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STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD

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March 18, 2011

MICHELLE J. JENKINS
RECORDER

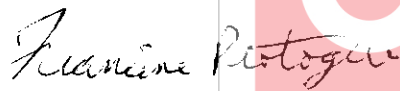
Kathie DeRuiter
Senior Vice President
Senior Operations Officer
Horizon Bank, N.A.
→ 515 Franklin Square
Michigan City, IN 46360

RE: Horizon Bank, N.A. v. Kolo Realty II, LLC et. al.
United States District Court for the Northern District of Indiana, Hammond Division
Cause No. 2:10-cv-00015-JTM-APR
SBA Loan: Kolo Dining II, LLC, Loan No. 233 503 6509

Dear Ms. DeRuiter:

The Small Business Administration ("SBA") has agreed to release its one-year right of redemption for consideration of \$5,000.00. This waiver or release is effective upon payment of the consideration. This release operates to release the SBA's one-year right of redemption on real estate located at 8239 Georgia Street, Merrillville, Indiana 46410, which arose pursuant to 28 U.S.C. Section 2410 by judgment in action originally filed by Horizon Bank, N.A. on December 10, 2009 in the Lake County Superior Court, Cause No. 45D04-0912-MF-00486, which case was removed to the United States District Court for the Northern District of Indiana, Hammond Division as Cause No. 2:10-cv-00015. The judgment in this case was granted June 8, 2010, and a Marshall sale held August 31, 2010, where Horizon Bank, N.A. was the successful bidder for \$1,600,000.00. The Marshall sale was approved and confirmed on September 21, 2010.

Sincerely,



Francine Protogere
District Counsel
317-226-7272

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.

This instrument was prepared by and should be returned to: Francine Protogere, District Counsel, U.S. Small Business Administration, Indiana District Office, 8500 Keystone Crossing, Suite 400, Indianapolis, IN 46240 (317) 226-7272.

AMOUNT \$ 16
CASH _____ CHARGE _____
CHECK # 3259531
OVERAGE 2.00
COPY _____
NON-COM _____
CLERK AE
E

STATE OF INDIANA)
)
COUNTY OF MARION)

I, the undersigned, a Notary Public in and for said County in the State aforesaid, do hereby certify that Francine Protogere, Indiana District Office, Region V, SMALL BUSINESS ADMINISTRATION, personally known to me to be the same person whose name is subscribed to the foregoing Affidavit, appeared before me this day in person, and acknowledged that she, being thereunto duly authorized, signed and delivered said instrument as the free and voluntary act of the SMALL BUSINESS ADMINISTRATION, and as her own free and voluntary act for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal, this 18 day of March, 2011

NOTARIAL SEAL

Signed: Connie Secret
Notary Public

Print: CONNIE SECREST

My Commission Expires: 2/5/2014

My County of Residence: Marion

CROSS REFERENCE: 8239 Georgia Street, Merrillville, Indiana 46410

Mortgage dated October 28, 2008 to Regional Development Company recorded November 6, 2008 in the Office of the Recorder of Lake County, Indiana, as Instrument No. 2008-076080. This mortgage was assigned to the Small Business Administration by Regional Development Company by assignment dated October 28, 2008 and recorded November 6, 2008, in the Office of the Recorder of Lake County, Indiana, as Instrument No. 2008-076081.

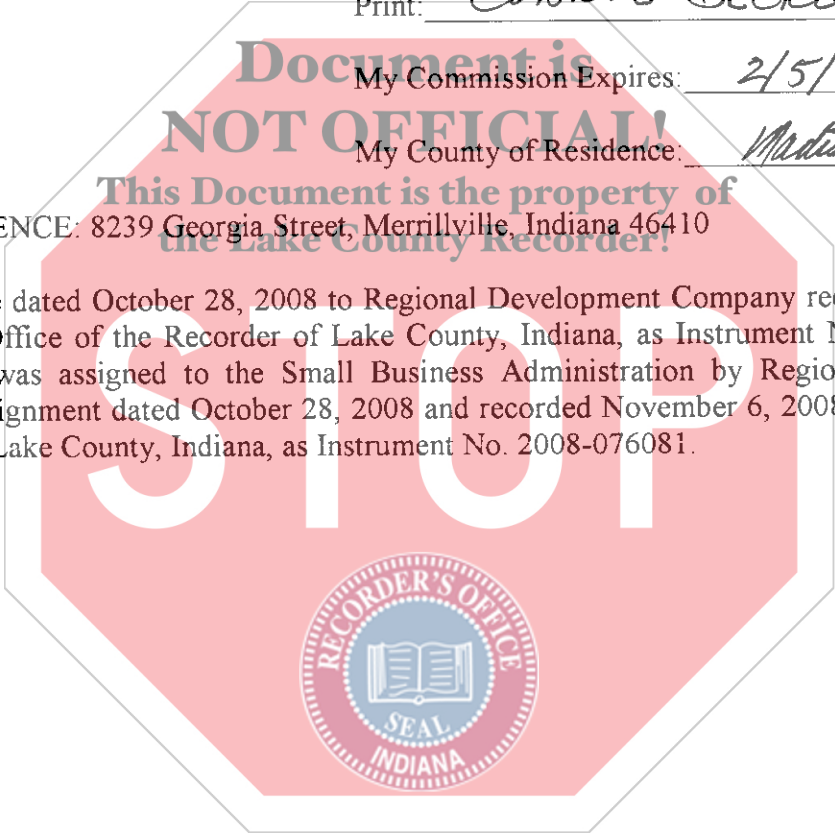


EXHIBIT "A"

Lot 2, except the Southeasterly 30 feet by parallel lines, of C.S. Subdivision, as per plat thereof, recorded in Plat Book 93, page 86, in the Office of the Recorder of Lake County, Indiana.

Commonly known as: 8239 Georgia Street, Merrillville, IN 46410

