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STATE OF INDIANA  
LAKE COUNTY  
FILED FOR RECORD

**UCC FINANCING STATEMENT AMENDMENT**

FOLLOW INSTRUCTIONS (front and back) CAREFULLY

2007 000186

2007 MAR 12 PM 1:32

MICHAEL A. BROWN  
RECORDER

A. NAME & PHONE OF CONTACT AT FILER [optional]  
Emily Foor 614-434-2026

B. SEND ACKNOWLEDGMENT TO: (Name and Address)

Morris, Smith & Feyh, Incorporated  
Emily Foor  
2211 Lake Club Drive, Suite 100  
Columbus, OH 43232

*See enclosure*

THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY

1a. INITIAL FINANCING STATEMENT FILE #  
2002000905

1b. This FINANCING STATEMENT AMENDMENT is to be filed [for record] (or recorded) in the REAL ESTATE RECORDS.

2.  TERMINATION: Effectiveness of the Financing Statement identified above is terminated with respect to security interest(s) of the Secured Party authorizing this Termination Statement.

3.  CONTINUATION: Effectiveness of the Financing Statement identified above with respect to security interest(s) of the Secured Party authorizing this Continuation Statement is continued for the additional period provided by applicable law.

4.  ASSIGNMENT (full or partial): Give name of assignee in item 7a or 7b and address of assignee in item 7c; and also give name of assignor in item 9.

5. AMENDMENT (PARTY INFORMATION): This Amendment affects  Debtor or  Secured Party of record. Check only one of these two boxes. Also check one of the following three boxes and provide appropriate information in items 6 and/or 7.

CHANGE name and/or address: Please refer to the detailed instructions in regards to changing the name/address of a party.  DELETE name: Give record name to be deleted in item 6a or 6b.  ADD name: Complete item 7a or 7b, and also item 7c; also complete items 7d-7g (if applicable).

6. CURRENT RECORD INFORMATION:

6a. ORGANIZATION'S NAME  
Acadia Merrillville Realty, L.P.

OR 6b. INDIVIDUAL'S LAST NAME FIRST NAME MIDDLE NAME SUFFIX

7. CHANGED (NEW) OR ADDED INFORMATION:

7a. ORGANIZATION'S NAME

OR 7b. INDIVIDUAL'S LAST NAME FIRST NAME MIDDLE NAME SUFFIX

7c. MAILING ADDRESS CITY STATE POSTAL CODE COUNTRY

7d. SEE INSTRUCTIONS ADD'L INFO RE ORGANIZATION DEBTOR 7e. TYPE OF ORGANIZATION 7f. JURISDICTION OF ORGANIZATION 7g. ORGANIZATIONAL ID #, if any  none

8. AMENDMENT (COLLATERAL CHANGE): check only one box. Describe collateral  deleted or  added, or give entire  restated collateral description, or describe collateral  assigned

9. NAME OF SECURED PARTY OF RECORD AUTHORIZING THIS AMENDMENT (name of assignor, if this is an Assignment). If this is an Amendment authorized by a Debtor which adds collateral or adds the authorizing Debtor, or if this is a Termination authorized by a Debtor, check here  and enter name of DEBTOR authorizing this Amendment.

9a. ORGANIZATION'S NAME  
SunAmerica Life Insurance Company

OR 9b. INDIVIDUAL'S LAST NAME FIRST NAME MIDDLE NAME SUFFIX

10. OPTIONAL FILER REFERENCE DATA

K3153 Lake County

FILING OFFICE COPY — NATIONAL UCC FINANCING STATEMENT AMENDMENT (FORM UCC3) (REV. 05/22/02)

**UCC FINANCING STATEMENT ADDENDUM**

FOLLOW INSTRUCTIONS (front and back) CAREFULLY

11. INITIAL FINANCING STATEMENT FILE # (same as item 1a on Amendment form)

2002000905

12. NAME OF PARTY AUTHORIZING THIS AMENDMENT (same as item 9 on Amendment form)

12a. ORGANIZATION'S NAME

SunAmerica Life Insurance Company

12b. INDIVIDUAL'S LAST NAME

FIRST NAME

MIDDLE NAME, SUFFIX

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13. Use this space for additional information

Debtor: Acadia Merrillville Realty, L.P. 20 Soundview Marketplace Port  
Washington, NY 11050  
Secured Party: SunAmerica Life Insurance Company 1 SunAmerica Center,  
Century City, Los Angeles, CA 90067-6022

FILING OFFICE COPY — NATIONAL UCC FINANCING STATEMENT AMENDMENT ADDENDUM (FORM UCC3Ad) (REV. 05/22/02)

11. Enter information exactly as given in item 1a on Amendment form.
12. Enter information exactly as given in item 9 on Amendment form.
13. If space on Amendment form is insufficient or you must provide additional information, enter additional information in item 13.

