

Mitchell Dick McNelis, LLC

----- Attorneys at Law -----

Michael T. McNelis
Attorney at Law

Direct: 317-968-1728
E-Mail: mikem@mitchelldickmcnelis.com

August 29, 2016

ATTN: Dawn Andershock
Indiana Brownsfields Program
100 North Senate Avenue, Room 1275
Indianapolis, IN 46204

Via Certified Mail/Return Receipt Requested
7014 0150 0000 0690 1703

RE: **Environmental Restrictive Covenant – 4343 State Road 26 East, Lafayette, Indiana**

Dear Dawn:

Please reference the enclosed recorded **Environmental Restrictive Covenant** recorded July 29, 2016 with the Tippecanoe County Recorder's office as instrument no. 201616013577. A copy of this ERC is being delivered to you for your files following its recordation consistent with the requirements contained in the ERC and its attachments. In addition, this letter also relates to a transfer of title of a portion of the real estate owned by Motel Property Development Company, LLC. As you can see, we have enclosed copies of warranty deeds from Motel Property Development Company, LLC, as the grantor, in each case, and in one case to Roy Hotel Partners, LLC, and in the other case, to Roy Outlot 1 Partners, LLC, each recorded July 29, 2016 with the Tippecanoe County Recorder's office, as instrument nos. 201616013578 and 201616013579.

This letter and the enclosures thereto are provided to you in compliance with Section 6 of the enclosed ERC. As you can see, the enclosed recorded deeds contain the language required by Section 5 of the ERC. The Buyer/ grantee in each instance pursuant to the deeds is/are well aware of the attached ERC, copies having been provided during the due diligence process of the transaction. Both the grantor and the grantees in connection with the deeds are aware of and sensitive to and making sure at all times to maintain compliance with Section 1, the restrictions, of the attached ERC. Please advise if any questions concerning the attached. Thanks.

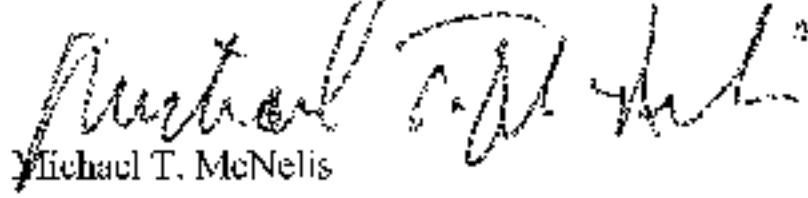
RECEIVED

SEP 02 2016

INDIANA FINANCE AUTHORITY
ENVIRONMENTAL PROGRAMS

Very truly yours,

MITCHELL DICK McNELIS, LLC



Michael T. McNelis

MTM/jl

Enclosures

CC: Roy Hotel Partners, LLC and Roy Outlot 1 Partners, LLC (w/ encls.)

F:\APPS\CDOC\DORAB&TDORATM\DoubleTree Lafayette\environmental\ltr to HDBM - Dawn A. -re ERC - Roy Hotel Partners, LLC and Roy Outlot 1 Partners, LLC - 8.29.16 clean.doc



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201616013579

FILED FOR RECORD IN

TIPPECANOE COUNTY, IN

SHARON OTTENS, RECORDER

07/29/2016 08:51:07PM

DEED 22.00

Tax Key No. 79-07-25-126-002,000-005WARRANTY DEED

THIS INDENTURE WITNESSETH, That Motel Property Development Company, LLC, an Indiana limited liability company ("Grantor") CONVEYS AND WARRANTS to Roy Outlot 1 Partners, LLC, a limited liability company ("Grantee"), for the sum of ten and no/100 dollars (\$10.00) and other valuable consideration, the following described real estate in Tippecanoe County, State of Indiana:

SEE ATTACHED EXHIBIT A

Subject to all easements and restrictions of record and taxes.

The person executing this deed on behalf of Grantor represents and certifies that he is the sole Member of Grantor and is fully empowered, to execute and deliver this deed; that Grantor has full capacity to convey the real estate described herein; and that all necessary action for the making of such conveyance has been taken and done.

