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STATE OF ILLINOIS )  
 ) SS.  
COUNTY OF COOK )

2009 065277

STATE OF INDIANA  
LAKE COUNTY  
FILED FOR RECORD  
2009 SEP 25 AM 9:00  
MICHAEL A. BROWN  
RECORDER

AFFIDAVIT OF SERVICE AND NO RESPONSE

620093286 CTIC

Now comes NICHOLAS GEROULIS of Martin & Karcazes, Ltd., being first duly sworn, on oath, deposes and says:

- I am an attorney for Plaza Bank, the owner of the real property commonly known as 5820 Calumet Ave., Hammond, Indiana (the "Property") and legally described as follows:

THE SOUTH 18.75 FEET OF LOT 4 AND ALL OF LOTS 5 TO 15, BOTH INCLUSIVE, IN BLOCK 2, IN TURNER'S FIRST ADDITION, TO THE CITY OF HAMMOND, AS PER PLAT THEREOF, RECORDED IN PLAT BOOK 7, PAGE 31, IN THE OFFICE OF THE RECORDER OF LAKE COUNTY, INDIANA.

Address of Real Estate: 5820 Calumet Ave., Hammond, Indiana 46320  
Parcel #: 45-06-01-230-025-000-023  
Key #: 26-36-0242-0004

- On August 6, 2009, I sent, by email and certified mail, return receipt requested a letter to Burger King Corporation advising it that Plaza Bank, as owner of the Property, intended to sell the Property and requesting that Burger King either exercise its right of first refusal to purchase the Property; waive that right by signing the letter; or that its right of first refusal would be automatically waived if no response was given within 30 days of the date of that letter. A true and correct copy of that letter, along with the receipt of service is attached hereto.
- More than thirty (30) days have elapsed from the date of that letter and Burger King Corporation has not responded.

FURTHER AFFIANT SAYETH NOT.

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

State of Illinois, County of Cook, SS. I, the undersigned, a Notary Public, in and for the County and State aforesaid, DO HEREBY CERTIFY, that NICHOLAS GEROULIS, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act.

Given under my hand and official seal, this 14th day of September, 2009

*Janet J. Miskus*  
NOTARY PUBLIC  
Commission Expires: February 20, 2013

*Nicholas Geroulis*  
NICHOLAS GEROULIS

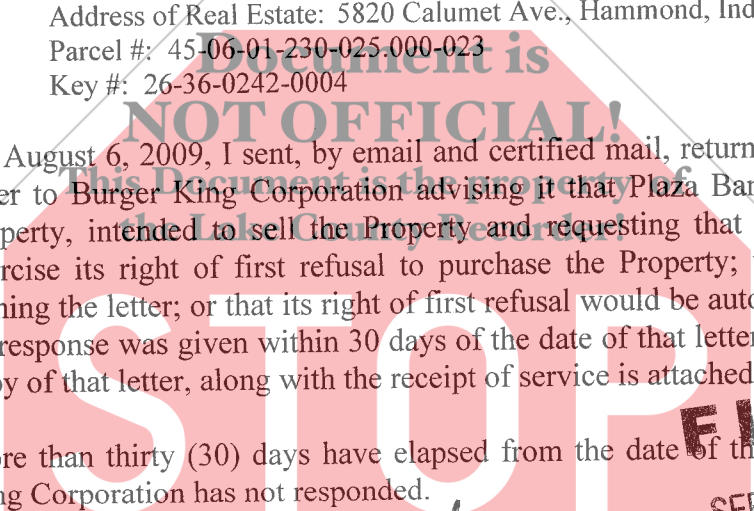
PEGGY HOLINGA KATONA  
LAKE COUNTY AUDITOR

OFFICIAL SEAL  
JANET J. MISKUS  
Notary Public - State of Illinois  
My Commission Expires Feb 20, 2013

Instrument prepared by: Atty Nicholas Geroulis  
Martin & Karcazes, Ltd.  
161 N. Clark St.  
Ste 550  
Chicago IL 60601

016665

CHICAGO TITLE INSURANCE COMPANY



1500  
CT  
RM

# MARTIN & KARCAZES, LTD.

ATTORNEYS AT LAW

161 NORTH CLARK STREET  
SUITE 550  
CHICAGO, ILLINOIS 60601-3376  
TELEPHONE: (312) 332-4550  
TELECOPIER: (312) 332-4905

DIRECT DIAL:

August 6, 2009

DONALD MARTIN  
GEORGE D. KARCAZES  
ALLEN C. WESOLOWSKI  
NICHOLAS GEROULIS  
JAMES A. HASIER  
HOLLY L. CARTO  
LANCE JOHNSON  
MIRANDA E. BYRD

## VIA EMAIL & CERTIFIED MAIL

Burger King Corporation  
Attn: Jill Anderson-Blanco  
5505 Blue Lagoon Drive  
Miami, Florida 33126


**Re: 5820 Calumet Avenue, Hammond, Indiana**

Dear Ms. Anderson-Blanco:

Please be advised this office represents Plaza Bank the current owner of the above referenced real property pursuant to Sheriff's Deed. Pursuant to the Right of First Refusal reserved to the Grantor in the Special Warranty Deed dated June 2, 2005 between Burger King Corporation ("Grantor") to Antonia Loumbroukos ("Grantee") recorded with the Lake County Indiana Recorder's Office as Document Number 2005048016, notice is hereby given to you of Plaza Bank's intention to sell this property to a bonafide third party for the sum of \$127,500.00. A copy of the proposed Purchase Agreement is enclosed herewith. Unless this office receives written notice from Burger King Corporation within 30 days of the date hereof of its intention to purchase this property on the same terms and conditions contained in the offer, we shall deem the lack of notice as a waiver of the Right of First Refusal.

Should you wish to waive the right immediately, please sign in the space provided below and forward a copy of the executed letter to my office.

Very truly yours,



NICHOLAS GEROULIS

NG/jmv

Enclosure

cc: Joe Marzan, Plaza Bank  
Michael L. Muenich, Esq. - via e-mail  
Jackie Smith, Chicago Title - via e-mail  
Hubert Cioromski, - via e-mail

ACCEPTED BY:

\_\_\_\_\_  
Signature

Printed Name: \_\_\_\_\_

Date: \_\_\_\_\_

**U.S. Postal Service™ RECEIPT**  
**CERTIFIED MAIL™** (Domestic Mail Only: No Insurance Coverage Provided)

For delivery information visit our website at [www.USps.com](http://www.USps.com)

**OFFICIAL USE**

Postage	\$ 1.05	Postmark Here
Certified Fee	2.80	
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ 3.85	

Sent to Burger King Corp.  
Attn: Jill Anderson-Blanco  
 Street, Apt. No. 5505 Blue Lagoon Drive  
 or PO Box No. Miami, FL 33126  
 City, State, ZIP+4

PS Form 3800, August 2006 See Reverse for Instructions

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:  
 Burger King Corporation  
 Attn: Jill Anderson-Blanco  
 5505 Blue Lagoon Drive  
 Miami, Florida 33126

**COMPLETE THIS SECTION ON DELIVERY**

- A. Signature  [Signature]  Agent
- B. Received by (Printed Name)  Addressee
- C. Date of Delivery
- D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type
- Certified Mail
  - Registered
  - Insured Mail
  - Express Mail
  - Return Receipt for Merchandise
  - C.O.D.
4. Restricted Delivery? (Extra Fee)  Yes

2. Article Number 7008 3230 0000 4683 1430  
 (Transfer from service label)

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540