

36

STATE OF INDIANA  
LAKE COUNTY  
FILED FOR RECORD

2014 028253

2014 MAY 16 AM 10:45

MICHAEL B. BROWN  
RECORDER

RECORDING REQUESTED BY, AND  
WHEN RECORDED MAIL TO:

GOLDBERG KOHN LTD.  
55 East Monroe Street, Suite 3300  
Chicago, Illinois 60603  
Jami L. Brodey, Esq.

Chicago Title Insurance Company

620081480 CTM (AP)

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**THIRD AMENDMENT TO MORTGAGE, ASSIGNMENT OF LEASES AND  
RENTS, SECURITY AGREEMENT AND FIXTURE FILING**

THIS THIRD AMENDMENT TO MORTGAGE, ASSIGNMENT OF LEASES AND RENTS, SECURITY AGREEMENT AND FIXTURE FILING AND OTHER LOAN DOCUMENTS (this "Amendment") is made as of April 30, 2014, by and among, MERRILLVILLE-TFK MAMMOTH, L.L.C., MERRILLVILLE-JACKSON-1, L.L.C., MERRILLVILLE-JACKSON-2, L.L.C., MERRILLVILLE-RICHTER, L.L.C., MERRILLVILLE-QUERY 1, L.L.C., MERRILLVILLE-QUERY 2, L.L.C., MERRILLVILLE-BISLA-1, L.L.C., MERRILLVILLE-BISLA-2, L.L.C., MERRILLVILLE-JENSEN, L.L.C., MERRILLVILLE-HWANG, L.L.C., MERRILLVILLE-WATTS-1, L.L.C., MERRILLVILLE-WATTS-2, L.L.C., MERRILLVILLE-POPP, L.L.C., and MERRILLVILLE-IREX, L.L.C. (each, a "Borrower" and collectively, "Borrowers"), each a Delaware limited liability company, and each having an address of c/o Merrillville Exchange Venture, L.L.C., 2901 Butterfield Road, Oak Brook, Illinois 60523, and WHEATON BANK & TRUST COMPANY, whose address is 211 South Wheaton Avenue, Wheaton, Illinois 60187 (collectively with its successors, assigns and transferees hereinafter referred to as "Lender").

**RECITALS**

A. On or about May 13, 2008, Lender made a loan to Merrillville 1031 Venture, L.L.C., a Delaware limited liability company ("Original Borrower"), in the principal amount of \$3,210,000 (the "Loan"). The Loan is evidence by a Promissory Note in the face amount of \$3,210,000 dated as of May 13, 2008 made by Original Borrower in favor of Lender (the "Note") and secured by, among other things, a certain Mortgage, Assignment of Leases and Rents, Security Agreement and Fixture Filing made by Original Borrower in favor of Lender dated as of May 13, 2008 and recorded on May 21, 2008

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GT  
R/A

with the Lake County, Indiana Recorder (the "**Recorder**") as Document No. 2008 037346, as amended by a certain First Amendment to Mortgage, Assignment of Leases and Rents, Security Agreement and Fixture Filing dated as of October 31, 2008 and recorded with the Recorder on December 2, 2008 as Document No. 2008 081186 and by a certain Second Amendment to Mortgage, Assignment of Leases and Rents, Security Agreement and Fixture Filing made as of June 28, 2013, effective as of April 30, 2013, and recorded with the Recorder (said mortgage, as amended, and as assigned and assumed pursuant to the Partial Assumptions (hereinafter defined), the "**Mortgage**"). A legal description of the real estate encumbered by the Mortgage is attached hereto as **Exhibit A**. The obligations of Original Borrower under the Note, the Mortgage and the other Loan Documents were assigned to, and assumed by, each Borrower, on a joint and several basis, pursuant to the partial loan assumption agreements described on **Schedule 1** attached hereto (the "**Partial Assumptions**").

B. Pursuant to an Extension Agreement and Second Amendment to Promissory Note and Other Loan Documents of even date herewith by and among Lender, Borrowers and "Indemnitors" party thereto (the "**Loan Document Amendment**"), Lender has agreed to extend the Maturity Date of the Loan to April 30, 2015.

C. Borrowers and Lender are entering into this Amendment to give record notice of the extension of the Maturity Date.

1. **Defined Terms and Recitals.** Capitalized terms used in this Amendment shall have the meanings ascribed to such terms in the Mortgage unless otherwise defined herein. Each party hereto acknowledges and agrees that the above Recitals are true, accurate, and correct in all respects and that such Recitals are incorporated into this Amendment by reference herein.

2. **Amendment to Mortgage.** The Mortgage is hereby amended such that all references therein to the "Loan", the "Note" and any other "Loan Document" or "Loan Documents" shall mean the Loan, the Note and such other Loan Document or Loan Documents, as amended by the Loan Document Amendment.

3. **Reaffirmation of Mortgage.** Borrowers hereby acknowledge, agree and reaffirm the Mortgage, as hereby amended, as security for the Loan in the maximum aggregate principal amount of \$3,210,000, and agree that no part of the foregoing amendments or modifications shall have the effect of releasing Borrowers from any of their obligations under the Mortgage or any other Loan Document.

4. **Full Force and Effect.** The Mortgage shall remain in full force and effect in accordance with its terms, subject to and as amended by this Amendment. Nothing herein or in the Loan Document Amendment constitutes a novation of the Loan.

5. **Counterparts.** This Amendment may be executed in any number of counterparts, each of which, when executed and delivered, shall be deemed to be an original, but such counterparts shall together constitute but one and the same instrument.

*[Signatures appear on following pages.]*



IN WITNESS WHEREOF, Borrowers and Lender have executed this Amendment or has caused the same to be executed by its representatives thereunto duly authorized.

**BORROWERS:**

MERRILLVILLE-TFK MAMMOTH, L.L.C.  
a Delaware limited liability company

By: TFK Mammoth, LLC, a Minnesota limited liability company, its sole Member

By: Thomas F. Kordonowy  
Name: Thomas F. Kordonowy  
Title: Chief Manager

MERRILLVILLE-JACKSON-1, L.L.C.  
a Delaware limited liability company

By: \_\_\_\_\_  
Name: Jim P. Jackson, Sole Member

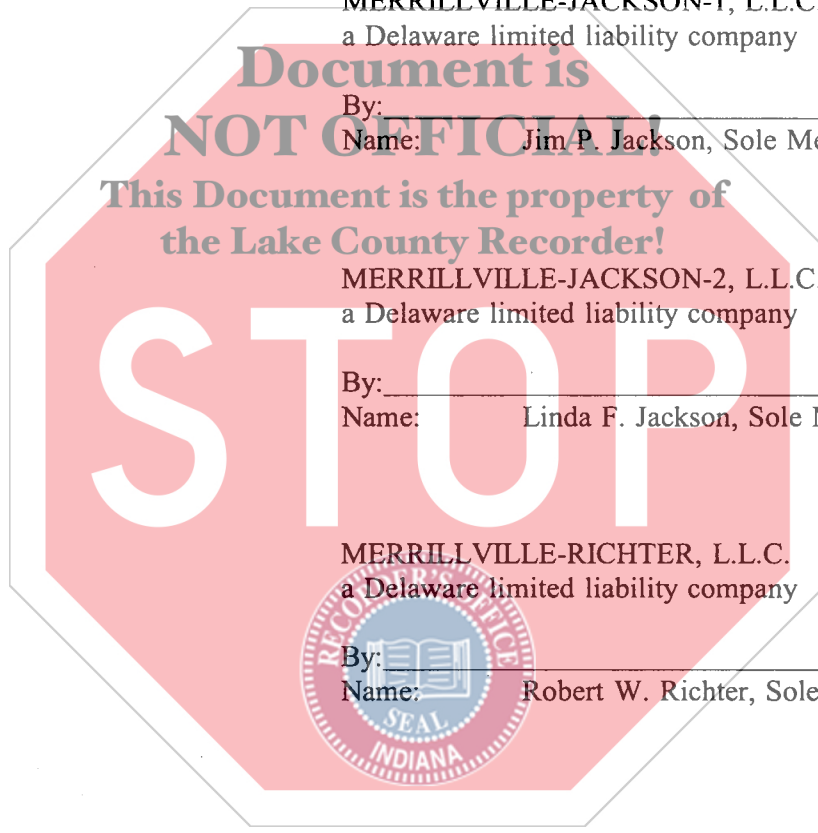
**Document is  
NOT OFFICIAL!  
This Document is the property of  
the Lake County Recorder!**

MERRILLVILLE-JACKSON-2, L.L.C.  
a Delaware limited liability company

By: \_\_\_\_\_  
Name: Linda F. Jackson, Sole Member

MERRILLVILLE-RICHTER, L.L.C.  
a Delaware limited liability company

By: \_\_\_\_\_  
Name: Robert W. Richter, Sole Member



ACKNOWLEDGMENT

STATE OF MN )  
COUNTY OF CARVER )<sup>SS</sup>

I, Scott C. McDonald, a Notary Public in and for and residing in said County and State, DO HEREBY CERTIFY THAT Tom Kerdnowy, the chief manager of Merrillville TFK Mammoth, a Delaware limited liability company, 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 and delivered said instrument as his own free and voluntary act and as the free and voluntary act of said limited liability company for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 14 day of April, 2014.

