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STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD

2009 064533

2009 SEP 22 AM 10: 20

MICHAEL A. BROWN
RECORDER

After recording, please return to:

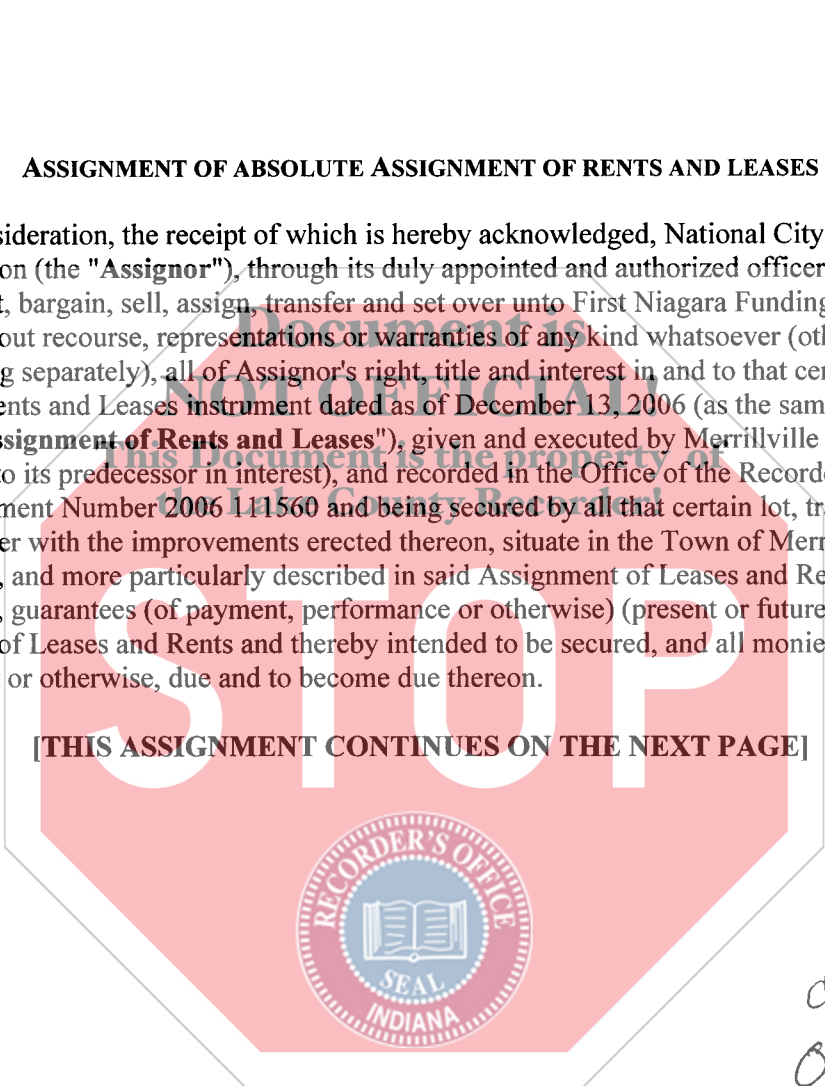
Chicago Title Insurance Company
603 Stanwix Street, Suite 1900
Pittsburgh, PA 15222
Attention: Nancy Fenton



ASSIGNMENT OF ABSOLUTE ASSIGNMENT OF RENTS AND LEASES

For valuable consideration, the receipt of which is hereby acknowledged, National City Bank, a national banking association (the "Assignor"), through its duly appointed and authorized officer, by these presents does hereby grant, bargain, sell, assign, transfer and set over unto First Niagara Funding, Inc. (the "Assignee") without recourse, representations or warranties of any kind whatsoever (other than as may be set forth in writing separately), all of Assignor's right, title and interest in and to that certain Absolute Assignment of Rents and Leases instrument dated as of December 13, 2006 (as the same may have been amended, the "Assignment of Rents and Leases"), given and executed by Merrillville Properties, LLC to the Assignor (or to its predecessor in interest), and recorded in the Office of the Recorder of Lake County, Indiana, at Instrument Number 2006 111560 and being secured by all that certain lot, tract, parcel or piece of ground, together with the improvements erected thereon, situate in the Town of Merrillville in said County and State, and more particularly described in said Assignment of Leases and Rents; and also all promissory notes, guarantees (of payment, performance or otherwise) (present or future) recited in the said Assignment of Leases and Rents and thereby intended to be secured, and all monies, whether principal, interest or otherwise, due and to become due thereon.

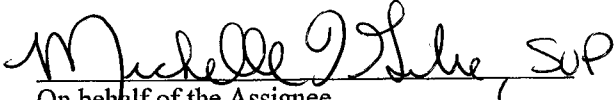
[THIS ASSIGNMENT CONTINUES ON THE NEXT PAGE]



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024853
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The address of the within-named Assignee is:

6950 South Transit Road
P.O. Box 514
Lockport, NY 14095-0514
Attention: Commercial Loans


On behalf of the Assignee

THIS INSTRUMENT PREPARED BY:

Suzanne Ewing, Esquire
Buchanan Ingersoll & Rooney PC
One Oxford Center
301 Grant Street, 20th Floor
Pittsburgh, PA 15219-1410