Indiana Secretary of State  
 Filing Number: 200200006097612  
 Filing Date : 07/05/2002 17:30:00

2007 000186

STATE OF INDIANA  
 LAKE COUNTY  
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**EXHIBIT A**  
 2007 MAR 12 P 10:32  
**UCC FINANCING STATEMENT**  
 MICHAEL A. BROWN  
 RECORD (Collateral)

A. All goods, fixtures, inventory, equipment, building and other materials, supplies, and other tangible personal property of every nature, whether now owned or hereafter acquired by Debtor, used, intended for use, or reasonably required in the construction, development, or operation of the Property (hereinafter defined), together with all accessions thereto, replacements and substitutions therefor, and proceeds thereof.

B. The right to use all trademarks and trade names and symbols or logos used in connection therewith, or any modifications or variations thereof, in connection with the operation of the improvements existing or to be constructed on the Property, together with all accounts, deposit accounts, letter of credit rights, monies in the possession of Mortgagee (including without limitation proceeds from insurance, retainages and deposits for taxes and insurance), all permits, licenses, certificates and authorizations necessary for the beneficial development, ownership, use, occupancy, operation and maintenance of the Property, contract rights (including, without limitation, rights to receive insurance proceeds) and general intangibles (whether now owned or hereafter acquired, and including proceeds thereof) relating to or arising from Mortgagor's ownership, use, operation, leasing, or sale of all or any part of the Property, specifically including but in no way limited to any right which Mortgagor may have or acquire to transfer any development rights from the Property to other real property, and any development rights which may be so transferred,

C. The tract or tracts of land described in **Exhibit B** attached, together with the following (referred to herein as the "Property"):

1. All buildings, structures, and improvements now or hereafter located on such tract or tracts, as well as all rights-of-way, easements, and other appurtenances thereto;
2. Any land lying between the boundaries of such tract or tracts and the center line of any adjacent street, road, avenue, or alley, whether opened or proposed;
3. All of the rents, income, receipts, revenues, issues and profits of and from such tract or tracts and improvements;
4. All (i) water and water rights (whether decreed or undecreed, tributary, nontributary or not nontributary, surface or underground, or appropriated or unappropriated); (ii) ditches and ditch rights; (iii) spring and spring rights; (iv) reservoir and reservoir rights; and (v) shares of stock in water, ditch and canal companies and all other evidence of such rights, which are now owned or hereafter acquired by Debtor and which are appurtenant to or which have been used in connection with such tract or tracts or improvements;
5. All minerals, crops, timber, trees, shrubs, flowers, and landscaping features now or hereafter located on, under or above such tract or tracts;

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6. All machinery, apparatus, equipment, fittings, fixtures (whether actually or constructively attached, and including all trade, domestic, and ornamental fixtures) now or hereafter located in, upon, or under such tract or tracts or improvements and used or usable in connection with any present or future operation thereof, including but not limited to all heating, air-conditioning, freezing, lighting, laundry, incinerating and power equipment; engines; pipes; pumps; tanks; motors; conduits; switchboards; plumbing, lifting, cleaning, fire prevention, fire extinguishing, refrigerating, ventilating, cooking, and communications apparatus; boilers, water heaters, ranges, furnaces, and burners; appliances; vacuum cleaning systems; elevators; escalators; shades; awnings; screens; storm doors and windows; stoves; refrigerators; attached cabinets; partitions; ducts and compressors; rugs and carpets; draperies; and all additions thereto and replacements therefor;

7. All development rights associated with such tract or tracts, whether previously or subsequently transferred to such tract or tracts from other real property or now or hereafter susceptible of transfer from such tract or tracts to other real property;