Scott C. McDonald  
Notary Public

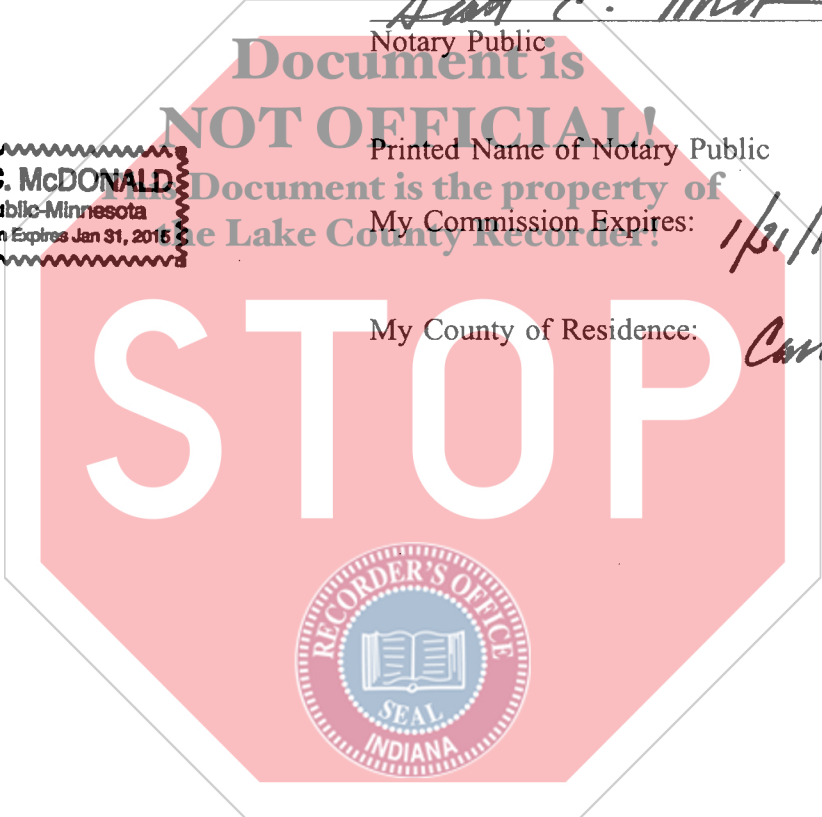


Document is NOT OFFICIAL!  
Document is the property of the Lake County Recorder!

Printed Name of Notary Public

My Commission Expires: 1/31/15

My County of Residence: Carver



IN WITNESS WHEREOF, Borrowers and Lender have executed this Amendment, or has caused the same to be executed by its representatives thereunto duly authorized.

**BORROWERS:**

MERRILLVILLE-TFK MAMMOTH, L.L.C.  
a Delaware limited liability company

By: TFK Mammoth, LLC, a Minnesota limited liability company, its sole Member

By: \_\_\_\_\_  
Name: Thomas F. Kordonowy  
Title: Chief Manager

MERRILLVILLE-JACKSON-1, L.L.C.  
a Delaware limited liability company

By: \_\_\_\_\_  
Name: Jim P. Jackson, Sole Member

**This Document is the property of  
the Lake County Recorder!**

MERRILLVILLE-JACKSON-2, L.L.C.  
a Delaware limited liability company

By: \_\_\_\_\_  
Name: Linda F. Jackson, Sole Member

MERRILLVILLE-RICHTER, L.L.C.  
a Delaware limited liability company

By: \_\_\_\_\_  
Name: Robert W. Richter, Sole Member



ACKNOWLEDGMENT

STATE OF NC )  
 ) SS  
COUNTY OF Wake )

I, Jeremy Smith, a Notary Public in and for and residing in said County and State, DO HEREBY CERTIFY THAT Jim Jackson, the Sole member of MERRILLVILLE-JACKSON-LLC, a Delaware limited liability company, 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 and delivered said instrument as his own free and voluntary act and as the free and voluntary act of said limited liability company for the uses and purposes therein set forth.

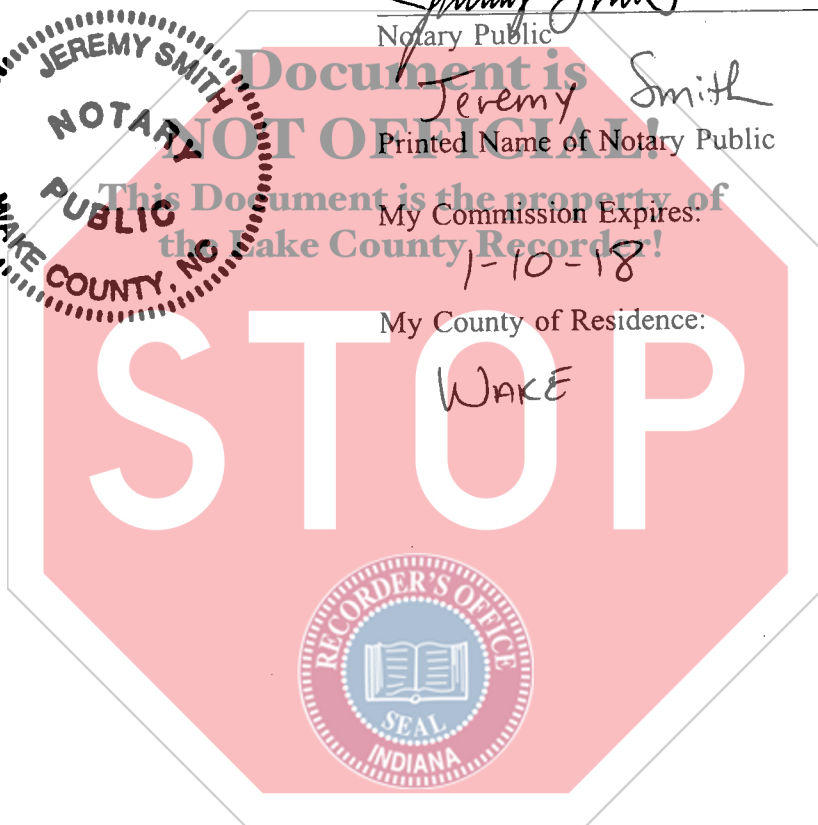
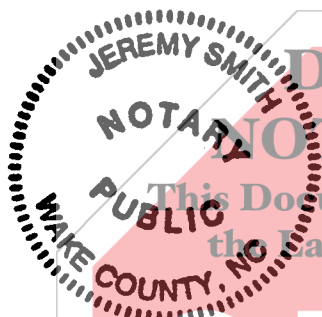
GIVEN under my hand and notarial seal this 28 day of April, 2014.

Jeremy Smith  
Notary Public

Jeremy Smith  
Printed Name of Notary Public

My Commission Expires:  
1-10-18

My County of Residence:  
WAKE



IN WITNESS WHEREOF, Borrowers and Lender have executed this Amendment or has caused the same to be executed by its representatives thereunto duly authorized.

**BORROWERS:**

MERRILLVILLE-TFK MAMMOTH, L.L.C.  
a Delaware limited liability company

By: TFK Mammoth, LLC, a Minnesota limited liability company, its sole Member

By: \_\_\_\_\_  
Name: Thomas F. Kordonowy  
Title: Chief Manager

MERRILLVILLE-JACKSON-1, L.L.C.  
a Delaware limited liability company

By: \_\_\_\_\_  
Name: Jim P. Jackson, Sole Member

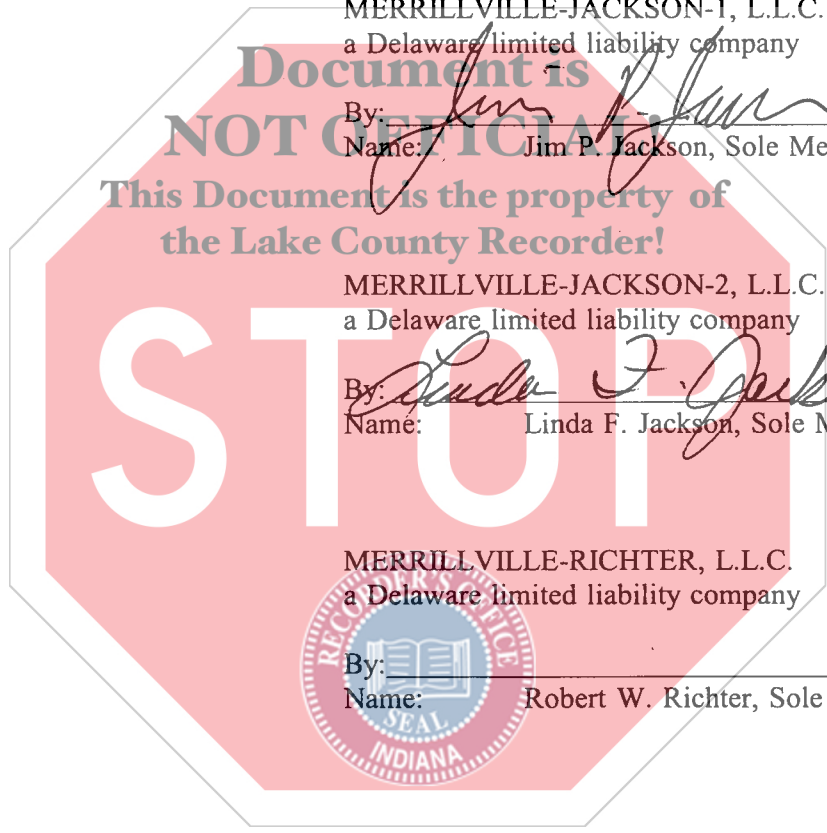
**Document is NOT OFFICIAL**  
**This Document is the property of the Lake County Recorder!**

MERRILLVILLE-JACKSON-2, L.L.C.  
a Delaware limited liability company

By: \_\_\_\_\_  
Name: Linda F. Jackson, Sole Member

MERRILLVILLE-RICHTER, L.L.C.  
a Delaware limited liability company

By: \_\_\_\_\_  
Name: Robert W. Richter, Sole Member





ACKNOWLEDGMENT

STATE OF NC )  
 ) SS  
COUNTY OF WAKE )

I, Jeremy Smith, a Notary Public in and for and residing in said County and State, DO HEREBY CERTIFY THAT Linda Jackson the Sole member of MERRILLVILLE-JACKSON-1, L.L.C., a Delaware limited liability company, 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 and delivered said instrument as his own free and voluntary act and as the free and voluntary act of said limited liability company for the uses and purposes therein set forth.