IN WITNESS WHEREOF, Grantor has caused this deed to be executed this ²⁹~~14~~ day of July, 2016.

MOTEL PROPERTY DEVELOPMENT COMPANY, LLC

By:

Roy D. Meeks
Roy D. Meeks, Member

DULY ENTERED FOR TAXATION
SUBJECT TO FINAL ACCEPTANCE
FOR TRANSFER

JUL 29 2016

[Signature]
AUDITOR OF TIPPECANOE CO.

STATE OF INDIANA)
) SS;
COUNTY OF TIPPECANOE)

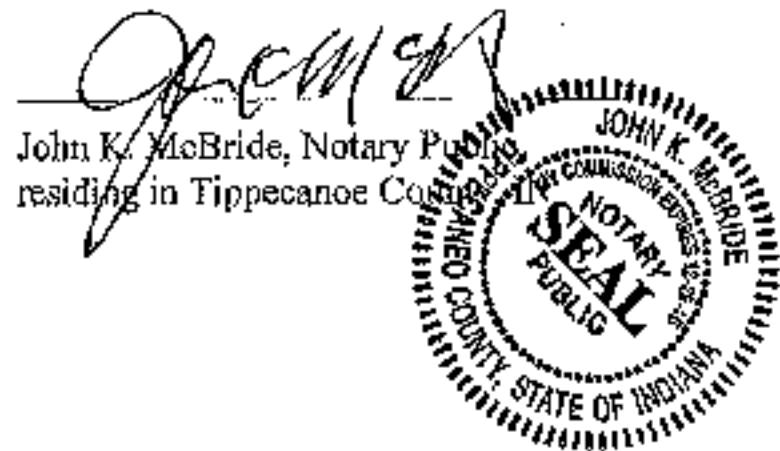
Before me, a Notary Public in and for said County and State, personally appeared Roy D. Meeks, a duly authorized Member, who acknowledged the execution of the foregoing Warranty Deed for and on behalf of said Grantor, and who, having been duly sworn, stated that any representations therein contained are true.

Witness my hand and Notarial Seal this 21 day of July, 2016.

My Commission Expires:
December 29, 2016

ADDRESS OF GRANTEE
AND FOR TAXES:

10734 Sky Prairie St.
Fishers, IN 46038



This instrument was prepared by me and 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.

John K. McBride, of the firm of BALL EGGLESTON PC, 201 Main Street, Suite 810, P.O. Box 1535, Lafayette, Indiana, 47902, Telephone: (765) 742-9046

EXHIBIT A

Parcel I:

Block Numbered Two (2) in Meeks Subdivision, as depicted on the Plat thereof, recorded in Book 9, Page 184 as Instrument Number 201616012885 in the Office of the Tippecanoe County Recorder. Located in a part of the Northwest Quarter of Section 25, Township 23 North, Range 4 West, Fairfield Township, Tippecanoe County, Indiana.

Parcel II:

Easement for ingress, egress and utilities over and across Outlot A in Meeks Subdivision, as depicted on the Plat thereof, recorded in Book 9, Page 184 as Instrument Number 201616012885 in the Office of the Tippecanoe County Recorder. Located in a part of the Northwest Quarter of Section 25, Township 23 North, Range 4 West, Fairfield Township, Tippecanoe County, Indiana.

Parcel III:

Easement for ingress, egress, drainage, sewer and utilities shown as Easement Area E in Meeks Subdivision, as depicted on the Plat thereof, recorded in Book 9, Page 184 as Instrument Number 201616012885 in the Office of the Tippecanoe County Recorder. Located in a part of the Northwest Quarter of Section 25, Township 23 North, Range 4 West, Fairfield Township, Tippecanoe County, Indiana.

Parcel IV:

Easement for ingress and egress shown as Easement Area F in Meeks Subdivision, as depicted on the Plat thereof, recorded in Book 9, Page 184 as Instrument Number 201616012885 in the Office of the Tippecanoe County Recorder. Located in a part of the Northwest Quarter of Section 25, Township 23 North, Range 4 West, Fairfield Township, Tippecanoe County, Indiana.

