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STATE OF INDIANA  
LAKE COUNTY  
FILED FOR RECORD

2012 058614

2012 AUG 28 PM 1:07

MICHELLE R. FAJMAN  
RECORDER

THIS INSTRUMENT WAS PREPARED BY

**Malaika Roemer**  
8377 East Harford Drive, Suite 200  
Scottsdale, Arizona 85255

Return to:  
Corporation Service Company  
801 Stevenson Drive  
Springfield, IL 62703

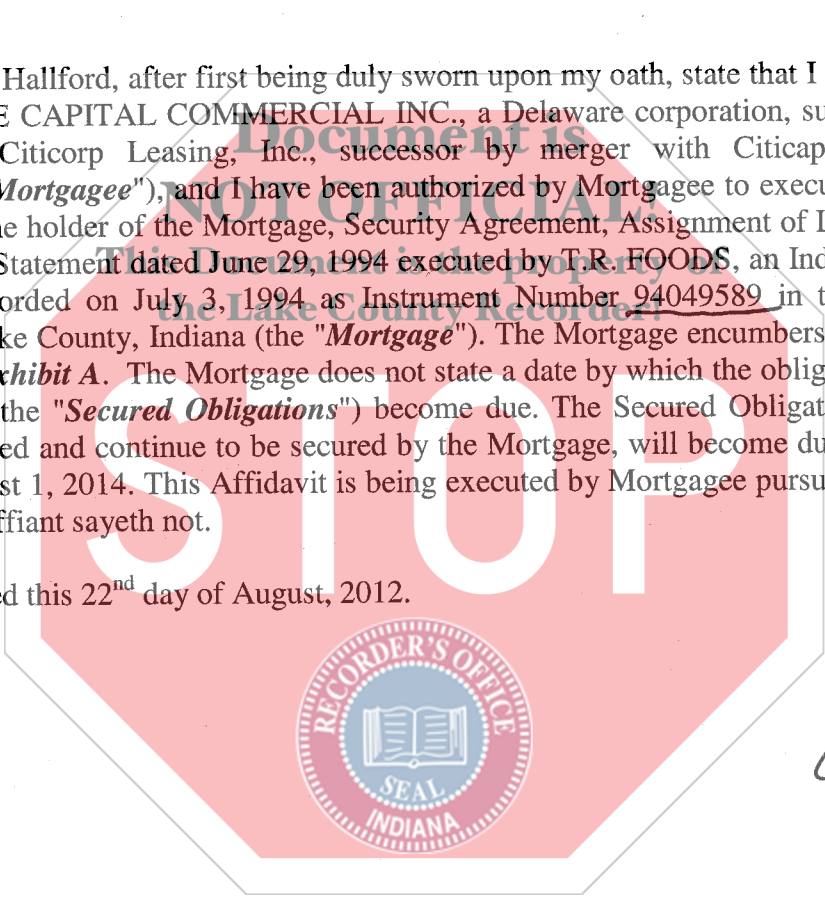
Cross-Reference to Mortgage Recorded as Instrument No. 94049589

69290836 RGM

**AFFIDAVIT TO STATE MORTGAGE MATURITY DATE**

I, Kelly Hallford, after first being duly sworn upon my oath, state that I am an authorized signatory of GE CAPITAL COMMERCIAL INC., a Delaware corporation, successor by name change from Citicorp Leasing, Inc., successor by merger with Citicapital Commercial Corporation ("*Mortgagee*"), and I have been authorized by Mortgagee to execute this Affidavit. Mortgagee is the holder of the Mortgage, Security Agreement, Assignment of Leases and Rents, and Financing Statement dated June 29, 1994 executed by T.R. FOODS, an Indiana corporation, which was recorded on July 3, 1994 as Instrument Number 94049589 in the Office of the Recorder of Lake County, Indiana (the "*Mortgage*"). The Mortgage encumbers the real property described on *Exhibit A*. The Mortgage does not state a date by which the obligations secured by the Mortgage (the "*Secured Obligations*") become due. The Secured Obligations, which have not been satisfied and continue to be secured by the Mortgage, will become due and payable on or before August 1, 2014. This Affidavit is being executed by Mortgagee pursuant to I.C. 32-28-4-3. Further, Affiant sayeth not.

Executed this 22<sup>nd</sup> day of August, 2012.



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CK#

1120372

1Ref CA

**MORTGAGEE:**

**GE CAPITAL COMMERCIAL INC.,** a  
Delaware corporation

By: *Kelly Hallford*

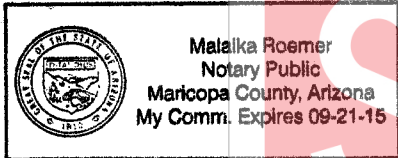
Printed Name: Kelly Hallford

Its: Authorized Signatory

STATE OF ARIZONA     )  
  ) SS:  
COUNTY OF MARICOPA )

Before me, a Notary Public, in and for said County and State, personally appeared Kelly Hallford, who acknowledged the execution of the foregoing Affidavit to State Mortgage Maturity Date.

