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STATE OF INDIANA)
) SS:
COUNTY OF LAKE)

2009 027673

STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD

2009 APR 29 AM 9:09

MICHAEL A. BROWN
RECORDER

FILED

APR 28 2009

AFFIDAVIT

020085802 CM

Robert B. Bailey, being duly sworn, states:

PEGGY HOLINGA KATONA
LAKE COUNTY AUDITOR

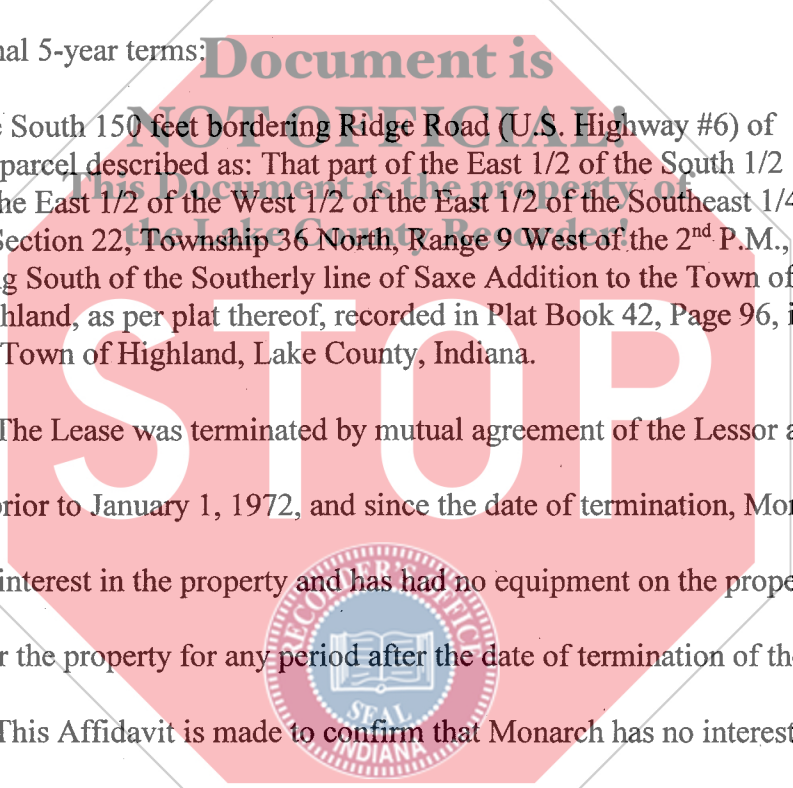
1. He is President of Monarch Oil & Supply Company, Inc., formerly known as Monarch Oil & Supply Company (hereinafter referred to as "Monarch"), and is familiar with the business affairs of Monarch.

2. Monarch leased the following described real estate on November 1, 1960, from Edward J. Saxe for a 5-year term, renewable at the option of the Lessee for an unspecified number of additional 5-year terms:

The South 150 feet bordering Ridge Road (U.S. Highway #6) of the parcel described as: That part of the East 1/2 of the South 1/2 of the East 1/2 of the West 1/2 of the East 1/2 of the Southeast 1/4 of Section 22, Township 36 North, Range 9 West of the 2nd P.M., lying South of the Southerly line of Saxe Addition to the Town of Highland, as per plat thereof, recorded in Plat Book 42, Page 96, in the Town of Highland, Lake County, Indiana.

3. The Lease was terminated by mutual agreement of the Lessor and Monarch at an unknown date prior to January 1, 1972, and since the date of termination, Monarch has had no leasehold or other interest in the property and has had no equipment on the property. Monarch has paid no rent for the property for any period after the date of termination of the Lease.

4. This Affidavit is made to confirm that Monarch has no interest in the above-described real estate as Lessor, Lessee or in any other capacity, and makes this Affidavit to induce Chicago Title Insurance Company to waive Special Exception 3 in Schedule B of its title commitment 620085802 dated February 26, 2009.



CHICAGO TITLE INSURANCE COMPANY

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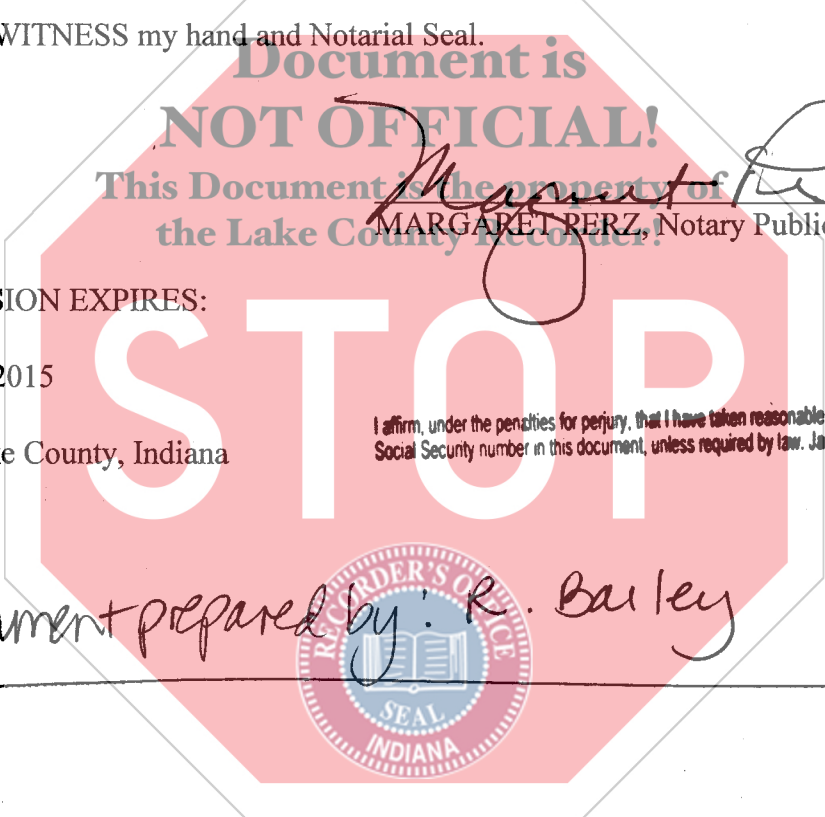
Dated April 16, 2009.

Robert B. Bailey
ROBERT B. BAILEY

STATE OF INDIANA)
) SS:
COUNTY OF LAKE)

Before me, the undersigned, a Notary Public in and for said County and State, this 16th day of April, 2009, personally appeared Robert B. Bailey, who, being duly sworn, stated that the facts contained in the above and foregoing Affidavit are in all respects true and correct.

WITNESS my hand and Notarial Seal.



MY COMMISSION EXPIRES:
September 12, 2015
Resident of Lake County, Indiana

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. Jackie Smith

Instrument prepared by: R. Bailey