8. All awards and payments, including interest thereon, resulting from the exercise of any right of eminent domain or any other public or private taking of, injury to, or decrease in the value of, any of such property;

9. All other and greater rights and interests of every nature in such tract or tracts and in the possession or use thereof and income therefrom, whether now owned or subsequently acquired by Debtor; and

10. All proceeds of the property, property interests, and rights hereinabove described.

MICHAEL A. BROWN  
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STATE OF INDIANA  
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2007 MAR 12 10:32  
EXHIBIT B  
TO  
UCC FINANCING STATEMENT  
MICHAEL A. BROWN  
RECORDER  
(Real Property)

PARCEL 1:

Part of the North Half of Section 23, Township 35 North, Range 8 West of the Second Principal Meridian, in Lake County, Indiana, lying Southwesterly of the 100 foot right of way of the Chesapeake and Ohio Railroad and North of the 200 foot right of way of U.S. Highway No. 30, more particularly described as follows: Commencing at the Northwest corner of said Section 23; thence South 02 degrees 42 minutes 00 seconds East along the West line of said Section 23, a distance of 1,258.66 feet to the point of beginning of the described parcel; thence North 87 degrees 18 minutes 00 seconds East, 721.33 feet, more or less, to the South line of said 100 foot wide Chesapeake and Ohio Railroad right of way; thence South 62 degrees 42 minutes 00 seconds East along said South right of way, 819.41 feet to a point 1,652.33 feet, South 62 degrees 42 minutes 00 seconds East, from the West line of said Section 23 and measured along the South line of said railroad right of way; thence South 27 degrees 18 minutes 00 seconds West, 354.33 feet; thence North 62 degrees 42 minutes 00 seconds West, 36.92 feet; thence South 27 degrees 18 minutes 00 seconds West, 614.54 feet, more or less, to the Northerly right of way line of U.S. Highway No. 30; thence Westerly along the Northerly line of said highway, 44.97 feet; thence North 01 degrees 35 minutes 00 seconds West, 43.06 feet; thence North 88 degrees 25 minutes 00 seconds East, 17.0 feet; thence North 01 degrees 35 minutes 00 seconds West, 150 feet; thence South 88 degrees 25 minutes 00 seconds West, 326.65 feet; thence South 01 degrees 35 minutes 00 seconds East, 193.56 feet to the Northerly right of way of U.S. Highway No. 30; thence Westerly along the Northerly line of said highway, 210 feet to the East line of the American Oil Property described in deed recorded on April 12, 1965, in Deed Record 1288, page 199; thence North 02 degrees 42 minutes 00 seconds West, 191.812 feet along said East line; thence South 87 degrees 18 minutes 00 seconds West, 350 feet to a point on the West line of said Section 23, that is 2,287.90 feet South of the Northwest corner of said Section 23; thence North 02 degrees 42 minutes 00 seconds West, 1029.24 feet to the point of beginning, EXCEPTING THEREFROM Warranty Deed recorded December 14, 1994, as Document No. 94083963, in the Office of the Recorder of Lake County, Indiana, to the State of Indiana, and ALSO EXCEPTING THEREFROM a part of the North 1/2 of Section 23, Township 35 North, Range 8 West, Lake County, Indiana, described as follows: Commencing at the Northwest corner of said section; thence South 0 degrees 41'26" East, 1,258.64 feet (1,258.66 feet by instrument No. 94013477) along the West line of said Section to the Northwest corner of the Grantor's land; thence North 89 degrees 18'34" East 40.00 feet along the North line of the Grantor's land to the east boundary of Mississippi Street and the point of beginning of this description; thence continuing North 89 degrees 18'34" East 15.00 feet along said North line; thence South 0 degrees 41'26" East 501.05 feet; thence South 89 degrees 18'34" West 5.00 feet; thence South 0 degrees 41'26" East 210.12 feet to the Eastern boundary of said Mississippi Street; thence North 10 degrees 09'11" West 60.83 feet along the boundary of said Mississippi Street; thence North 0 degrees 41'26" West 651.17 feet along said boundary to the point of beginning.

