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2008 NOV - 5 AM 10:43  
HARRIS, INDIANA  
RECORDER

2008 075816

Instrument Prepared By  
and Remittance of Recorded  
Document to:

Capital Crossing  
Attn: Maureen Babcock  
101 Summer Street  
Boston, Massachusetts 02110

**ASSIGNMENT OF MORTGAGE, ASSIGNMENT OF RENTS AND SECURITY  
AGREEMENT**

FOR VALUE RECEIVED, the undersigned assignor ("Assignor") does hereby grant, bargain, sell, assign, transfer, and convey to the following assignee ("Assignee"):

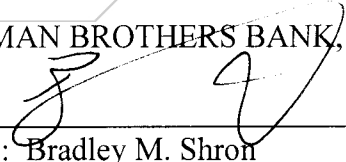
Cranberry Financial, LLC, a Delaware limited liability company, having an office address at 12700 Whitewater Drive, Minnetonka, MN 55343

all of Assignor's right, title and interest in and to that certain Mortgage, Assignment of Rents and Security Agreement described below, which Mortgage, Assignment of Rents and Security Agreement encumbers the property more particularly described therein, together with the indebtedness evidenced by any promissory note or evidence of indebtedness. This Assignment is made without recourse to Assignor and without representation or warranty by Assignor, express or implied, except as expressly provided in the Asset Sale Agreement dated September 19, 2008, between Lehman Brothers Bank, FSB and Cranberry Financial, LLC.

Place of Recording: Lake County, Indiana  
Borrower Name(s): Luigi Biancardi  
Original Lender: Fifth Third Bank (Chicago)  
Date of Instrument: August 12, 2005  
Recording Date: September 1, 2005  
Instrument/Ref No.: Instrument No. 2005 074876  
Legal Description: SEE EXHIBIT A ATTACHED HERETO

Dated: September 29, 2008

LEHMAN BROTHERS BANK, FSB

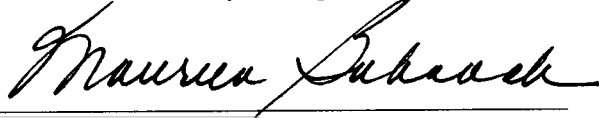
By:   
Name: Bradley M. Shron  
Its: Senior Vice President

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B20  
C/H  
175824  
W

COMMONWEALTH OF MASSACHUSETTS )  
 ) ss  
COUNTY OF SUFFOLK )

The undersigned, a notary public in and for the above-said County and State, does hereby acknowledge that on the day and year set forth below, personally appeared Bradley M. Shron, Senior Vice President and being solely sworn by and personally known to the undersigned to be the person who executed the foregoing instrument on behalf of said principal, acknowledged to the undersigned that s/he voluntarily executed the same for the purposes therein stated as the free act and deed of said principal.

WITNESS my hand and official seal this 29<sup>th</sup> day of September, 2008.



Notary Public for the State of Massachusetts  
My Commission Expires: September 7, 2012

Document is  
**NOT OFFICIAL!**

"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"

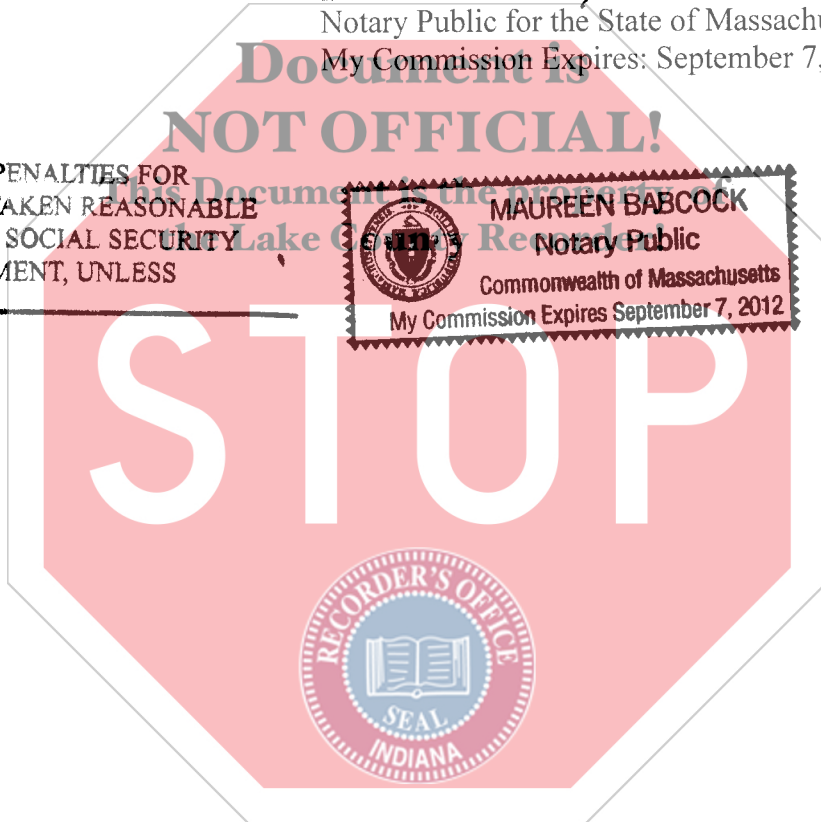
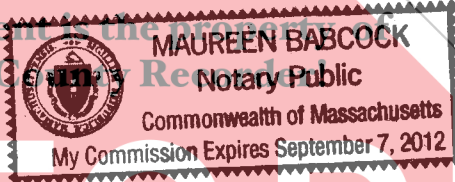