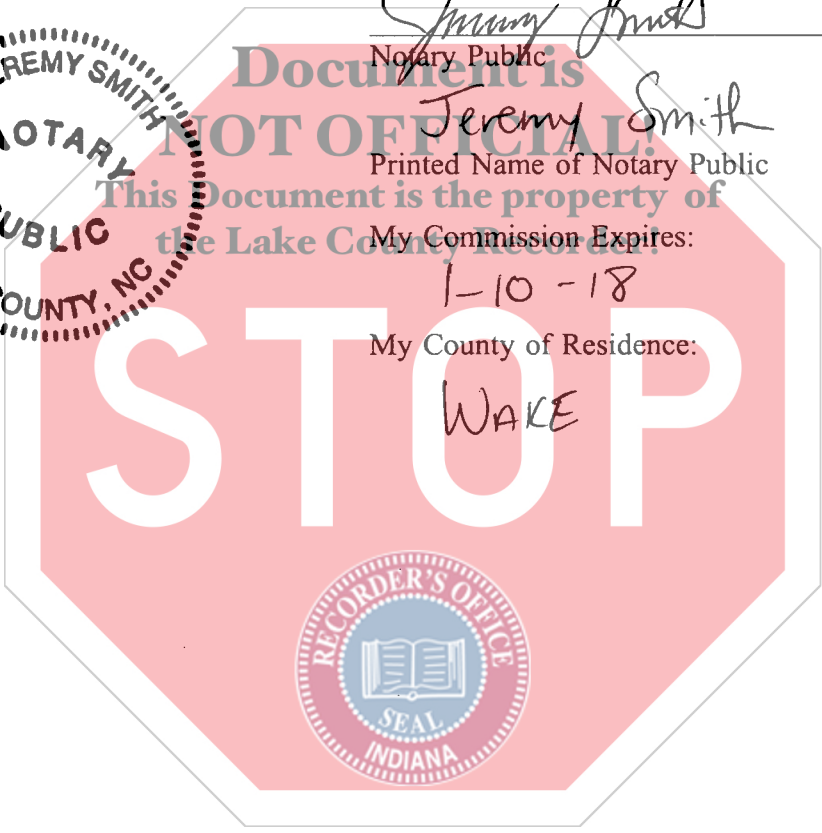
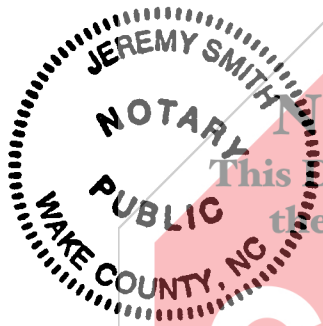
GIVEN under my hand and notarial seal this 28 day of April, 2014.

Jeremy Smith  
Notary Public

Jeremy Smith  
Printed Name of Notary Public

My Commission Expires:  
1-10-18

My County of Residence:  
WAKE



IN WITNESS WHEREOF, Borrowers and Lender have executed this Amendment or has caused the same to be executed by its representatives thereunto duly authorized.

**BORROWERS:**

MERRILLVILLE-TFK MAMMOTH, L.L.C.  
a Delaware limited liability company

By: TFK Mammoth, LLC, a Minnesota limited liability company, its sole Member

By: \_\_\_\_\_  
Name: Thomas F. Kordonowy  
Title: Chief Manager

MERRILLVILLE-JACKSON-1, L.L.C.  
a Delaware limited liability company

By: \_\_\_\_\_  
Name: Jim P. Jackson, Sole Member

**This Document is the property of  
the Lake County Recorder!**

MERRILLVILLE-JACKSON-2, L.L.C.  
a Delaware limited liability company

By: \_\_\_\_\_  
Name: Linda F. Jackson, Sole Member

MERRILLVILLE-RICHTER, L.L.C.  
a Delaware limited liability company

By:   
Name: Robert W. Richter, Sole Member



ACKNOWLEDGMENT

STATE OF Illinois )  
 ) SS  
COUNTY OF McHenry )

I, Hollie L. Mortimer, a Notary Public in and for and residing in said County and State, DO HEREBY CERTIFY THAT Robert W. Richter, the Sole member of Merrillville-Richter, LLC, a Delaware limited liability company, 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 and delivered said instrument as his own free and voluntary act and as the free and voluntary act of said limited liability company for the uses and purposes therein set forth.

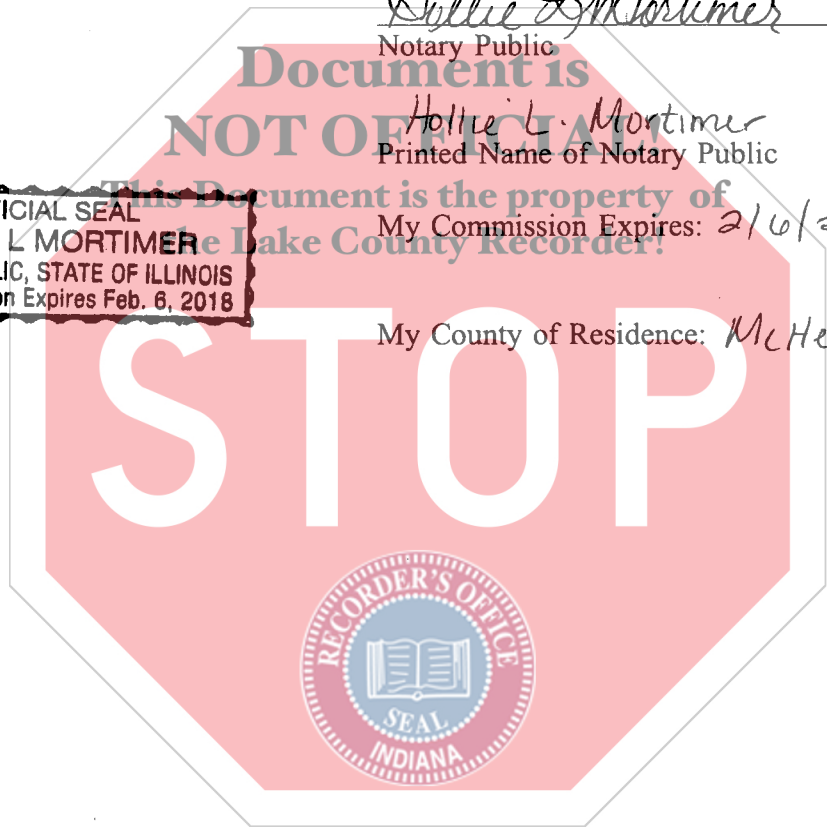
GIVEN under my hand and notarial seal this 12<sup>th</sup> day of April, 2014.

Hollie L. Mortimer  
Notary Public

Hollie L. Mortimer  
Printed Name of Notary Public

My Commission Expires: 2/6/2018

My County of Residence: McHenry



MERRILLVILLE-QUERY 1, L.L.C.,  
a Delaware limited liability company

By: Query Family Trust, Sole Member

By: Roland L. Query TTE  
Roland L. Query, Trustee

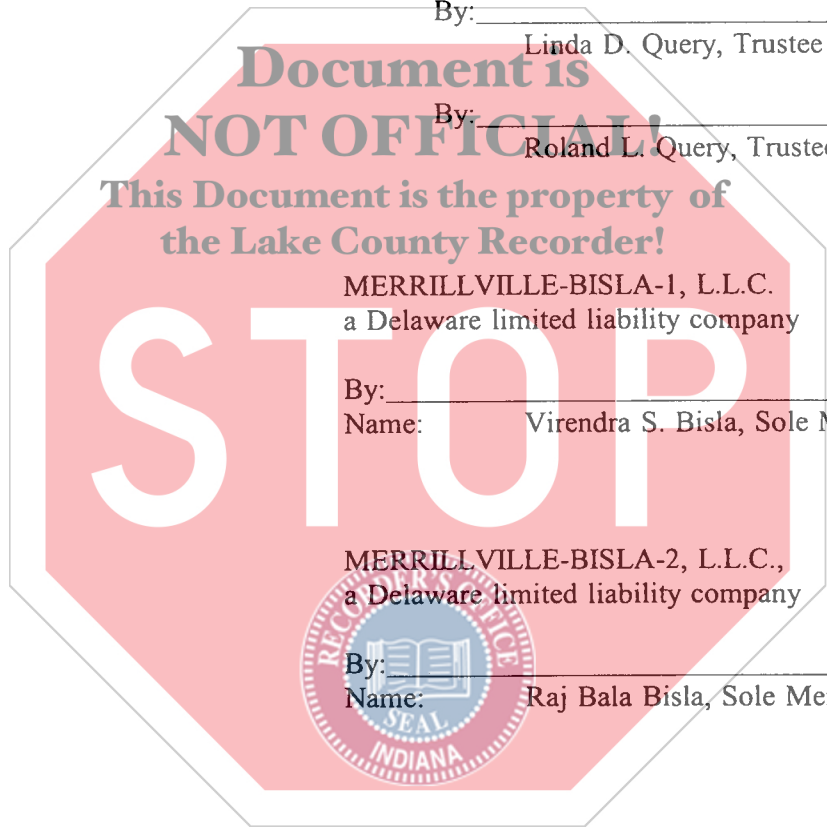
By: Linda D. Query TTE  
Linda D. Query, Trustee

