBC OWNER, LLC, A DELAWARE LIMITED LIABILITY COMPANY, BEING THE OWNER OF THE REAL ESTATE SHOWN AND DESCRIBED HEREON DOES HEREBY LAY OFF, PLAT AND SUBDIVIDE THE SAME IN ACCORDANCE WITH THE PLAT. THIS SUBDIVISION SHALL BE KNOWN AND DESIGNATED AS SECOND RE-SUBDIVISION OF LOT 1 FOR LAKE BUSINESS CENTER SUBDIVISION, AN ADDITION TO THE TOWN OF MUNSTER, LAKE COUNTY, INDIANA.

CERTIFICATE OF OWNERSHIP

WE THE UNDERSIGNED, AS OWNERS OF THE REAL ESTATE (INST. #2016-038591) (LOT 1 AND OUTLOT A) HERON DO HEREBY DECLARE THE REAL ESTATE AS DESCRIBED, SHALL BE KNOWN AS "SECOND RE-SUBDIVISION OF LOT 1 FOR LAKE BUSINESS CENTER SUBDIVISION".

OWNER/DEVELOPER:
PHILIP GOLDBERG
LBC OWNER, LLC
1133 WEST 175TH ST
HOMEWOOD, IL 60430

DEDICATION CERTIFICATE

THE UNDERSIGNED, RUSSELL BRENNER, RXHST MUNSTER, LLC, A DELAWARE LIMITED LIABILITY COMPANY, BEING THE OWNER OF THE REAL ESTATE SHOWN AND DESCRIBED HEREON DOES HEREBY LAY OFF, PLAT AND SUBDIVIDE THE SAME IN ACCORDANCE WITH THE PLAT. THIS SUBDIVISION SHALL BE KNOWN AND DESIGNATED AS SECOND RE-SUBDIVISION OF LOT 1 FOR LAKE BUSINESS CENTER SUBDIVISION, AN ADDITION TO THE TOWN OF MUNSTER, LAKE COUNTY, INDIANA.

CERTIFICATE OF OWNERSHIP

WE THE UNDERSIGNED, AS OWNERS OF THE REAL ESTATE (INST. #2021-062100) (LOT3) HERON DO HEREBY DECLARE THE REAL ESTATE AS DESCRIBED, SHALL BE KNOWN AS "SECOND RE-SUBDIVISION OF LOT 1 FOR LAKE BUSINESS CENTER SUBDIVISION".

OWNER/DEVELOPER:
RXHST MUNSTER, LLC
120 N. RACINE AVE.
SUITE 110
CHICAGO, IL 60607

RUSSELL BRENNER
AUTHORIZED SIGNATORY

STATE OF _____)
COUNTY OF _____) SS

BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED RUSSELL BRENNER, AUTHORIZED SIGNATORY, OF CAHST MUNSTER, LLC, OWNER OF THE REAL ESTATE, WHO ACKNOWLEDGED THE EXECUTION OF THE FOREGOING INSTRUMENT AND WHO, HAVING BEEN DULY SWORN, STATED THAT ANY REPRESENTATIONS THEREIN CONTAINED ARE TRUE.

WITNESS MY SIGNATURE AND NOTARIAL SEAL THIS _____ DAY OF _____, 20____

MY COMMISSION EXPIRES _____ NOTARY PUBLIC

COUNTY OF RESIDENCE: _____ PRINTED NAME _____

PHILIP GOLDBERG
AUTHORIZED SIGNATORY

STATE OF _____)
COUNTY OF _____) SS

BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED PHILIP GOLDBERG, AUTHORIZED SIGNATORY, OF LBC OWNER, LLC, OWNER OF THE REAL ESTATE, WHO ACKNOWLEDGED THE EXECUTION OF THE FOREGOING INSTRUMENT AND WHO, HAVING BEEN DULY SWORN, STATED THAT ANY REPRESENTATIONS THEREIN CONTAINED ARE TRUE.