EXHIBIT A

ALL THAT PARCEL OF LAND SITUATED IN THE CITY OF GARY, COUNTY OF LAKE, STATE OF INDIANA, BEING PART OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 37 NORTH, RANGE 8 WEST, AND BEING THAT PROPERTY OF THE FORMER PITTSBURGH, FORT WAYNE AND CHICAGO RAILWAY COMPANY (PREDECESSOR OF SAID GRANTOR) FURTHER BOUNDED AND DESCRIBED ACCORDING TO A PLAN OF SURVEY MAKE BY PLUMB, TUCKETT AND HUBBARD, INC., WILLIAM ARDEN, JR., REGISTERED SURVEYOR NO. S-0360, DATED MAY 31, 1977, LAST REVISED JULY 18, 1984, AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 31; THENCE NORTH  $0^{\circ} 42' 00''$  WEST ALONG THE WEST LINE OF SAID SECTION 31, A DISTANCE OF 2,205.35 FEET; THENCE SOUTH  $44^{\circ} 02' 11''$  EAST, A DISTANCE OF 48.08 FEET TO THE IRON PIN SET AT THE POINT OF BEGINNING; THENCE SOUTH  $44^{\circ} 02' 11''$  EAST, A DISTANCE OF 2,875.72 FEET TO A POINT IN THE GRAND CALUMET RIVER, PASSING OVER AN IRON PIN SET ON LINE AT 1,485.25 FEET; THENCE SOUTH  $38^{\circ} 39' 19''$  WEST, A DISTANCE OF 139.29 FEET TO A POINT IN THE GRAND CALUMET RIVER; THENCE NORTH  $47^{\circ} 15' 32''$  WEST, A DISTANCE OF 1,397.95 FEET TO AN IRON PIN SET; THENCE NORTH  $41^{\circ} 33' 23''$  WEST, A DISTANCE OF 610.04 FEET TO AN IRON PIN SET; THENCE NORTHWESTERLY 153.30 FEET ALONG THE ARC OF A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 1,630.57 FEET, THE CHORD OF WHICH BEARS NORTH  $44^{\circ} 14' 59''$  WEST, 153.24 FEET TO AN IRON PIN SET; THENCE NORTH  $46^{\circ} 56' 35''$  WEST, A DISTANCE OF 506.10 FEET TO AN IRON PIN SET; THENCE NORTH  $0^{\circ} 42' 00''$  WEST, A DISTANCE OF 505.69 FEET TO THE IRON PIN SET AT THE POINT OF BEGINNING.

CONTAINING 12.107 ACRES, MORE OR LESS.

ALL THAT PARCEL OF LAND SITUATE IN THE CITY OF GARY, COUNTY OF LAKE, STATE OF INDIANA, BEING PART OF THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 36 NORTH, RANGE 9 WEST, AND BEING THAT PROPERTY OF THE FORMER NEW YORK CENTRAL RAILROAD COMPANY (PREDECESSOR OF SAID GRANTOR) FURTHER BOUNDED AND DESCRIBED ACCORDING TO A PLAN OF SURVEY MADE BY ROWLAND A. FABIAN, REGISTERED SURVEYOR NO. 6538, DATED NOVEMBER 4, 1976, AS FOLLOWS:

COMMENCING AT THE RAIL MONUMENT MARKING THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 1, WHICH IS THE INTERSECTION OF THE CENTERLINES OF 9TH AVENUE AND BURR STREET; THENCE NORTH ON THE WEST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 377.87 FEET TO A P.K. NAIL; THENCE SOUTHEAST ON A STRAIGHT LINE THAT MAKES AN INTERIOR ANGLE OF  $79^{\circ} 25'$  MEASURED SOUTH TO EAST WITH THE AFORESAID WEST LINE, A DISTANCE OF 33.57 FEET TO THE EAST LINE OF DEDICATED BU RR STREET AND THE POINT OF BEGINNING; THENCE NORTH ON SAID 33 FOOT EAST LINE OF DEDICATED BURR STREET 363.20 FEET TO THE SOUTH LIEN OF THE VAN LIEW AND FUNKEY FIRST SUBDIVISION TO GARY AS RECORDED IN PLAT BOOK 21, PAGE 10; THENCE SOUTHEASTERLY ON SAID SOUTH LIEN THAT MAKES AN INTERIOR ANGLE OF  $79^{\circ} 25'$  MEASURED SOUTH TO EAST WITH THE AFORESAID 363.20 FOOT LINE, A DISTANCE OF 462.32 FEET TO A POINT OF CURVE; THENCE CONTINUING SOUTHEASTERLY ON A CURVE OF 10,399.90 FOOT RADIUS, CONVEX TO THE SOUTHWEST FOR A DISTANCE OF 881.58 FEET TO A SECOND CURVE OF RADIUS

12,830.00 FEET CONVEX TO THE SOUTH, A DISTANCE OF 302.94 FEET TO A LINE THAT IS PARALLEL TO AND 983 FEET WEST OF THE EAST LINE OF SAID SECTION 1; THENCE SOUTH ON SAID 983-FOOT PARALLEL LINE A DISTANCE OF 371.85 FEET TO A CURVED LINE THAT IS CONCENTRIC WITH AND 50 FEET NORTH OF THE CENTERLINE OF A SINGLE TRACK KNOWN AS THE DUNE PARK BRANCH NOW/FORMERLY OF THE GARY AND WESTERN RAILWAY; THENCE WESTERLY ON SAID CURVED LINE OF RADIUS 11,409 FEET, A DISTANCE OF 1,255.50 FEET TO A POINT OF TANGENT; THENCE NORTHWESTERLY ON SAID TANGENT 395.61 FEET TO THE POINT OF BEGINNING.

CONTAINING 13.72 ACRES, MORE OR LESS.

ALL THAT PARCEL OF LAND SITUATE IN THE CITY OF GARY, COUNTY OF LAKE, STATE OF INDIANA, BEING PART OF SECTION 36, TOWNSHIP 37 NORTH, RANGE 9 WEST, AND BEING THAT PROPERTY OF THE FORMER PITTSBURGH, FORT WAYNE AND CHICAGO RAILWAY COMPANY (PREDECESSOR OF SAID GRANTOR) FURTHER BOUNDED AND DESCRIBED ACCORDING TO A PLAN OF SURVEY MADE BY PLUMB, TUCKETT AND ASSOCIATES, KENNETH D. GEMBALA, REGISTERED SURVEYOR NO. S-0568, DATED JULY 26, 1996, LAST REVISED ON AUGUST 5, 1996, AS FOLLOWS.

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 36; THENCE NORTH 00°42'00" WEST ALONG THE EAST LINE OF SAID SECTION 36, A DISTANCE OF 1,618.23 FEET TO THE INTERSECTION OF SAID EAST LINE WITH A LINE WHICH IS PARALLEL WITH AND 73 FEET SOUTHWEST OF AS MEASURED AT RIGHT ANGLES FROM THE CENTERLINE OF THE NORTH (WESTBOUND) TRACK OF THE FORMER PITTSBURGH, FORT WAYNE AND CHICAGO RAILROAD AS DESCRIBED IN THE PLAT OF DORKES INDUSTRIAL HIGHWAY ADDITION AS SHOWN IN PLAT BOOK 28, PAGE 16 IN THE OFFICE OF THE RECORDER, LAKE COUNTY, INDIANA; THENCE NORTH 47°15'32" WEST ALONG SAID PARALLEL LINE, A DISTANCE OF 45.45 FEET TO THE WEST RIGHT-OF-WAY LINE OF CLARK ROAD; THENCE CONTINUING ALONG SAID PARALLEL LINE NORTH 47°15'32" WEST, A DISTANCE OF 1,043.88 FEET TO THE POINT OF BEGINNING; THENCE NORTH 47°15'32" WEST ALONG SAID PARALLEL LINE, A DISTANCE OF 3,593.11 FEET; THENCE NORTH 65°40'23" WEST, A DISTANCE OF 718.62 FEET, THENCE SOUTH 47°15'32" EAST ALONG THE NORTHEASTERLY BOUNDARY LINE OF SAID DORKES INDUSTRIAL HIGHWAY ADDITION, A DISTANCE OF 4,274.94 FEET; THENCE NORTH 42°44'28" EAST, A DISTANCE OF 227.0 FEET TO THE POINT OF BEGINNING.  
CONTAINING 20.50 ACRES, MORE OR LESS.