Parcel V:

Easement for ingress, egress, drainage and utilities shown as Easement Area G in Meeks Subdivision, as depicted on the Plat thereof, recorded in Book 9, Page 184 as Instrument Number 201616012885 in the Office of the Tippecanoe County Recorder. Located in a part of the Northwest Quarter of Section 25, Township 23 North, Range 4 West, Fairfield

Township, Tippecanoe County, Indiana.

Parcel VI:

Easement for ingress, egress, drainage and utilities shown as Easement Area H in Meeks Subdivision, as depicted on the Plat thereof, recorded in Book 9, Page 184 as Instrument Number 201616012885 in the Office of the Tippecanoe County Recorder. Located in a part of the Northwest Quarter of Section 25, Township 23 North, Range 4 West, Fairfield Township, Tippecanoe County, Indiana.

Parcel VII:

Easement for sewer, water lines, electric lines and other utilities shown as Easement Area B in Meeks Subdivision, as depicted on the Plat thereof, recorded in Book 9, Page 184 as Instrument Number 201616012885 in the Office of the Tippecanoe County Recorder. Located in a part of the Northwest Quarter of Section 25, Township 23 North, Range 4 West, Fairfield Township, Tippecanoe County, Indiana.

Parcel VIII:

Easement for sewer lines, water lines, electric lines and other utilities shown as Easement Area J in Meeks Subdivision, as depicted on the Plat thereof, recorded in Book 9, Page 184 as Instrument Number 201616012885 in the Office of the Tippecanoe County Recorder. Located in a part of the Northwest Quarter of Section 25, Township 23 North, Range 4 West, Fairfield Township, Tippecanoe County, Indiana.

NOTICE: THE INTEREST CONVEYED HEREBY IS SUBJECT TO AN ENVIRONMENTAL RESTRICTIVE COVENANT, DATED JUNE 23, 2016, RECORDED IN THE OFFICE OF THE RECORDER OF TIPPECANOE COUNTY ON July 29, 2016, INSTRUMENT NUMBER 201616013577 IN FAVOR OF AND ENFORCEABLE BY THE INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT.



* 2 0 1 6 1 6 0 1 3 5 7 8 4 *

201616013578

FILED FOR RECORD IN

TIPPECANOE COUNTY, IN

SHARON HITHERS, RECORDER

07/29/2016 03:51:06PM

DEED 22.03

79-07-25-126-002.000-005

Tax Key No. 79-07-25-126-003.000-005

WARRANTY DEED

THIS INDENTURE WITNESSETH, That Motel Property Development Company, LLC, an Indiana limited liability company ("Grantor") CONVEYS AND WARRANTS to Roy Hotel Partners, LLC, a limited liability company ("Grantee"), for the sum of ten and no/100 dollars (\$10.00) and other valuable consideration, the following described real estate in Tippecanoe County, State of Indiana:

SEE ATTACHED EXHIBIT A

Subject to all easements and restrictions of record and taxes.

The person executing this deed on behalf of Grantor represents and certifies that he is the sole Member of Grantor and is fully empowered, to execute and deliver this deed; that Grantor has full capacity to convey the real estate described herein; and that all necessary action for the making of such conveyance has been taken and done.

IN WITNESS WHEREOF, Grantor has caused this deed to be executed this 29 day of July, 2016.

MOTEL PROPERTY DEVELOPMENT COMPANY, LLC

By: Doey B. Meeks
Roy B. Meeks, Member

DULY ENTERED FOR TAXATION
SUBJECT TO FINAL ACCEPTANCE
FOR TRANSFER

JUL 29 2016 PRZ

Timothy D. Hithers
AUDITOR OF TIPPECANOE CO.