PARCEL 2:

Non-exclusive right to use for ingress and egress the existing access along and adjacent to the Southeast corner of Parcel 1 above, to and from U.S. 30, as created in the Declaration of Easements,

Indiana Secretary of State  
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 2007 MAR 13 10 19 29 AM Document No. 513564, upon the terms and provisions therein provided and the amendments and agreements thereto.

MICHAEL A. BROWN  
 RECORDER

PARCEL 3:

Easement for drainage control system contained in a grant from Smith Real Estates Corporation to G.I. Land Co., etal, and to their successors and assigns, dated January 16, 1979 and recorded March 26, 1979 as Document No. 521402, over, upon and across the following: Part of the Northwest  $\frac{1}{4}$  of Section 23, Township 35 North, Range 8 West of the 2<sup>nd</sup> Principal Meridian, in Lake County, Indiana, described as commencing at the intersection of the West line of said Northwest  $\frac{1}{4}$  and the North line of the 100-foot wide right-of-way of the Chesapeake and Ohio Railroad; thence South 62 degrees 42 minutes 00 seconds East along said railroad North line, 2026.06 feet to the point of beginning of the centerline of a 90 foot wide drainage easement whose centerline is described as follows: North 00 degrees 18 minutes 00 seconds East, 283.72 feet; thence Northeasterly along a circular curve which is convex to the Northwest whose radius equals 150 feet, tangent equals 125.86 feet, deflection angle equals 80 degrees, a distance of 209.44 feet along said curve; thence North 80 degrees 18 minutes 00 seconds East 507 feet, more or less; thence Northeasterly along a circular curve which is convex to the Southeast whose radius equals 150 feet, tangent equals 132.71 feet, deflection angle equals 83 degrees, a distance of 217.29 feet along said curve to a point on a line lying 75 feet West of and parallel with the East line of said Northwest  $\frac{1}{4}$ ; thence North 02 degrees 42 minutes 00 seconds West and parallel with said East line, 1090 feet, more or less, to the North line of said Northwest  $\frac{1}{4}$ , the point of terminus of said drainage easement centerline.

ALSO:

Parts of the Southwest  $\frac{1}{4}$  and the Southeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of Section 14, Township 35 North, Range 8 West of the 2<sup>nd</sup> Principal Meridian, in Lake County, Indiana, described as beginning at a point on the East line of the Southwest  $\frac{1}{4}$  of said Southwest  $\frac{1}{4}$  lying 295.00 feet North of the Southeast corner of the Southwest  $\frac{1}{4}$  of said Southwest  $\frac{1}{4}$ ; thence South 64 degrees West, 137.00 feet; thence West, 100.00 feet; thence North 45 degrees West, 108.00 feet; thence North 10 degrees East, 172.00 feet; thence North 59 degrees 24 minutes 18 seconds East, 197.07 feet; thence North, 155.00 feet; thence North 60 degrees East, 145.26 feet; thence East, 150.00 feet; thence South 60 degrees East, 88.00 feet; thence South 45 degrees East, 92.00 feet; thence South, 142.00 feet; thence South 20 degrees East, 90.00 feet; thence east 72.00 feet; thence North 30 degrees East, 118.00 feet; thence North 35 degrees West, 280.00 feet; thence North 45 degrees East 88.47 feet; thence East 130.00 feet; thence South 60 degrees East, 167.00 feet; thence South 33 degrees East, 390.00 feet; thence South 45 degrees East, 175.00 feet; thence South 60 degrees East, 218.31 feet; thence East, 148.23 feet, more or less, to the East line of the Southeast  $\frac{1}{4}$  of said Southwest  $\frac{1}{4}$ ; thence Southerly along said East line, 234 feet, more or less, to the Southeast corner of the Southeast  $\frac{1}{4}$  of said Southwest  $\frac{1}{4}$ ; thence Westerly along the South line of the Southeast  $\frac{1}{4}$  of said Southwest  $\frac{1}{4}$ , 120.00 feet; thence North 35 feet, more or less; thence North 82 degrees West, 168 feet, more or less; thence North 42 degrees West , 333.00 feet; thence North 75 degrees 15 minutes 41 seconds West, 88.24 feet; thence South 88 degrees West, 92.00 feet; thence South 63 degrees West, 294.00 feet; thence North 48 degrees West, 250.00 feet; thence West 85.00 feet; thence South 64 degrees West, 122.00 feet to the point of beginning.