TOGETHER WITH A PARCEL OF LAND SITUATE OF THE CITY OF GARY, COUNTY OF LAKE, STATE OF INDIANA, BEING PART OF THE NORTHWEST QUARTER OF SECTION 36, TOWNSHIP 37 NORTH, RANGE 9 WEST, BEING ADJACENT TO AND NORTHWESTERLY OF THE HEREINABOVE DESCRIBED FIRST PARCEL OF THIS DEED, AND BEING ALL OF THE RIGHT, TITLE AND INTEREST OF THE GRANTOR HEREIN AND TO ALL THOSE CERTAIN PIECES OR PARCELS OF LAND AND PREMISES, EASEMENTS, RIGHTS-OF-WAY AND ANY OTHER RIGHTS OF ANY KIND WHATSOEVER APPURTENANT THERETO OR USED IN CONJUNCTION THEREWITH ON AND ALONG THAT PROPERTY OF THE FORMER SOUTH CHICAGO AND SOUTHERN RAILROAD COMPANY, LYING SOUTHWESTERLY AND SOUTHEASTERLY OF THE FOLLOWING DESCRIBED



LINES:

BEGINNING AT A POINT IN A NORTHERLY LINE OF LAND OF THE FORMER PITTSBURGH, FORT WAYNE AND CHICAGO RAILWAY COMPANY DISTANT 60 FEET MEASURED SOUTHWESTERLY AT RIGHT ANGLES FROM THE CENTERLINE OF THE EASTWARD BOUND MAIN TRACK OF THE RAILROAD OF SAID RAILWAY COMPANY AT A POINT THEREIN DISTANT 45 FEET, MORE OR LESS, MEASURED SOUTHWESTWARDLY ALONG SAID CENTERLINE OF MAIN TRACK, FROM ANOTHER POINT THEREIN OPPOSITE SAID RAILWAY COMPANY'S MILE POST 443; THENCE EXTENDING IN A NORTHWESTERLY DIRECTION PARALLEL WITH SAID CENTERLINE OF EASTWARD BOUND MAIN TRACK, 690 FEET, MORE OR LESS, TO A POINT IN THE PROLONGATION NORTHEASTWARDLY OF A SOUTHEASTERLY LINE OF LAND OF OTHER OWNERS; THENCE EXTENDING IN A SOUTHWESTERLY DIRECTION ALONG SAID PROLONGATED LINE, 10 FEET, MORE OR LESS, TO A POINT AT A CORNER OF LAND OF OTHER OWNERS, THE POINT OF ENDING.

THE ABOVE DESCRIBED PARCEL IS IDENTIFIED IN THE RECORDS OF THE UNITED STATES RAILWAY ASSOCIATION AS LINE CODE 3259-5, 0.

THE SECOND PARCEL IN THIS DEED BEING IDENTIFIED IN SPECIAL COURT CIVIL ACTION NO. 77-31 (DATED OCTOBER 12, 1978 AND RECORDED ON NOVEMBER 9, 1981 AS INSTRUMENT NO. 650043 IN THE LAKE COUNTY RECORDER'S OFFICE) AS PARCEL NO. IN.A10g09-7 IN DOCUMENT NO. PDEL-CRC-RP-62, EXHIBIT B, PAGE B-14, OF THE DEED DATED MARCH 29, 1976 BY AND BETWEEN GEORGE W. BETZ, JR, AS TRUSTEE OF THE PROPERTY OF PENNDEL COMPANY, DEBTOR AS GRANTOR AND CONSOLIDATED RAIL CORPORATION AS GRANTEE, SAID DOCUMENT BEING RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS OF SAID LAKE COUNTY AS INSTRUMENT NO. 496367.

ALSO TOGETHER WITH ALL OF SAID GRANTOR'S RIGHT, TITLE AND INTEREST OF, IN AND TO AN ACCESS EASEMENT FROM CLARK ROAD TO THE HEREINABOVE MENTIONED DESCRIBED PROPERTY THAT WAS RESERVED UNTO SAID GRANTOR IN THE DEED DATED FEBRUARY 23, 1982 FROM THE PENN CENTRAL CORPORATION TO SAMOCKI BROTHERS TRUCKING COMPANY.

COMMONLY KNOWN AS: 355 NORTH CLARK ROAD, GARY, INDIANA 46406