MERRILLVILLE-QUERY 2, L.L.C.,  
a Delaware limited liability company

By: Query Family Trust, Sole Member

By: \_\_\_\_\_  
Linda D. Query, Trustee

By: \_\_\_\_\_  
Roland L. Query, Trustee



MERRILLVILLE-BISLA-1, L.L.C.  
a Delaware limited liability company

By: \_\_\_\_\_  
Name: Virendra S. Bisla, Sole Member

MERRILLVILLE-BISLA-2, L.L.C.,  
a Delaware limited liability company

By: \_\_\_\_\_  
Name: Raj Bala Bisla, Sole Member

ACKNOWLEDGMENT

STATE OF Colorado  
COUNTY OF Weld <sup>SS</sup>

I, Laura Duke, a Notary Public in and for and residing in said County and State, DO HEREBY CERTIFY THAT Roland and Linda Query, the Trustees of the Sole Member of Merrillville-Query 1, LLC, a Delaware limited liability company, 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 s/he signed and delivered said instrument as his/her own free and voluntary act and as the free and voluntary act of said limited liability company for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 11<sup>th</sup> day of April, 2014.



Laura Duke

Notary Public

Laura Duke  
Printed Name of Notary Public

My Commission Expires: June 15, 2016

My County of Residence: Weld



MERRILLVILLE-QUERY 1, L.L.C.,  
a Delaware limited liability company

By: Query Family Trust, Sole Member

By: \_\_\_\_\_  
Roland L. Query, Trustee

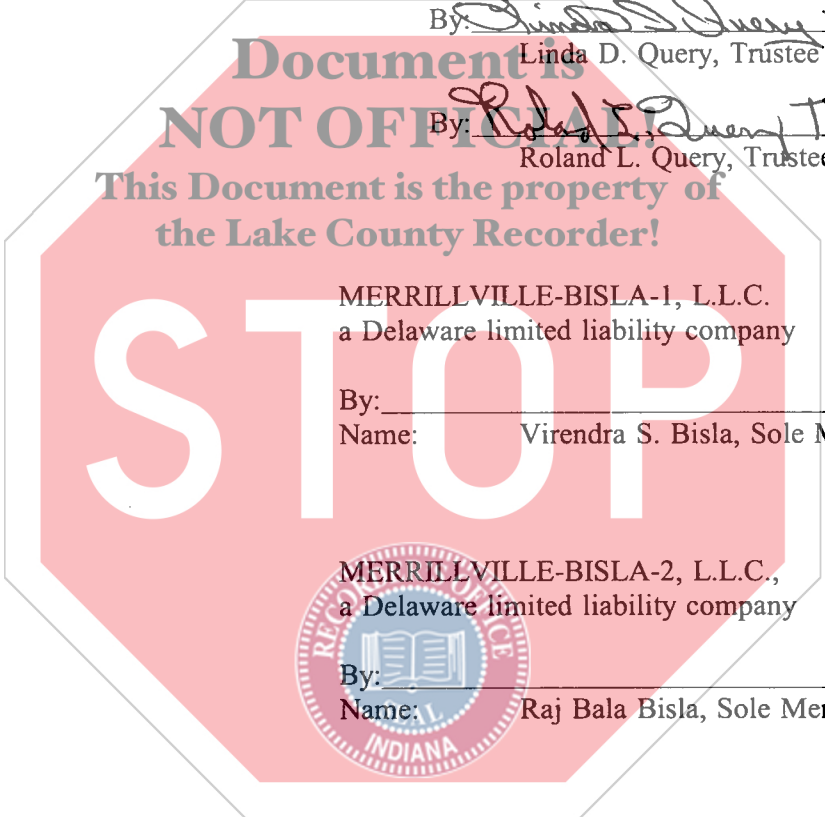
By: \_\_\_\_\_  
Linda D. Query, Trustee

MERRILLVILLE-QUERY 2, L.L.C.,  
a Delaware limited liability company

By: Query Family Trust, Sole Member

By: Linda D. Query TTE  
Linda D. Query, Trustee

By: Roland L. Query TTE  
Roland L. Query, Trustee



MERRILLVILLE-BISLA-1, L.L.C.  
a Delaware limited liability company

By: \_\_\_\_\_  
Name: Virendra S. Bisla, Sole Member

MERRILLVILLE-BISLA-2, L.L.C.,  
a Delaware limited liability company

By: \_\_\_\_\_  
Name: Raj Bala Bisla, Sole Member

ACKNOWLEDGMENT

STATE OF Colorado,  
COUNTY OF Weld <sup>SS</sup> )

I, Laura Duke, a Notary Public in and for and residing in said County and State, DO HEREBY CERTIFY THAT Roland and Linda Query, the ~~Trustees of the Sole Member~~ of Merrillville-Query 2, LLC, a Delaware limited liability company, 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 s/he signed and delivered said instrument as his/~~her~~ own free and voluntary act and as the free and voluntary act of said limited liability company for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 11<sup>th</sup> day of April, 2014.

Laura Duke



Notary Public

Laura Duke

Printed Name of Notary Public

My Commission Expires: June 15, 2016

My County of Residence: Weld



MERRILLVILLE-QUERY 1, L.L.C.,  
a Delaware limited liability company

By: Query Family Trust, Sole Member

By: \_\_\_\_\_  
Roland L. Query, Trustee

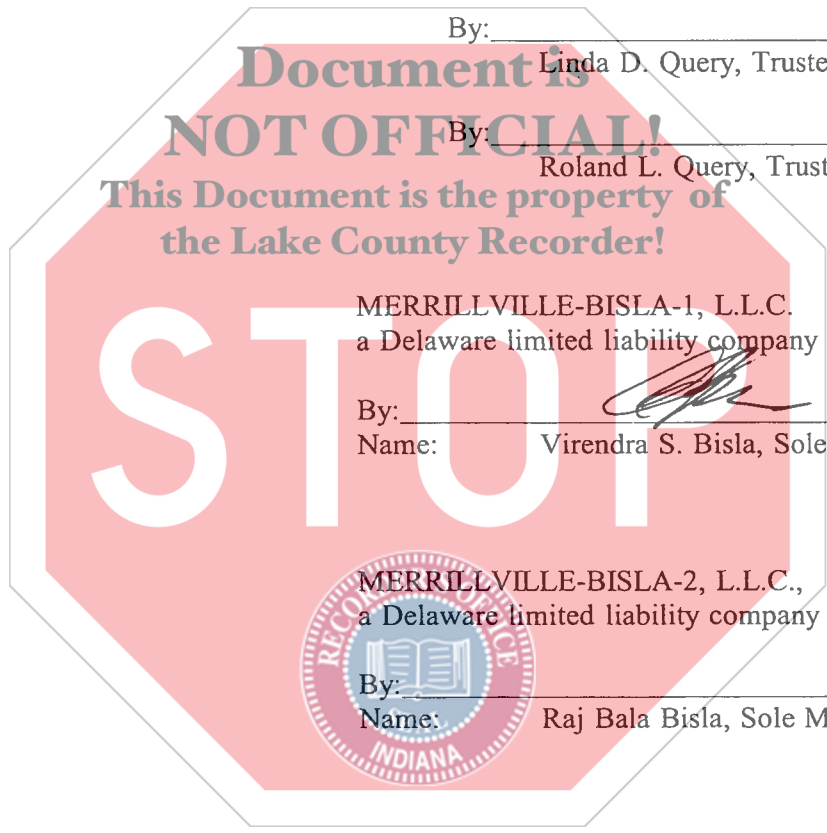
By: \_\_\_\_\_  
Linda D. Query, Trustee

MERRILLVILLE-QUERY 2, L.L.C.,  
a Delaware limited liability company

By: Query Family Trust, Sole Member

By: \_\_\_\_\_  
Linda D. Query, Trustee

By: \_\_\_\_\_  
Roland L. Query, Trustee



MERRILLVILLE-BISLA-1, L.L.C.,  
a Delaware limited liability company

By: \_\_\_\_\_  
Name: Virendra S. Bisla, Sole Member

MERRILLVILLE-BISLA-2, L.L.C.,  
a Delaware limited liability company

By: \_\_\_\_\_  
Name: Raj Bala Bisla, Sole Member



ACKNOWLEDGMENT

STATE OF ILLINOIS )  
 ) SS  
COUNTY OF DuPage )

I, Cindy L Thomas, a Notary Public in and for and residing in said County and State, DO HEREBY CERTIFY THAT Vicendra S Bisla, the sole member of Merrillville-Bisla I, a Delaware limited liability company, 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 she signed and delivered said instrument as the own free and voluntary act and as the free and voluntary act of said limited liability company for the uses and purposes therein set forth.

