

4

STATE OF INDIANA)
) SS:
COUNTY OF LAKE 2004 032988

LAKE COUNTY
FILED FOR RECORD

2004 APR 23 10 22

CMU20040802

AFFIDAVIT

WAY STATION-MONTEREY, a California limited partnership, doing business in Indiana as WAY STATION-MONTEREY, A CALIFORNIA LIMITED PARTNERSHIP ("AFFIANT") states upon information and belief, that:

The attached copy is a true and accurate copy of the Certificate of Assumed Name filed by AFFIANT with the Indiana Secretary of State, Corporations Division, 502 W. Washington Street, Rm. E018, Indianapolis, Indiana 48204.

Executed on April 19, 2004

AFFIANT:

WAY STATION-MONTEREY, a California limited partnership, doing business in Indiana as WAY STATION-MONTEREY, A CALIFORNIA LIMITED PARTNERSHIP

By: M. Robert J. Gross
Name: Marshall D. Gross
Its: General Partner

CHICAGO TITLE INSURANCE COMPANY

STATE OF CALIFORNIA

COUNTY OF Contra Costa

On April 19, 2004, before me, [Signature], a Notary Public, personally appeared Marshall D. Gross, a the General Partner

of WAY STATION-MONTEREY, a California limited partnership, doing business in Indiana as WAY STATION-MONTEREY, A CALIFORNIA LIMITED PARTNERSHIP, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

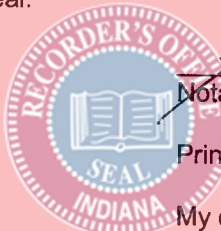
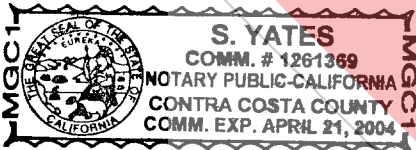
APR 23 2004

STEPHEN R. STIGLICH
LAKE COUNTY AUDITOR

Notary Public

Print Name: S. YATES

My commission expires: 4-21-04



016075/240015/297259_2

002578

15-
COC
CT



CERTIFICATE OF ASSUMED BUSINESS NAME (All Entities)

State Form 30353 (R11 / 1-03)
State Board of Accounts Approved 2002

TODD ROKITA
SECRETARY OF STATE
CORPORATIONS DIVISION
302 W. Washington St., Rm. E018
Indianapolis, IN 46204
Telephone: (317) 232-6576

INSTRUCTIONS:

Use an 8 1/2" x 11" sheet of white paper for attachments.
Present original and one (1) copy to address in upper right corner of this form.
Please TYPE or PRINT.
Please visit our office on the web at www.sos.in.gov.

FILING FEES PER CERTIFICATE:

For-Profit Corporation, Limited Liability Company, Limited Partnership **\$30.00**
Not-For-Profit Corporation **\$26.00**

1. Name of entity Way Station-Monterey, A California Limited Partemership		2. Date of incorporation / admission / organization 07/01/1984	
3. Address at which the entity will do business or have an office in Indiana. If no office in Indiana, then state current registered address (street address)			
City, state and ZIP code			
4. Assumed business name(s) Way Station-Monterey, A California Limited Partnership, Doing Business in Indiana as,			
Way Station-Monterey, A California Limited Partnership			
5. Principal office address of the entity (street address) 3500 Central Ave.			
City, state and ZIP code Lake Station, Indiana 46405			
6. Signature of officer or other authorized party <i>Marshall Green</i>		7. Printed name and title MARSHALL GREEN General Partner	
This instrument was prepared by:			

This Document is the property of
the Lake County Recorder!

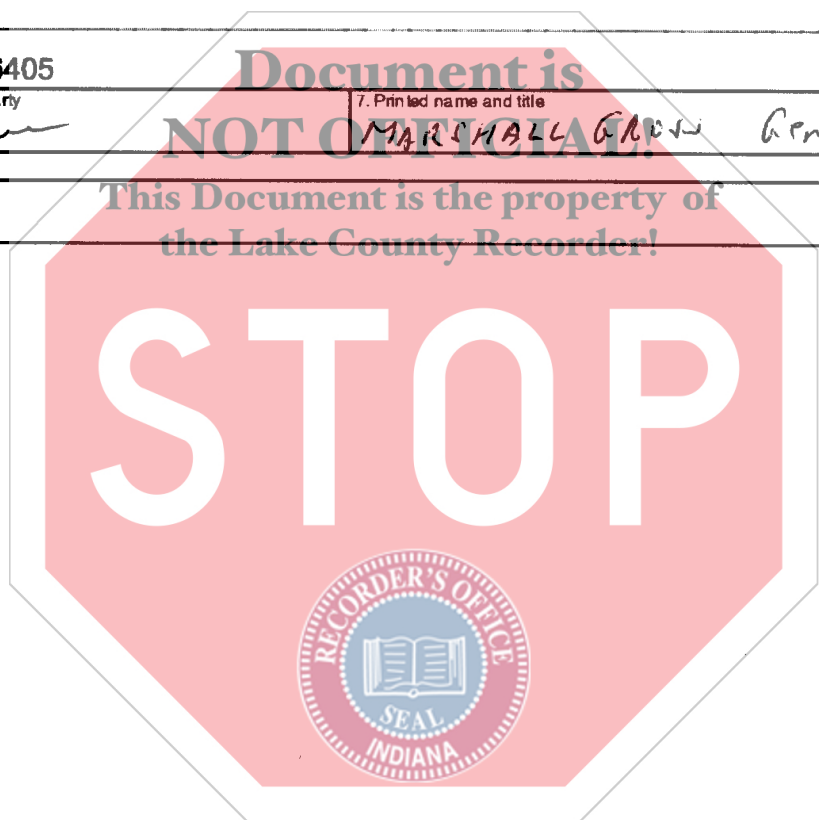


EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY

Commonly Known As: 3500 Central Avenue, Lake Station, IN 46405

The Property is located in Lake County, Indiana, and is legally described as follows:

Parcel 1: The West 80 feet of School Lot 8, in Section 16, Township 36 North, Range 7 West of the 2nd Principal Meridian, in the City of Lake Station, Lake County, Indiana; also a strip of land in Section 17 of said Township and Range, which lies adjacent to and on the West side of said Lot 8, the said strip being at the point of intersection of the North line of that part of Central Avenue which lies in the said Section 17, with the East line of said Section 17; thence North along the East line of said Section 17, a distance of 228.6 feet to the South line of a street and sewer easement which lies in the said Section 17; thence Westerly along the Southerly line of said easement, a distance of 20.78 feet; thence South and parallel to the East line of said Section 17 to the North line of Central Avenue; thence Easterly along the Northerly line of Central Avenue 20.78 feet to the point of beginning.

Parcel 2: The West 9 feet of the South 110 feet of School Lot 9, and School Lot 8, except the West 80 feet thereof, in the West 1/2 of Section 16, Township 36 North, Range 7 West of the 2nd Principal Meridian, in the City of Lake Station, in Lake County, Indiana, except that part conveyed to State of Indiana by deed recorded December 7, 1989 as Document No. 072824.

Parcel 3: The North 72 feet of School Lot 9 and part of School Lot 7 in Section 16, Township 36 North, Range 7 West of the 2nd Principal Meridian, in the City of Lake Station, Lake County, Indiana, being more particularly described as follows: Beginning at a point 170 feet South of the intersection of the Southerly right-of-way line of the Michigan Central Railroad and the East line of said Lot 7; thence Southerly along the East line of said Lot 7, a distance of 64.7 feet; thence Westerly on a line parallel to Central Avenue, a distance of 330 feet to the West line of said Lot 7, being also the West line of said Section 16, and which point is also 141.4 feet South of the intersection of the West line of said Section 16 and the Southerly right-of-way line of the Michigan Central Railroad; thence North, a distance of 51.4 feet along the West line of said Lot 7; thence Easterly in a straight line to the place of beginning.

Parcel 4: Part of School Lot 9 in the Northwest Quarter of Section 16, Township 36 North, Range 7 West of the 2nd Principal Meridian, in the City of Lake Station, Lake County, Indiana, being more particularly described as follows: Beginning at a point 225 feet East of the West line of said Section 16, and 30 feet North of the centerline of Central Avenue, the said point being 85 feet West of the intersection of the North line of Central Avenue and the West line of Ripley Street, as now located in the City of Lake Station, Lake County, Indiana; thence North parallel to the West line of Ripley 110 feet; thence West 50 feet; thence South parallel to the West line of Ripley Street 110 feet to the North line of Central Avenue; thence East along the North line of Central Avenue 50 feet to the place of beginning excepting therefrom the following:

A part of School Lot 9 in the Northwest Quarter of Section 16, Township 36 North, Range 7 West of the 2nd Principal Meridian, in the City of Lake Station, Lake County, Indiana, described as follows: Beginning at a point on the North boundary of Central Avenue South 89 degrees 58 minutes 18 seconds West, 85.00 feet from the intersection of the North boundary of said Central Avenue and the West boundary of U.S. R. 6 and S.R. 51 (Ripley Street), which point of beginning is on the East line of the owner's land; thence South 89 degrees 58 minutes 18 seconds West 50.00 feet along the boundary of said Central Avenue to the East line of the West 9 feet of said School Lot 9 and the West line of the owner's land; thence North 00 degrees 01 minute 42 seconds West, 3.00 feet along the East line of the West 9 feet of said School Lot 9 and along the West line of the owner's land; thence North 89 degrees 58 minutes 18 seconds East, 50.00 feet to the East line of the owner's land; thence South 00 degrees 01 minute 42 seconds East, 3.00 feet along said East line to the point of beginning.

Parcel 5: A parcel of land in the Northwest Quarter of Section 16, Township 36 North, Range 7 West of the 2nd Principal Meridian, in the City of Lake Station, Lake County, Indiana more particularly described as follows: Beginning at a point 310 feet East of the West line of said Section 16 and 30 feet North of the centerline of Central Avenue, the said point being the intersection of the North line of Central Avenue and the West line of Ripley Street as now located in the Town of East Gary, Lake County, Indiana; thence North along the West line of Ripley Street, 106.4 feet; thence West 85 feet; thence South 103 feet to the North line of Central Avenue; thence East along the North line of Central Avenue 85 feet to the place of beginning, excepting therefrom the following:

Part of School Lot 9 in the Northwest Quarter of Section 16, Township 36 North, Range 7 West of the 2nd Principal Meridian, in the City of Lake Station, Lake County, Indiana, more particularly described as follows: Beginning at a point 310 feet East of the West line of the said Section 16 and 30 feet North of the centerline of Central Avenue, said point being the intersection of the North line of Central Avenue and the West line of Ripley Street (the foregoing portion of this description beginning with the words "Beginning at a point" is quoted from Document No. 342894); thence South 89 degrees 58 minutes 18 seconds West, 85.00 feet along the North boundary of said Central Avenue to the West line of the owner's land; thence North 00 degrees 01 minute 42 seconds West, 3.00 feet along said West line; thence North 89 degrees 58 minutes 18 seconds East, 59.58 feet; thence North 71 degrees 44 minutes 07 seconds East, 12.78 feet; thence North 36 degrees 29 minutes 54 seconds West, 9.82 feet; thence North 55 degrees 16 minutes 28 seconds East, 22.62 feet to the West boundary of U.S.R. 6 and S.R. 51 (Ripley Street); thence South 00 degrees 49 minutes 00 seconds East, 27.88 feet along the boundary of said U.S.R. 6 and S.R. 51 to the point of beginning.

The above parcels 1 through 5, less public rights of way are combined and described as one parcel by Torrenga Engineering, Inc., in the ALTA survey of the property, Job No. 5202-001, dated April 24, 2001, and also the original ALTA survey done by John Stuart Allen of Torrenga Surveying, LLC, Job No. 300-04s, on March 25, 2004, as follows:

DESCRIPTION: All of School Lots 8, 9 and part of School Lot 7, in the Northwest Quarter of Section 16, and part of the Northeast Quarter of Section 17, all in the Township 36 North, Range 7 West of the 2nd Principal Meridian in the City of Lake Station, Lake County, Indiana, being more particularly described as follows: Commencing at the Southwest corner of said School Lot 8; thence North 00 degrees 00' 00" East, along the West line of said School Lot 8, a distance of 3.00 feet, to the point of beginning, being on the North Right-of-Way line of Central Avenue; thence continuing North 00 degrees 00' 00" East, along previously described line, a distance of 15.36 feet; thence South 74 degrees 46' 01" West, along the North Right-of-Way line of Central Avenue as it currently exists in said Section 17, a distance of 21.13 feet; thence North 00 degrees 00' 00" West, 20 feet West of and parallel to the East line of said Section 17, a distance of 217.65 feet; thence North 74 degrees 46' 01" East, 220 feet North of and parallel to the original North Right-of-Way line of Central Avenue in said Section 17, (210 feet North of and parallel to the North Right-of-Way line of Central Avenue as it currently exists in said Section 17), a distance of 21.13 feet, to a point on the East line of said Section 17; thence South 00 degrees 00' 00" East, along said East line, a distance of 5.17 feet; thence North 88 degrees 30' 46" East, a distance of 310.10 feet, to a point on the West Right-of-Way line of U.S. #51 (Ripley Street); thence South 00 degrees 00' 00" East, along said West Right-of-Way line, a distance of 211.35 feet; thence South 55 degrees 07' 12" West, a distance of 22.62 feet; thence South 36 degrees 39' 10" East, a distance of 9.82 feet; thence South 71 degrees 34' 51" West, a distance of 12.78 feet, to a point on the North Right-of-Way line of Central Avenue; thence North 89 degrees 56' 05" West, along the North Right-of-Way line of Central Avenue, a distance of 285.18 feet, to the point of beginning, containing 1.746 acres, more or less, all in the City of Lake Station, Lake County, Indiana.

Together with any land lying between the above described Property and any and all streets, alleys, or public ways.

016075/240015/295784_4