WITNESS MY SIGNATURE AND NOTARIAL SEAL THIS _____ DAY OF _____, 20____

MY COMMISSION EXPIRES _____ NOTARY PUBLIC

COUNTY OF RESIDENCE: _____ PRINTED NAME _____

ALL EASEMENTS SHOWN HEREON HAVE BEEN HERETOFORE DEDICATED BY PRIOR PUBLIC RECORD DOCUMENTS.

INGRESS/EGRESS EASEMENT PROVISIONS

EASEMENTS FOR INGRESS AND EGRESS HAVE BEEN GRANTED OVER THE PROPERTY WITHIN THE STRIPS OF LAND DESIGNATED AS "INGRESS AND EGRESS ESMT" TO THE OWNERS, OCCUPANTS, AND INVITEES OF THE LOTS IN THE PROPERTY DESCRIBED HEREON. PURSUANT TO THE TERMS AND CONDITIONS OF THE AMENDED AND RESTATED INGRESS AND EGRESS EASEMENT, DATED JUNE 21, 2012 AND RECORDED ON JULY 16, 2012 AS DOCUMENT NUMBER 2012-046438, THE DECLARATION OF EASEMENTS AND RESTRICTIVE COVENANTS, DATED JUNE 1, 2012 AND RECORDED JULY 16, 2012 AS DOCUMENT NUMBER 2012-046440, AND THE DECLARATION OF EASEMENTS, COVENANTS, CONDITIONS, AND RESTRICTIONS DATED JUNE 1, 2012 AND RECORDED JULY 16, 2012 AS DOCUMENT NUMBER 2012-046441.

NO ACCESS EASEMENT PROVISIONS

THERE SHALL BE NO DRIVEWAYS CONSTRUCTED OR MAINTAINED ALONG THE EAST PROPERTY LINES OF LOT 3 TO CALUMET AVENUE OUTSIDE OF THE INGRESS/EGRESS EASEMENTS.

CROSS PARKING EASEMENT AND LANDSCAPE BUFFER EASEMENT PROVISIONS

EASEMENTS FOR CROSS PARKING AND LANDSCAPE BUFFER HAVE BEEN GRANTED OVER THE PROPERTY WITHIN THE STRIPS OF LAND DESIGNATED AS "CROSS PARKING EASEMENT A" AND "LANDSCAPE BUFFER EASEMENT" TO THE OWNERS, OCCUPANTS, AND INVITEES OF THE LOTS IN THE PROPERTY DESCRIBED HEREON. PURSUANT TO THE DECLARATION OF EASEMENTS AND RESTRICTIVE COVENANTS, DATED JUNE 1, 2012 AND RECORDED JULY 16, 2012 AS DOCUMENT NUMBER 2012-046440.

STORM WATER MANAGEMENT EASEMENT PROVISIONS

A NON-EXCLUSIVE PERPETUAL EASEMENT HAS BEEN GRANTED TO INSTALL, PLACE, AND MAINTAIN AN UNDERGROUND DETENTION STORAGE AREA, STORM SEWERS, AND MANHOLES WITH ALL NECESSARY OTHER APPLIANCES IN AND UNDER THE SURFACE OF THE PROPERTY SHOWN ON THE PLAT AND MARKED "STORM WATER MANAGEMENT EASEMENT" FOR THE PURPOSE OF SERVING LOT 9 AND A PORTION OF LOT 1 WITH STORM SEWER SERVICE INCLUDING THE RIGHT TO USE THE STREETS WHERE NECESSARY, TOGETHER WITH THE RIGHT TO ENTER UPON THE SAID EASEMENT FOR STORM SEWERS AT ALL TIMES FOR ANY AND ALL OF THE PURPOSES AFORESAID AND TO TRIM AND KEEP TRIMMED ANY TREES, SHRUBS, OR SAPLINGS THAT INTERFERE WITH ANY SUCH STORM SEWER EQUIPMENT. NO PERMANENT BUILDINGS SHALL BE PLACED ON SAID EASEMENT, BUT SAME MAY BE USED FOR PAVING, CURBS, SIDEWALKS, GARDENS, SHRUBS, LANDSCAPING AND OTHER PURPOSES THAT DO NOT INTERFERE WITH THE USE OF SAID EASEMENT FOR SUCH STORM SEWER PURPOSES.