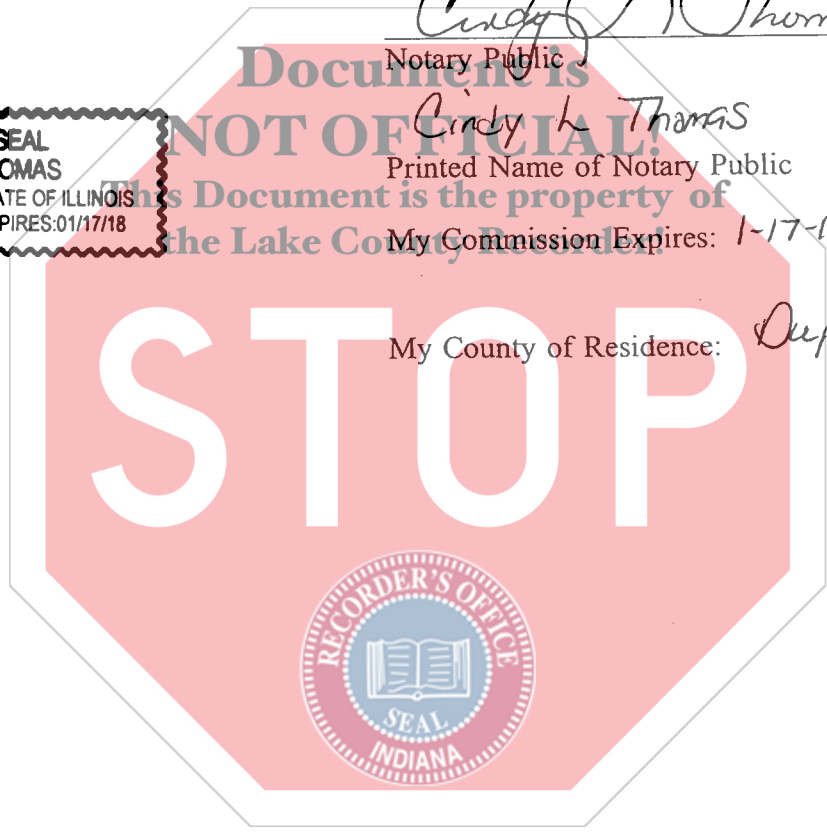
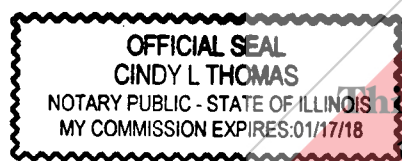
GIVEN under my hand and notarial seal this 22 day of April, 2014.

Cindy L Thomas  
Notary Public

Cindy L Thomas  
Printed Name of Notary Public

My Commission Expires: 1-17-18

My County of Residence: DuPage



MERRILLVILLE-QUERY 1, L.L.C.,  
a Delaware limited liability company

By: Query Family Trust, Sole Member

By: \_\_\_\_\_  
Roland L. Query, Trustee

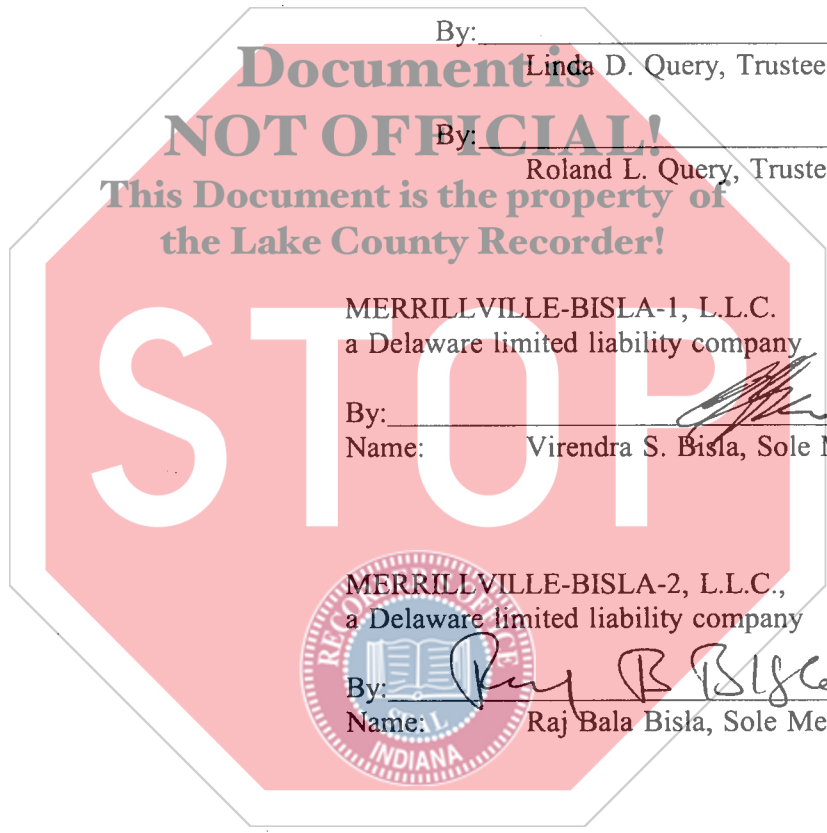
By: \_\_\_\_\_  
Linda D. Query, Trustee

MERRILLVILLE-QUERY 2, L.L.C.,  
a Delaware limited liability company

By: Query Family Trust, Sole Member

By: \_\_\_\_\_  
Linda D. Query, Trustee

By: \_\_\_\_\_  
Roland L. Query, Trustee



MERRILLVILLE-BISLA-1, L.L.C.  
a Delaware limited liability company

By: \_\_\_\_\_  
Name: Virendra S. Bisla, Sole Member

MERRILLVILLE-BISLA-2, L.L.C.,  
a Delaware limited liability company

By: \_\_\_\_\_  
Name: Raj Bala Bisla, Sole Member

ACKNOWLEDGMENT

STATE OF ILLINOIS  
COUNTY OF DuPage <sup>SS</sup>

I, Cindy L Thomas, a Notary Public, in and for Illinois in said County and State, DO HEREBY CERTIFY THAT Vivian S. Busla, the sole member's of Merrillville - Dixie 1 & 2, a Delaware limited liability company, 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 they signed and delivered said instrument as their own free and voluntary act and as the free and voluntary act of said limited liability company for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 22 day of April, 2014.

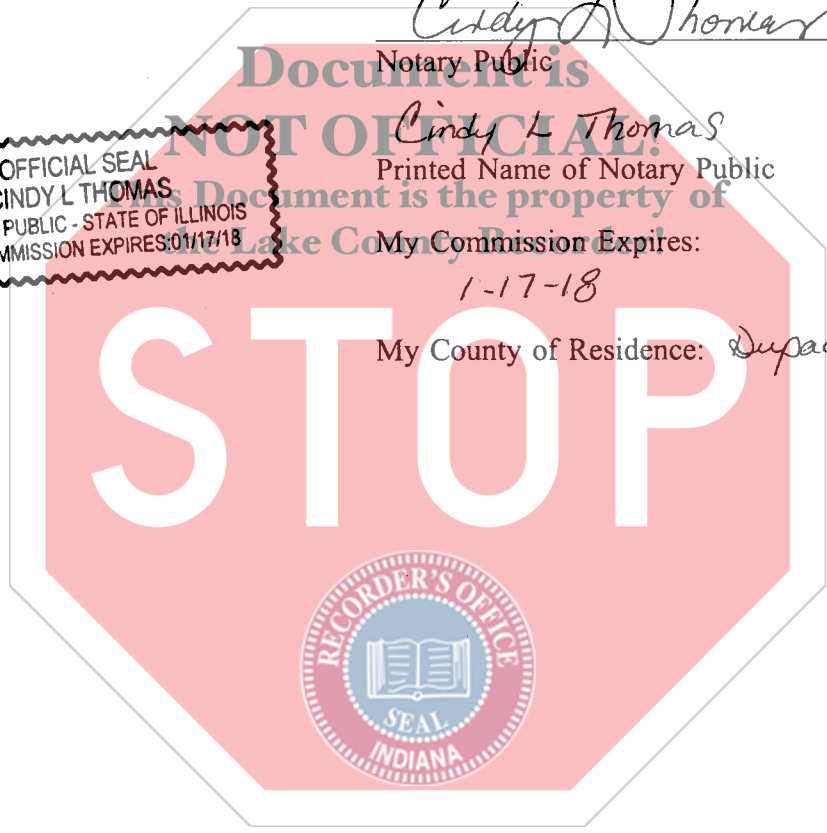
Cindy L Thomas  
Notary Public

Cindy L Thomas  
Printed Name of Notary Public



My Commission Expires:  
1-17-18

My County of Residence: DuPage, IL



MERRILLVILLE-JENSEN, L.L.C.,  
a Delaware limited liability company

By: Gerald L. Jensen and Jeannie Jensen, Husband  
and Wife, Collectively, Sole Member