Witness my Hand and Notarial Seal this day of 22<sup>nd</sup> day of August, 2012.



*Malaika Roemer*  
(Malaika Roemer) Notary Public

My Commission Expires:  
09-21-15

My County of Residence:  
Maricopa



This instrument prepared by Malaika Roemer.

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. [ *Malaika Roemer* ]

EXHIBIT "A"

LEGAL DESCRIPTION

3936 Broadway, Gary, Indiana 46408

A LEASEHOLD ESTATE AS CREATED BY A CERTAIN LEASE DATED JULY 15, 1981 AS EVIDENCED IN ASSIGNMENT OF LEASE DATED OCTOBER 21, 1981 AND RECORDED NOVEMBER 30, 1981 AS DOCUMENT NO. 651846, MADE BY AND BETWEEN CHUCK WHEELER GLEN PARK RESTAURANT, INC., AN INDIANA CORPORATION, LESSEE, CHARLES R. WHEELER, ASSIGNEE, AND GARY COMMUNITY SCHOOL CORPORATION, GARY, INDIANA, MUNICIPAL CORPORATION, LESSOR, DEMISING THE LAND HEREAFTER DESCRIBED FOR A TERM OF YEARS COMMENCING AUGUST 1, 1981 AND ENDING DECEMBER 31, 1996, AS ASSIGNED TO TERRY ROBINSON AND ELIZABETH ROBINSON BY ASSIGNMENT OF LEASEHOLD INTEREST DATED DECEMBER 8, 1989 RECORDED DECEMBER 11, 1989, AS DOCUMENT NO. 073657. THE LAND DEMISED IS DESCRIBED AS: A RECTANGULAR PARCEL MEASURING 75 FEET NORTH AND SOUTH AND 120 FEET EAST AND WEST IN THE ~~NORTHEAST~~ CORNER OF THE FOLLOWING DESCRIBED REAL ESTATE: PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 36 NORTH, RANGE 8 WEST OF THE 2ND P. M., IN LAKE COUNTY, INDIANA, DESCRIBED AS FOLLOWS: COMMENCING AT A POINT 33 FEET SOUTH AND 33 FEET WEST OF THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST 1/4 OF SAID SECTION; THENCE SOUTH 200 FEET; THENCE WEST 264 FEET; THENCE NORTH 200 FEET; THENCE EAST 264 FEET TO THE PLACE OF BEGINNING.

This Document is the property of  
the Lake County Recorder!

\*SOUTHEAST

438 Ridge Road, Munster, Indiana

ALL OF BLOCK ONE (1) AND LOTS ONE (1), TWO (2), THREE (3), FOUR (4), FIVE (5), SIX (6), SIXTEEN (16) AND SEVENTEEN (17) INCLUDING THE VACATED WESTERLY 105.12 FEET OF THAT CERTAIN ALLEY RUNNING IN A GENERAL WESTERLY DIRECTION PARALLEL WITH RIDGE ROAD FROM THE WEST LINE OF HARRISON AVENUE ON THE EAST TO THE WEST LINE EXTENDED SOUTH OF LOT 1, AND THE WEST LINE OF LOT 17, EXTENDED NORTH, IN BLOCK TWO (2); IN SOUTH RIDGE ADDITION TO THE TOWN OF MUNSTER, PLAT BOOK 20, PAGE 15, IN THE OFFICE OF THE RECORDER OF LAKE COUNTY, INDIANA.

NOW ~~TO BE~~ KNOWN AS LOT 3, BLOCK 1, SOUTH RIDGE 2ND ADDITION TO THE TOWN OF MUNSTER, \*LAKE COUNTY, INDIANA

\*AS SHOWN IN PLAT BOOK 49, PAGE 90,

1120 N. Main Street, Crown Point, Indiana

PART OF LOT 1, AS MARKED AND LAID DOWN ON THE RECORDED PLAT OF SMITH'S ADDITION OF OUTLOTS TO THE TOWN (NOW CITY) OF CROWN POINT, IN LAKE COUNTY, INDIANA, AS THE SAME APPEARS OF RECORD IN MISCELLANEOUS RECORD "A", PAGE 290, IN THE RECORDER'S OFFICE OF LAKE COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS: BEGINNING AT A POINT 370.0 FEET NORTH OF THE SOUTHWEST CORNER OF SAID LOT AND RUNNING THENCE NORTH ALONG THE WEST LINE OF SAID LOT, 122.0 FEET; THENCE EAST PARALLEL TO THE NORTH LINE OF SAID LOT 1 A DISTANCE OF 158.15 FEET; THENCE SOUTH PARALLEL TO THE WEST LINE OF SAID LOT 1 A DISTANCE OF 102.0 FEET; THENCE EAST PARALLEL WITH SAID NORTH LINE 20.0 FEET; THENCE SOUTH PARALLEL WITH SAID WEST LINE, 20.0 FEET; THENCE WEST PARALLEL WITH SAID NORTH LINE, 178.15 FEET MORE OR LESS TO THE POINT OF BEGINNING, CONTAINING 0.452 ACRES MORE OR LESS.

