

RECORDING REQUESTED
BY [redacted] WHEN RECORDED

Prepared by: 2009 051761

Pillsbury Winthrop Shaw Pittman LLP
2300 N Street, N.W.
Washington, DC 20037
Attention: Peter G. Freeman

STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD

2009 JUL 27 PM 1:53

MICHAEL A. BROWN
RECORDER

C&I
CTIC# 419781 AJ

(SPACE ABOVE THIS LINE FOR RECORDER'S USE)

COLLATERAL ASSIGNMENT OF MORTGAGE

THIS COLLATERAL ASSIGNMENT OF MORTGAGE (this "Assignment") is made as of April 2, 2009, by STABFUND SUB NCA AG, a Swiss corporation (*Aktiengesellschaft*) ("Assignor"), having an address at c/o Schweizerische Nationalbank, Bundesplatz 1, 3011 Berne, Switzerland, to and in for the benefit of SWISS NATIONAL BANK, a corporation (*Aktiengesellschaft*) formed under the Swiss National Bank Act ("Assignee"), having an address at Borsenstrasse 15, 8022 Zurich, Switzerland.

WHEREAS, Assignor has pledged all of its right, title and interest in and to the Mortgage (as hereinafter defined) to Assignee pursuant to that certain Amended and Restated Security Agreement (as amended, supplemented or otherwise modified from time to time, the "Security Agreement") dated as of March 12, 2009, by and among Assignor, Assignee, SNB StabFund Kommanditgesellschaft Für Kollektive Kapitalanlagen, a Swiss limited partnership for collective investment, StabFund Sub CA AG, a Swiss corporation (*Aktiengesellschaft*), and StabFund (USA) INC., a Delaware corporation.

NOW, THEREFORE, for good and sufficient consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor hereby collaterally assigns, transfers, and delivers to Assignee, its successors and assigns, all of Assignor's right, title and interest in and to that certain Mortgage, Assignment of Leases and Rents, Fixture Filing and Security Agreement, dated as of January 31, 2008, made by MERRILLVILLE ACQUISITION LLC, a Delaware limited liability company, to UBS Real Estate Securities Inc., a Delaware corporation ("UBS"), recorded among the land records of Lake County, Indiana, on February 8, 2008, as Instrument Number 2008009344, as assigned by that certain Assignment of Mortgage dated as of April 2, 2009, made by UBS to Assignor, recorded on or about such date among the land records of Lake County, Indiana (as so assigned, the "Mortgage"), which Mortgage encumbers certain real property more particularly described on Exhibit A, attached hereto and made a part hereof.

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EXCLUDING THEREFROM, HOWEVER, any and all of Assignor's duties, responsibilities or obligations under the Mortgage, Assignor hereby acknowledging and agreeing that it shall remain liable for the performance of all duties, responsibilities and obligations to be performed by Assignor thereunder, and Assignee shall not have any obligation or liability under the Mortgage by reason of or arising out of this Assignment.

TO HAVE AND TO HOLD the Mortgage unto Assignee and to the successors and assigns of Assignee forever.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]



IN WITNESS WHEREOF, Assignor has caused this Assignment to be executed in its name by its duly authorized officers as of the date first above written.

ASSIGNOR:

STABFUND SUB NCA AG, a Swiss corporation
(Aktiengesellschaft)

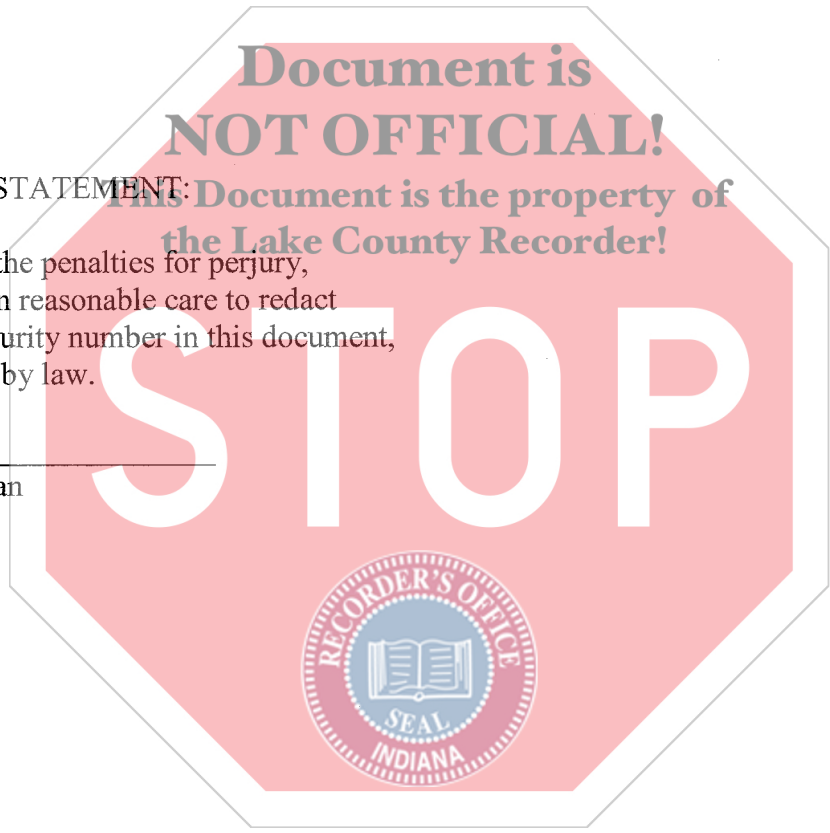
By: _____
Name: Hans Kuhn
Title: Member of the Board

By: _____
Name: Marcel Zimmerman
Title: General Manager

REDACTING STATEMENT:

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.

Peter G. Freeman



Zurich)
) ss:
Switzerland)

Legalization

Marco Strahm, Notary of the Canton of Berne (Switzerland), registered in the register of notaries of the Canton of Berne (Switzerland), with office at Berne (Switzerland),

certifies as follows:

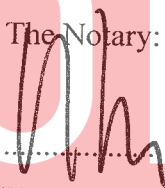
(1) The foregoing signature on behalf of STABFUND SUB NCA AG, a Swiss corporation (Aktiengesellschaft) (the "Company"), was appended by the following person:

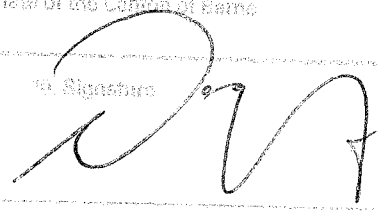
Mr. Hans Kuhn, born April 21, 1961, citizen of Switzerland, with domicile in Wädenswil, and who is a Member of the Board of the Company.

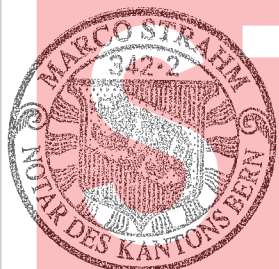
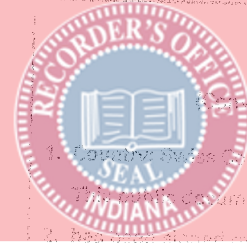


(2) On the 2nd day of April, 2009, Hans Kuhn, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument, acknowledged to me that he executed the same in his capacity as Member of the Board of the Company, free act and deed, and that by his signature on the instrument the person upon behalf of which the individual acted, executed the instrument.

Certified at the office of the Notary on the twelfth day, two thousand and nine.

NOT OFFICIAL!
This Document is the property of
the Lake County Recorder!
12.05.2009

The Notary: 

RECORDERS OFFICE
APOSTILLE
Département de la Haute du 5 octobre 1981
1. Country where the Federation, Canton of Berne
2. The Party's Document
3. Notary's Name: Marco Strahm
4. acting in the capacity of: notary
5. bears the post/office of: notary's office
of the Canton of Berne
Certified
6. at Berne: Jörg Vogt 7. the 15/05/2009
8. by
9. official of the Chancery of State of the Canton of Berne
10. under number: 1479
11. Stamp/seal
12. Signature: 

15-

Zurich)
) ss:
Switzerland)

Legalization

Marco Strahm, Notary of the Canton of Berne (Switzerland), registered in the register of notaries of the Canton of Berne (Switzerland), with office at Berne (Switzerland),

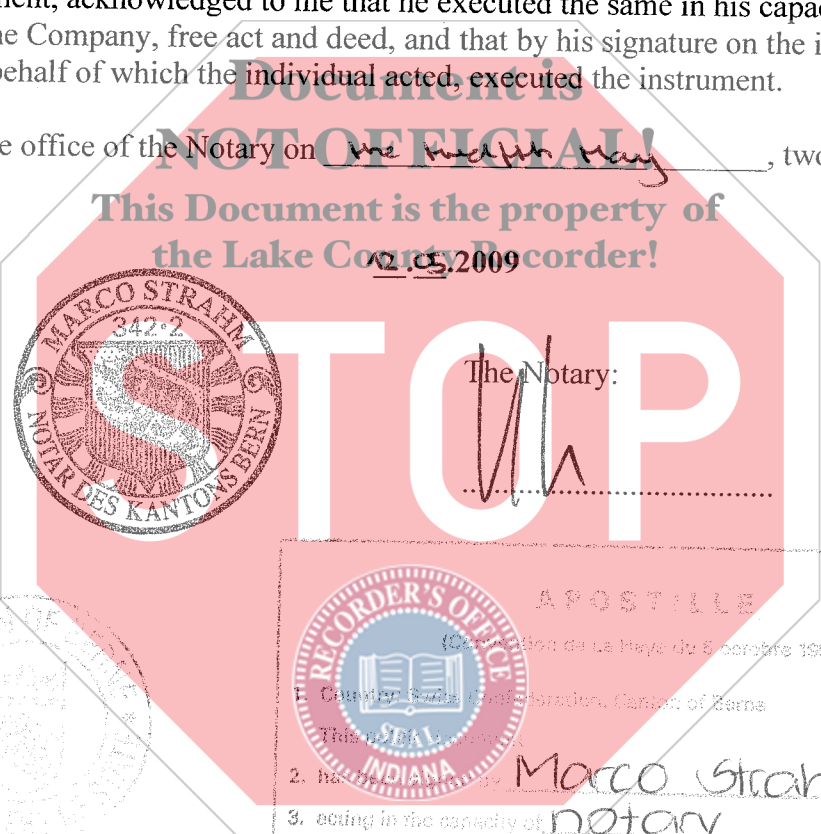
certifies as follows:

(1) The foregoing signature on behalf of STABFUND SUB NCA AG, a Swiss corporation (Aktiengesellschaft) (the "Company"), was appended by the following person:

Mr. Marcel Zimmermann, born September 16, 1969, citizen of Switzerland, with domicile in Zug, and who is the General Manager of the Company.

(2) On the 2nd day of April, 2009, Marcel Zimmermann, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument, acknowledged to me that he executed the same in his capacity as General Manager of the Company, free act and deed, and that by his signature on the instrument the person upon behalf of which the individual acted, executed the instrument.

Certified at the office of the Notary on the 15th day of May, two thousand and nine.



The Notary:

[Handwritten signature]

[Faint circular stamp]
15.-

RECORDERS OFFICE APOSTILLE
(Certification de la Loi du 8 septembre 1989)
1. Country: Switzerland, Canton of Berne
This is/has been certified by Marco Strahm
2. has been certified by Marco Strahm
3. acting in the capacity of notary
4. bears the seal/stamp of notary's office of the canton of Berne
Certified
5. at Berne
6. on the 15/05/2009
7. by Jörg Vogt
official of the Chancellery of State of the Canton of Berne
8. under number: 1480
9. Stamp/seal *[Signature]*

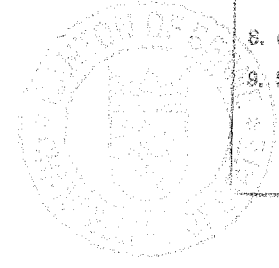


EXHIBIT A

LEGAL DESCRIPTION

(attached hereto)



PARCEL I:

Parcel 1 of Tract "B" in Phase 2A of Broadfield Center, a Planned Unit Development in the Town of Merrillville, as per plat thereof, recorded in Plat Book 53, page 80, in the Office of the Recorder of Lake County, Indiana.

PARCEL II:

Easement for Ingress/Egress as shown by Easement Grant dated December 23, 1982 and recorded January 21, 1983 as Document Number 694437 in the Office of the Recorder of Lake County, Indiana.