By: Gerald L. Jensen  
Gerald L. Jensen

By: Jeannie Jensen  
Jeannie Jensen

MERRILLVILLE-HWANG, L.L.C.  
a Delaware limited liability company

By: Trust of Chee-An and Chun-Yung Hwang,  
Sole Member

By: Chee-An Hwang, Trustee

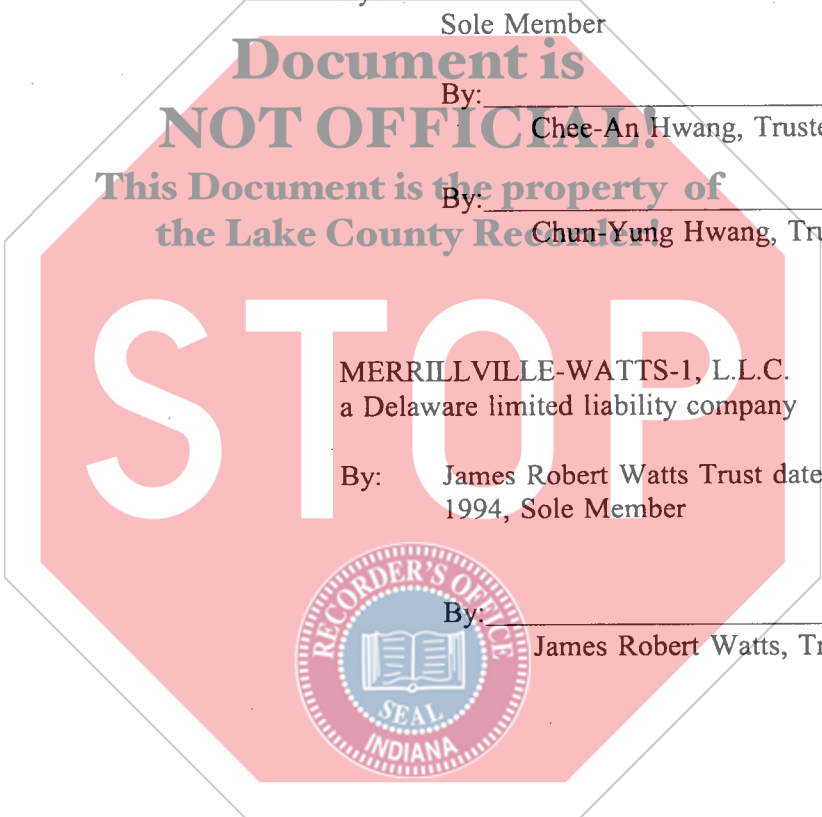
By: Chun-Yung Hwang, Trustee

MERRILLVILLE-WATTS-1, L.L.C.  
a Delaware limited liability company

By: James Robert Watts Trust dated September 9,  
1994, Sole Member



By: James Robert Watts, Trustee



# CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of Stanislaus

On April 11<sup>th</sup>, 2014 before me, Michelle Renae Arviso, Notary Public  
(Here insert name and title of the officer)

personally appeared Gerald L. and Jeannie Jensen

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

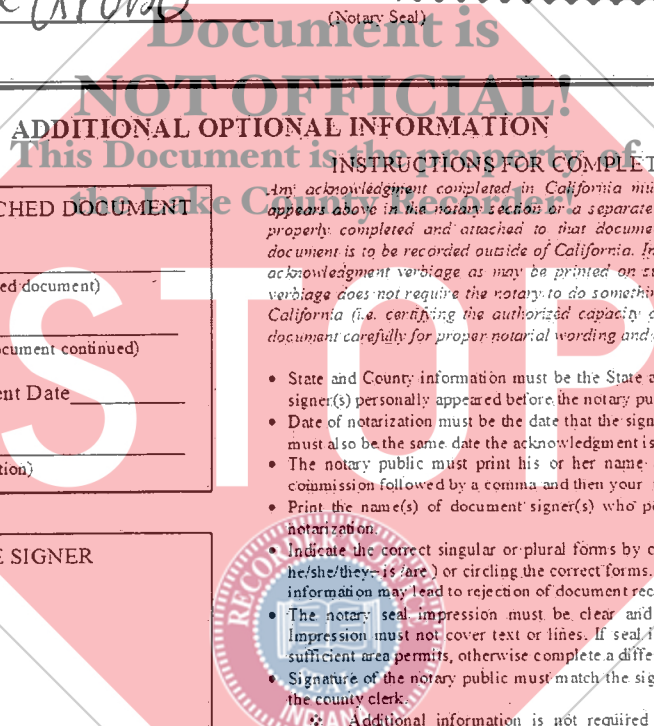
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Michelle Renae Arviso  
Signature of Notary Public



(Notary Seal)



### ADDITIONAL OPTIONAL INFORMATION

#### INSTRUCTIONS FOR COMPLETING THIS FORM

*Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be properly completed and attached to that document. The only exception is if a document is to be recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.*

**DESCRIPTION OF THE ATTACHED DOCUMENT**

\_\_\_\_\_  
(Title or description of attached document)

\_\_\_\_\_  
(Title or description of attached document continued)

Number of Pages \_\_\_\_\_ Document Date \_\_\_\_\_

\_\_\_\_\_  
(Additional information)

**CAPACITY CLAIMED BY THE SIGNER**

Individual (s)  
 Corporate Officer  
 \_\_\_\_\_  
(Title)

Partner(s)  
 Attorney-in-Fact  
 Trustee(s)  
 Other \_\_\_\_\_

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/they - is/are) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - ❖ Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - ❖ Indicate title or type of attached document, number of pages and date.
  - ❖ Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document

MERRILLVILLE-JENSEN, L.L.C.,  
a Delaware limited liability company

By: Gerald L. Jensen and Jeannie Jensen, Husband  
and Wife, Collectively, Sole Member

By: \_\_\_\_\_  
Gerald L. Jensen

By: \_\_\_\_\_  
Jeannie Jensen

MERRILLVILLE-HWANG, L.L.C.  
a Delaware limited liability company

By: Trust of Chee-An and Chun-Yung Hwang,  
Sole Member

By: \_\_\_\_\_  
Chee-An Hwang, Trustee

By: \_\_\_\_\_  
Chun-Yung Hwang, Trustee



MERRILLVILLE-WATTS-1, L.L.C.  
a Delaware limited liability company

By: James Robert Watts Trust dated September 9,  
1994, Sole Member

By: \_\_\_\_\_  
James Robert Watts, Trustee

ACKNOWLEDGMENT

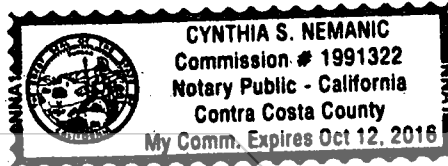
STATE OF California )  
 ) SS  
COUNTY OF Contra Costa )

On May 1, 2014 before me, Cynthia S. Nemanic, personally appeared Chun Yung Hwang and Chee An Hwang, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Cynthia S. Nemanic  
Signature of (Cynthia S. Nemanic)



MERRILLVILLE-JENSEN, L.L.C.,  
a Delaware limited liability company

By: Gerald L. Jensen and Jeannie Jensen, Husband  
and Wife, Collectively, Sole Member

By: \_\_\_\_\_  
Gerald L. Jensen

By: \_\_\_\_\_  
Jeannie Jensen

MERRILLVILLE-HWANG, L.L.C.  
a Delaware limited liability company

By: Trust of Chee-An and Chun-Yung Hwang,  
Sole Member

Document is  
NOT OFFICIAL!  
By: \_\_\_\_\_  
Chee-An Hwang, Trustee

This Document is the property of  
the Lake County Recorder  
By: \_\_\_\_\_  
Chun-Yung Hwang, Trustee

MERRILLVILLE-WATTS-1, L.L.C.  
a Delaware limited liability company

By: James Robert Watts Trust dated September 9,  
1994, Sole Member



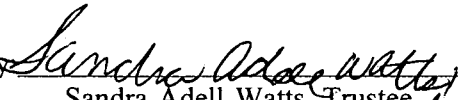
By: *James Robert Watts Trust*  
James Robert Watts, Trustee





MERRILLVILLE-WATTS-2, L.L.C.  
a Delaware limited liability company

By: Sandra Adell Watts Trust dated September 9,  
1994, Sole Member

By:   
Sandra Adell Watts, Trustee *Trustee*

MERRILLVILLE-POPP, L.L.C.,  
a Delaware limited liability company


By: First Amendment to the Amendment and  
Restatement of the Walter J. Popp Declaration  
of Living Trust U/A December 23, 1992, Sole  
Member

Document is  
By: \_\_\_\_\_  
**NOT OFFICIAL!** Walter J. Popp, Trustee  
This Document is the property of  
MERRILLVILLE-IREX, L.L.C.,  
the Lake County Recorder. a Delaware limited liability company

**STOP**

By: Inland Real Estate Exchange Corporation,  
n/k/a Inland Private Capital Corporation, a  
Delaware Corporation, Sole Member

By: \_\_\_\_\_  
Rahul Sehgal,  
Chief Investment Officer



ACKNOWLEDGMENT

STATE OF HAWAII  
 ) SS  
COUNTY OF MAUI )

I, Holly Lynn Tolosko, a Notary Public in and for and residing in said County and State, DO HEREBY CERTIFY THAT Sandra Ackil Watts the Sole member of Merrillville WATTS-2 LLC a Delaware limited liability company, 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 she signed and delivered said instrument as her own free and voluntary act and as the free and voluntary act of said limited liability company for the uses and purposes therein set forth.