STATE OF INDIANA)
) SS:
COUNTY OF TIPPECANOE)

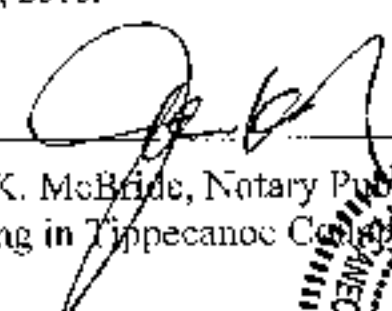
Before me, a Notary Public in and for said County and State, personally appeared Roy D. Meeks, a duly authorized Member, who acknowledged the execution of the foregoing Warranty Deed for and on behalf of said Grantor, and who, having been duly sworn, stated that any representations therein contained are true.

Witness my hand and Notarial Seal this 21 day of July, 2016.

My Commission Expires:
December 29, 2016

ADDRESS OF GRANTEE
AND FOR TAXES:

10734 Sky Prairie St.
Fishers, IN 46038


John K. McBride, Notary Public
residing in Tippecanoe County, Indiana



This instrument was prepared by me and 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.

John K. McBride, of the firm of BALL EGGLESTON PC, 201 Main Street, Suite 810, P.O. Box 1535, Lafayette, Indiana, 47902, Telephone: (765) 742-9046

EXHIBIT A

Parcel I:

Lot Number One (1) in Meeks Subdivision, as depicted on the Plat thereof, recorded in Book 9, Page 184 as Instrument Number 20160612885 in the Office of the Tippecanoe County Recorder. Located in a part of the Northwest Quarter of Section 25, Township 23 North, Range 4 West, Fairfield Township, Tippecanoe County, Indiana.

Parcel II:

Easement for ingress, egress and utilities over and across Outlot A in Meeks Subdivision, as depicted on the Plat thereof, recorded in Book 9, Page 184 as Instrument Number 20160612885 in the Office of the Tippecanoe County Recorder. Located in a part of the Northwest Quarter of Section 25, Township 23 North, Range 4 West, Fairfield Township, Tippecanoe County, Indiana.

Parcel III:

Easement for ingress, egress, drainage, sewer and utilities shown as Easement Area E in Meeks Subdivision, as depicted on the Plat thereof, recorded in Book 9, Page 184 as Instrument Number 20160612885 in the Office of the Tippecanoe County Recorder. Located in a part of the Northwest Quarter of Section 25, Township 23 North, Range 4 West, Fairfield Township, Tippecanoe County, Indiana.

Parcel IV:

Easement for ingress and egress shown as Easement Area F in Meeks Subdivision, as depicted on the Plat thereof, recorded in Book 9, Page 184 as Instrument Number 20160612885 in the Office of the Tippecanoe County Recorder. Located in a part of the Northwest Quarter of Section 25, Township 23 North, Range 4 West, Fairfield Township, Tippecanoe County, Indiana.

Parcel V:

Easement for ingress and egress shown as Easement Area G in Meeks Subdivision, as depicted on the Plat thereof, recorded in Book 9, Page 184 as Instrument Number 20160612885 in the Office of the Tippecanoe County Recorder. Located in a part of the Northwest Quarter of Section 25, Township 23 North, Range 4 West, Fairfield Township,

Tippecanoe County, Indiana.

Parcel VI:

Easement for ingress, egress, drainage and utilities shown as Easement Area H in Meeks Subdivision, as depicted on the Plat thereof, recorded in Book 9, Page 184 as Instrument Number 20160612885 in the Office of the Tippecanoe County Recorder. Located in a part of the Northwest Quarter of Section 25, Township 23 North, Range 4 West, Fairfield Township, Tippecanoe County, Indiana.

NOTICE: THE INTEREST CONVEYED HEREBY IS SUBJECT TO AN ENVIRONMENTAL RESTRICTIVE COVENANT, DATED JUNE 23, 2016, RECORDED IN THE OFFICE OF THE RECORDER OF TIPPECANOE COUNTY ON July 29, 2016, INSTRUMENT NUMBER 20160613599 IN FAVOR OF AND ENFORCEABLE BY THE INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT.