

STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD

2014 MAY 22 PM 12:44

MICHAEL B. BROWN
RECORDER

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STATE OF ILLINOIS)
COUNTY OF COOK)

2014 029528

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After recording return to:
Jessica Miedema, Esq.
Matanky and Matanky, Ltd.
200 N. LaSalle St., Ste. 2350
Chicago, IL 60601

AFFDAVIT OF DANIEL TINA

NOW COMES Daniel Tina, affiant, being first duly sworn, and deposes and states as follows:

1. I have personal knowledge of the facts set forth in this Affidavit, and if called as a witness I could testify competently to those facts under oath.
2. Broadway Place, LLC is an Indiana limited liability company, of which I am the sole member.
3. Broadway Place, LLC owns and operates Broadway Shopping Plaza located at 6001 - 6091 Broadway Avenue, Merrillville, IN 46410 ("Shopping Center").
4. I personally make all business decisions for the Shopping Center.
5. The Lease between Lake County Trust Company, not personally but as Trustee under Trust Agreement dated May 6, 1998 and known as Trust No. 4979, Lessor, and Hollywood Entertainment Corporation, Lessee, dated September 18, 1997 and amended by First Amendment to Lease dated June 23, 1998 as evidenced by a Memorandum of Lease and recorded January 22, 2001 as Document No. 2001 004677 was terminated by the Lessee's Chapter 11 bankruptcy in May, 2010 where the Lessee was approved by the bankruptcy to reject all leases and close all remaining stores.
6. The Lease between TSG Associates, an Iowa General Partnership, Lessor and Minnesota Fabrics, Inc., a Minnesota Corporation, Lessee, recorded May 25, 1995, as Document No. 95029526 for a period of 12 years with options to renew, as amended by a letter agreement dated July 15, 1996, as to tenant and dated July 23, 1996 as to landlord and Memorandum of Amendment No. 2 to lease dated July 14, 1996, and recorded February

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12, 1997, as document no. 97008837 was terminated and no business was operating under this lease when I bought the Shopping Center in December, 200__. In addition, Minnesota Fabrics, Inc., a MN corporation is no longer a valid corporation with the Minnesota Secretary of State.


7. The unrecorded lease dated June 1, 1978, made between Jewel Companies, Inc. and the May Department Stores Company as evidenced in Assignment and Assumption of Lease and other agreements dated August 8, 1989, and recorded September 11, 1989, as Document No. 056717, made between The May Department Stores Company, a New York corporation, and Venture Stores, Inc., a Delaware corporation, and also as disclosed by a Memorandum of said Lease attached to an affidavit recorded August 25, 1997, as Document No. 97055812, along with an assignment and assumption of lease and other agreements recorded on August 25, 1997, as Document No 97055816 from Venture Stores, Inc., assignor, to KRC Merrillville 849, Inc., assignee and agreement of sublease recorded August 25, 1997, as document no. 97055814 and a memorandum of lease recorded August 25, 1997, as document no. 97055813, made by KRC 849 Merrillville, Inc., sublessor to KRCV Corp., sublessee and lease between KRCV Corp., a Kansas corporation, landlord and Venture Stores, Inc., a Delaware corporation, tenant, effective as of August 6, 1997, as evidenced by a memorandum of lease dated August 6, 1997, and recorded August 25, 1997, as document no. 97055815 was terminated and no business was operating under any of the above documented leases, assignments or subleases when I bought the Shopping Center in December, 200__. In addition, the last tenant of record, Venture Stores, Inc., a Delaware corporation, as evidenced by document no. 97055815, filed Chapter 11 bankruptcy in January, 1998 and ceased doing business in the United States in April, 1998.

8. 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.

FURTHER, THE AFFIANT SAYETH NAUGHT:


DANIEL TINA

SUBSCRIBED AND SWORN TO before
me this 22th day of May, 2014.


Notary Public



CAROL J. CODY
Notary Public
State of Indiana
My Commission Expires Oct 11, 2014

This document was prepared by: Jessica Miedema, Matanky and Matanky, Ltd.
200 N. LaSalle St., Ste. 2350, Chicago, IL 60601.