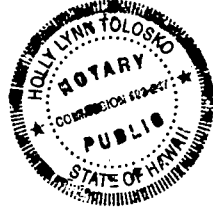
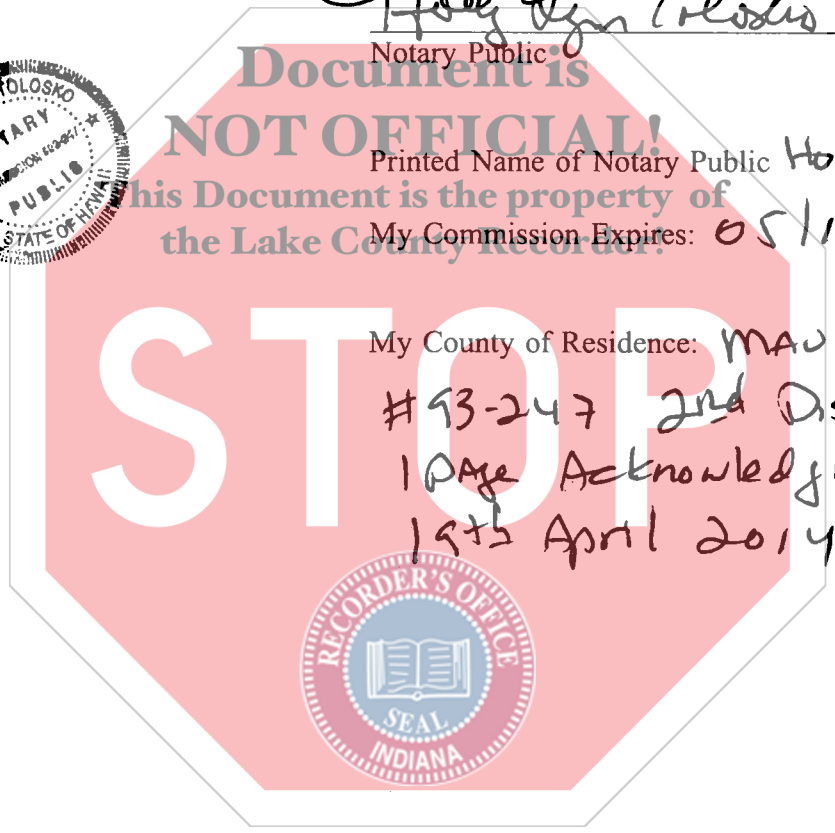
GIVEN under my hand and notarial seal this 19<sup>th</sup> day of April 2014  
2014.

Holly Lynn Tolosko  
Notary Public



Document is  
**NOT OFFICIAL!**  
this Document is the property of  
the Lake County Recorder.

Printed Name of Notary Public Holly Lynn Tolosko  
My Commission Expires: 05/10/2017



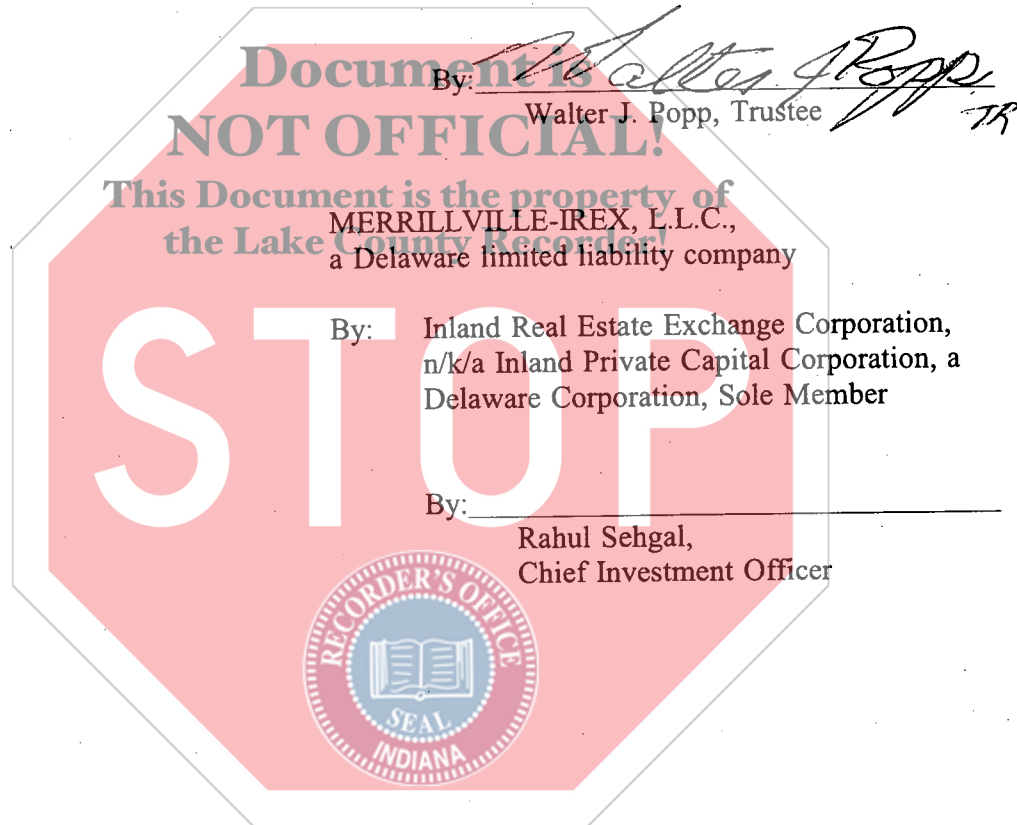
MERRILLVILLE-WATTS-2, L.L.C.  
a Delaware limited liability company

By: Sandra Adell Watts Trust dated September 9,  
1994, Sole Member

By: \_\_\_\_\_  
Sandra Adell Watts, Trustee

MERRILLVILLE-POPP, L.L.C.,  
a Delaware limited liability company

By: First Amendment to the Amendment and  
Restatement of the Walter J. Popp Declaration  
of Living Trust U/A December 23, 1992, Sole  
Member



ACKNOWLEDGMENT

STATE OF Arizona )  
 ) SS  
COUNTY OF Pima )

I, Francisco Hernandez, a Notary Public in and for and residing in said County and State, DO HEREBY CERTIFY THAT Wally Papp, the Trustee of Living Trust DEC 23, 1992 a Delaware limited liability company, 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 and delivered said instrument as his own free and voluntary act and as the free and voluntary act of said limited liability company for the uses and purposes therein set forth.

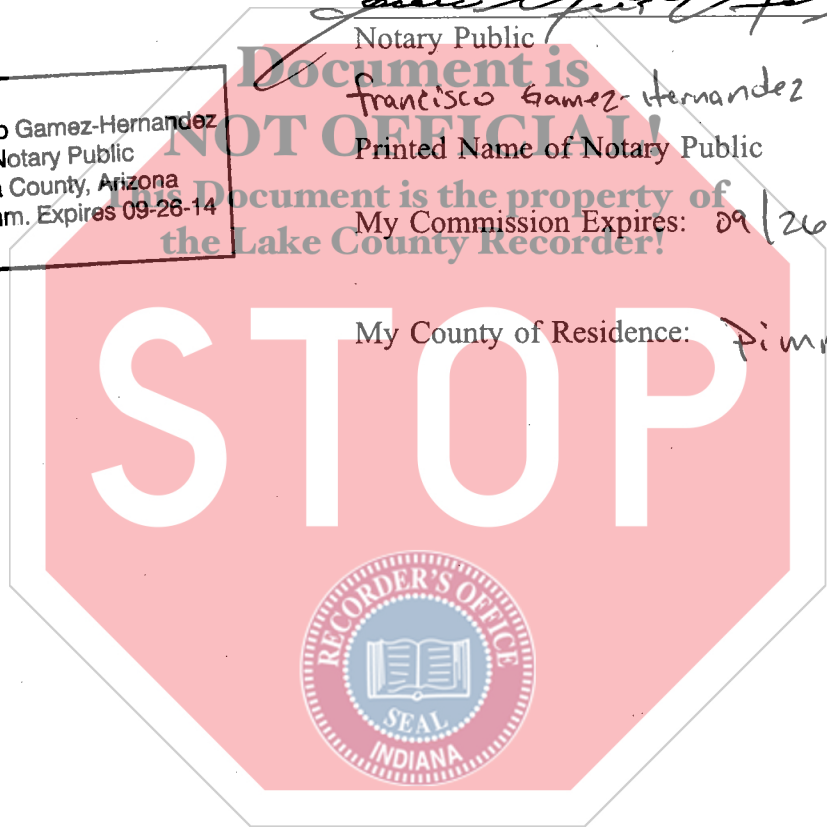
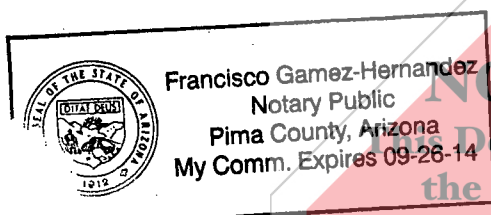
GIVEN under my hand and notarial seal this 30 day of April, 2014.

Francisco Hernandez  
Notary Public

Francisco Gamez-Hernandez  
Printed Name of Notary Public

My Commission Expires: 09/26/2014

My County of Residence: Pima



MERRILLVILLE-WATTS-2, L.L.C.  
a Delaware limited liability company

By: Sandra Adell Watts Trust dated September 9,  
1994, Sole Member

By: \_\_\_\_\_  
Sandra Adell Watts, Trustee

MERRILLVILLE-POPP, L.L.C.,  
a Delaware limited liability company

By: First Amendment to the Amendment and  
Restatement of the Walter J. Popp Declaration  
of Living Trust U/A December 23, 1992, Sole  
Member


Document is  
**NOT OFFICIAL!**  
This Document is the property of  
the Lake County Recorder's Office

By: \_\_\_\_\_  
Walter J. Popp, Trustee

MERRILLVILLE-IREX, L.L.C.,  
a Delaware limited liability company

By: Inland Real Estate Exchange Corporation,  
n/k/a Inland Private Capital Corporation, a  
Delaware Corporation, Sole Member

By: \_\_\_\_\_  
Daniel Zatloukal,  
Vice President



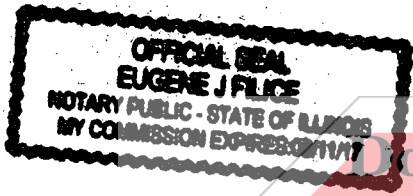
ACKNOWLEDGMENT

STATE OF ILLINOIS )  
 ) SS  
COUNTY OF DU PAGE )

I, Eugene J. Filice, a Notary Public in and for and residing in said County and State, DO HEREBY CERTIFY THAT Daniel Zatloukal, the Vice President of Inland Private Capital Corporation, the sole member of Merrillville-IREX, L.L.C., a Delaware limited liability company, 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 and delivered said instrument as his own free and voluntary act and as the free and voluntary act of said limited liability company for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 7 day of May, 2014.

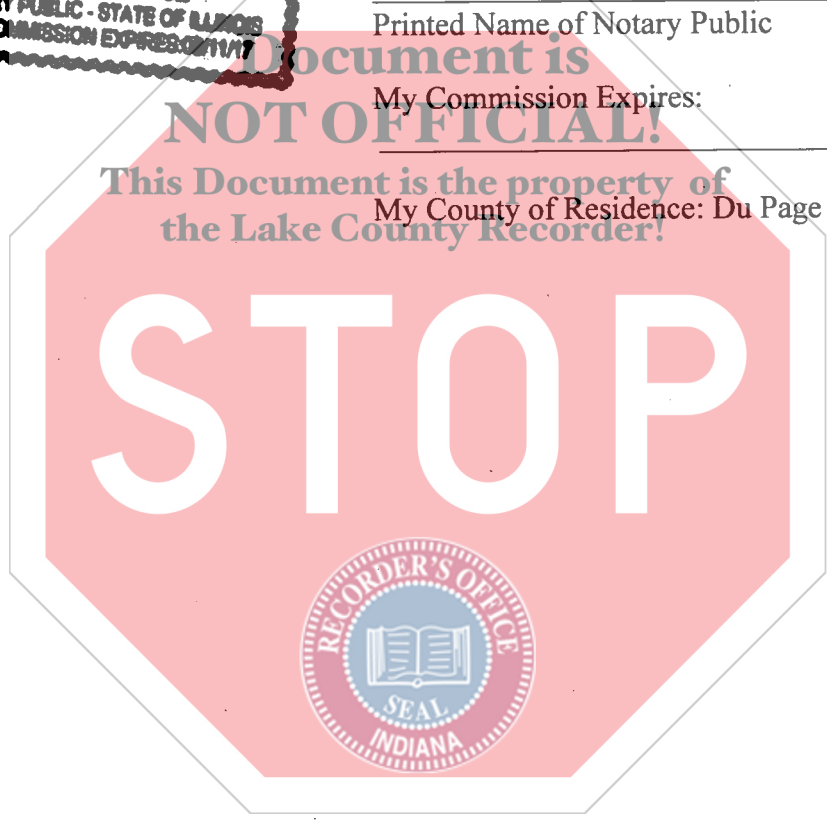
*E. J. Filice*  
\_\_\_\_\_  
Notary Public



\_\_\_\_\_  
Printed Name of Notary Public

\_\_\_\_\_  
My Commission Expires:

\_\_\_\_\_  
This Document is the property of  
My County of Residence: Du Page  
the Lake County Recorder!



**LENDER:**

**WHEATON BANK & TRUST COMPANY**

By *Bobby Deaton*  
Name *Bobby Deaton*  
Its *Vice President*



Signature Page to Third Amendment to Mortgage



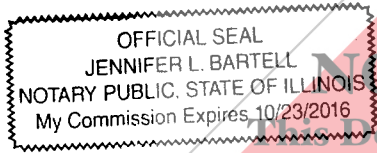
ACKNOWLEDGMENT

STATE OF ILLINOIS )  
COUNTY OF Kendall ) SS

I, Jennifer Bartell, a Notary Public in and for and residing in said County and State, DO HEREBY CERTIFY THAT Bradley Dalton, the Vice President of WHEATON BANK & TRUST COMPANY, 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 and delivered said instrument as his own free and voluntary act and as the free and voluntary act of said bank for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 5th day of May, 2014.

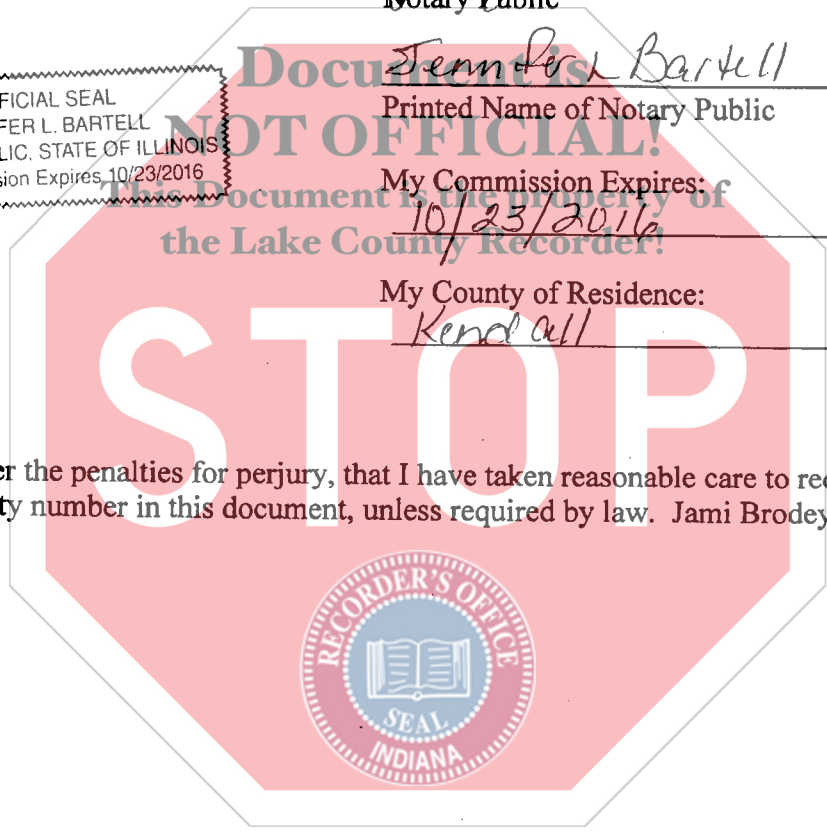
Jennifer L. Bartell  
Notary Public



Jennifer L. Bartell  
Printed Name of Notary Public

My Commission Expires:  
10/23/2016

My County of Residence:  
Kendall



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. Jami Brodey

**Exhibit A**

**Legal Description of Real Estate**

Lot 1 in Grand Park Fifth Subdivision, recorded in Plat Book 99, page 94 in the Office of the Recorder of Lake County, Indiana.



## Schedule 1

### Partial Assumptions

1. Partial Loan Assumption Agreement dated as of February 17, 2009 by and among Original Borrower, Merrillville-TFK Mammoth, L.L.C., and Lender, recorded with the Recorder on February 26, 2009 as Document No. 2009-011995.
2. Partial Loan Assumption Agreement dated as of February 17, 2009 by and among Original Borrower, Merrillville-Jackson-1, L.L.C., and Lender, recorded with the Recorder on February 26, 2009 as Document No. 2009-011998.
3. Partial Loan Assumption Agreement dated as of February 17, 2009 by and among Original Borrower, Merrillville-Jackson-2, L.L.C., and Lender, recorded with the Recorder on February 27, 2009 as Document No. 2009-012001.
4. Partial Loan Assumption Agreement dated as of February 23, 2009 by and among Original Borrower, Merrillville-Richter, L.L.C., and Lender, recorded with the Recorder on March 6, 2009 as Document No. 2009-014286.
5. Partial Loan Assumption Agreement dated as of February 27, 2009 by and among Original Borrower, Merrillville-Query 1, L.L.C., and Lender, recorded with the Recorder on March 6, 2009 as Document No. 2009-014283.
6. Partial Loan Assumption Agreement dated as of February 27, 2009 by and among Original Borrower, Merrillville-Query-2, L.L.C., and Lender, recorded with the Recorder on March 6, 2009 as Document No. 2009-014289.
7. Partial Loan Assumption Agreement dated as of March 11, 2009 by and among Original Borrower, Merrillville Bisla-1, L.L.C., and Lender, recorded with the Recorder on March 20, 2009 as Document No. 2009-017641.
8. Partial Loan Assumption Agreement dated as of March 11, 2009 by and among Original Borrower, Merrillville-Bisla-2, L.L.C., and Lender, recorded with the Recorder on March 20, 2009 as Document No. 2009-017635.
9. Partial Loan Assumption Agreement dated as of March 13, 2009 by and among Original Borrower, Merrillville-Jensen, L.L.C., and Lender, recorded with the Recorder on March 20, 2009 as Document No. 2009-017638.
10. Partial Loan Assumption Agreement dated as of March 31, 2009 by and among Original Borrower, Merrillville-Hwang, L.L.C., and Lender, recorded with the Recorder on April 6, 2009 as Document No. 2009-021799.

11. Partial Loan Assumption Agreement dated as of April 13, 2009 by and among Original Borrower, Merrillville-Watts-1, L.L.C., and Lender, recorded with the Recorder on April 23, 2009 as Document No. 2009-025971.

12. Partial Loan Assumption Agreement dated as of April 13, 2009 by and among Original Borrower, Merrillville-Watts-2, L.L.C., and Lender, recorded with the Recorder on April 23, 2009 as Document No. 2009-025974.

13. Partial Loan Assumption Agreement dated as of May 22, 2009 by and among Original Borrower, Merrillville-Popp, L.L.C., and Lender, recorded with the Recorder on June 1, 2009 as Document No. 2009-036231.

14. Partial Loan Assumption Agreement dated as of July 15, 2009 by and among Original Borrower, Merrillville-Irex, L.L.C., and Lender, recorded with the Recorder on July 29, 2009 as Document No. 2009-052310.



2009-025971