INGRESS AND EGRESS EASEMENT B-1:

PART OF LOT 1, AS MARKED AND LAID DOWN ON THE RECORDED PLAT OF SMITH'S OUTLOTS TO THE TOWN (NOW CITY) OF CROWN POINT, IN LAKE COUNTY, INDIANA, AS THE SAME APPEARS OF RECORD IN MISCELLANEOUS RECORD "A", PAGE 290, IN THE RECORDER'S OFFICE OF LAKE COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS: BEGINNING AT A POINT 492.0 FEET NORTH OF THE SOUTHWEST CORNER OF SAID LOTS AND RUNNING THENCE NORTH ALONG THE WEST LINE OF SAID LOT, 47.6 FEET; THENCE EAST PARALLEL TO THE NORTH LINE OF SAID LOT 1, A DISTANCE 158.15 FEET; THENCE SOUTH PARALLEL TO THE WEST LINE OF SAID LOT 1 A DISTANCE OF 47.6 FEET THENCE WEST PARALLEL WITH SAID NORTH LINE, 158.15 FEET MORE OR LESS TO THE POINT OF BEGINNING.

INGRESS AND EGRESS EASEMENT B-2:

PART OF LOT 1, AS MARKED AND LAID DOWN ON THE RECORDED PLAT OF SMITH'S OUTLOTS TO THE TOWN (NOW CITY) OF CROWN POINT, IN LAKE COUNTY, INDIANA, AS THE SAME APPEARS OF RECORD IN MISCELLANEOUS RECORD "A", PAGE 290, IN THE RECORDER'S OFFICE OF LAKE COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS: BEGINNING AT A POINT, 332.2 FEET NORTH OF THE SOUTHWEST CORNER OF SAID LOT AND RUNNING THENCE NORTH ALONG THE WEST LINE OF SAID LOT 37.8 FEET; THENCE EAST PARALLEL TO THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 178.15 FEET; THENCE SOUTH PARALLEL TO THE WEST LINE OF SAID LOT 1 A DISTANCE OF 37.8 FEET; THENCE WEST PARALLEL WITH SAID NORTH LINE, 178.15 FEET MORE OR LESS TO THE POINT OF BEGINNING.

3901 45th Street, Highland, Indiana

East half of the Southeast Quarter of the Southeast Quarter of Section 27, Township 36 North, Range 9 West of the 2nd P.M., in Lake County, Indiana, excepting therefrom that part platted as Griffland Center, Inc. 1st Addition in Plat Book 63, page 3.

1579 Cline, Griffith, Indiana 46319

LOT 1, WENDY'S ADDITION TO THE TOWN OF GRIFFITH, AS SHOWN IN PLAT BOOK 50, PAGE 62, IN LAKE COUNTY, INDIANA



# Delaware

PAGE 1

*The First State*

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF AMENDMENT OF "CITICORP LEASING, INC.", CHANGING ITS NAME FROM "CITICORP LEASING, INC." TO "GE CAPITAL COMMERCIAL INC.", FILED IN THIS OFFICE ON THE FOURTH DAY OF AUGUST, A.D. 2008, AT 4:46 O'CLOCK P.M.



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You may verify this certificate online  
at [corp.delaware.gov/authver.shtml](http://corp.delaware.gov/authver.shtml)

*Harriet Smith Windsor*

Harriet Smith Windsor, Secretary of State

AUTHENTICATION: 7084426

DATE: 01-15-09

CERTIFICATE OF AMENDMENT  
OF  
CERTIFICATE OF INCORPORATION

CITICORP LEASING, INC., a corporation organized and existing under and by virtue of the General Corporation Law of the State of Delaware ("Corporation"), DOES HEREBY CERTIFY:

FIRST: That the Board of Directors of said corporation, by the unanimous written consent of its members filed with the minutes of the Board, adopted a resolution proposing and declaring advisable the following amendment to the Certificate of Incorporation of said corporation:

RESOLVED, that the Certificate of Incorporation of CITICORP LEASING, INC. be amended by changing Article FIRST thereof so that, as amended, said Article shall be and read as follows:

"FIRST. The name of the Corporation is GE CAPITAL COMMERCIAL INC."

SECOND: That in lieu of a meeting and vote of stockholders, the stockholders have given unanimous written consent to said amendment in accordance with the provisions of Section 228 of the General Corporation Law of the State of Delaware.

THIRD: That the aforesaid amendment was duly adopted in accordance with the applicable provisions of Sections 242 and 228 of the General Corporation Law of the State of Delaware.

FOURTH: That this Certificate of Amendment of the Certificate of Incorporation shall be effective upon filing.

[Remainder of Page Intentionally Left Blank]



IN WITNESS WHEREOF, said Corporation has caused this certificate to be duly executed, this 4<sup>th</sup> day of August, 2008.

CITICORP LEASING, INC.

By

  
Name: Timothy Carfi  
Its Authorized Officer