DECLARATION OF PARTY WALL & GRANT OF EASEMENTS AGREEMENT

DECLARATION OF PARTY WALL & GRANT OF EASEMENTS AGREEMENT DATED SEPTEMBER 22, 2021 AND RECORDED OCTOBER 4, 2021 IN INSTRUMENT #2021-062102 FOR THE BENEFIT OF LOTS 1 AND 3 FOR PARTY WALL, GARBAGE, AND SHARED FACILITIES.

THIS SUBDIVISION CONSISTS OF TWO (2) LOTS LABELED 1 AND 3, AND AN OUTLOT A TOGETHER WITH EASEMENTS AS SHOWN HEREON. THE SIZE OF THE LOTS AND OUTLOT AND WIDTHS OF EASEMENTS ARE SHOWN IN FIGURES DENOTING FEET AND DECIMAL PARTS THEREOF.

CROSS REFERENCE IS HEREBY MADE TO RE-SUBDIVISION OF LOT 1 FOR LAKE BUSINESS CENTER SUBDIVISION IN THE OFFICE OF THE RECORDER OF LAKE COUNTY, INDIANA RECORDED AS INSTRUMENT NUMBER 2013-063067 IN PLAT BOOK 106, PAGE 55.

PLAN COMMISSION CERTIFICATE:

STATE OF INDIANA _____)
COUNTY OF _____) SS

UNDER THE AUTHORITY PROVIDED BY INDIANA CODE 36-7-4-700 (SEC. 700-799), AS AMENDED FROM TIME TO TIME, AND AN ORDINANCE ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF MUNSTER, LAKE COUNTY, INDIANA, THIS PLAT WAS GIVEN APPROVAL BY THE TOWN OF MUNSTER AS FOLLOWS:

APPROVED BY THE TOWN OF MUNSTER PLAN COMMISSION AT MEETING THE THIS _____ DAY OF _____, 20____

PRESIDENT _____

SECRETARY _____

WITNESS MY SIGNATURE THIS 5th DAY OF JANUARY, 2024.

ADAM J. BEERY
PROFESSIONAL SURVEYOR #20700069



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

EXHIBIT D

Line #	Direction	Length
L1	N01°54'55"E	18.53'
L2	N20°27'37"W	61.90'
L3	N20°27'37"W	64.76'
L4	N09°33'01"W	45.66'
L5	N09°33'01"W	40.35'
L6	N01°13'40"E	25.08'
L7	N01°13'40"E	19.66'
L8	N12°33'02"E	48.07'
L9	N12°33'02"E	41.82'
L10	N26°42'49"E	68.70'
L11	N26°42'49"E	70.67'
L12	S88°05'31"E	28.03'
L13	S88°05'31"E	28.03'

PARCEL NO. 45-06-25-276-003.000-027
TOWN OF MUNSTER REDEVELOPMENT COMMISSION

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'

LOT 1
1172047 S.F.
26.906 AC.
PARCEL NO. 45-06-25-276-006.000-027
LBCOI OWNER LLC
INST. #2022-545208

LOT 3
580436 S.F.
13.325 AC.

LOT 2
LAKE BUSINESS CENTER SUBDIVISION
PLAT BOOK 106, PAGE 20, INST. #2013-019681

PARCEL NO. 45-06-25-276-011.000-027
RXHST MUNSTER, LLC
INST. #2021-062100

PHILIP GOLDBERG
AUTHORIZED SIGNATORY