



AFFIDAVIT

The undersigned, Michael D. McBride, as Vice President of Frank's Nursery & Crafts, Inc., a Michigan corporation, (the "Corporation") and owner of the property described on Exhibit A attached hereto, after being first duly sworn, states as follows:

~~Michigan~~ Michigan

1. Pursuant to the filed Certificate of Amendment to the Articles of Incorporation attached hereto as Exhibit B, the name of the Corporation was changed from "Frank's Nursery Sales, Inc." to "Frank's Nursery & Crafts, Inc."

Dated: May 20, 2002

FRANK'S NURSERY & CRAFTS, INC., a Michigan corporation

By: [Signature]
Name: Michael D. McBride
Title: Vice President

[Handwritten initials]

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1 of 6

Property of Cook County Clerk's Office

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Exhibit A

(See Attached)

Property of Cook County Clerk's Office

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GO GUARANTEE SURVEY COMP.

PLAT of SURVEY

of

THAT PART OF PARCEL "A" IN MATTESON HIGHLANDS, BEING A SUB-DIVISION OF PART OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 35 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 6, 1962 AS DOCUMENT NO. 18525670 AS CORRECTED BY CERTIFICATE OF CORRECTION DATE JULY 17, 1962 AND RECORDED JULY 23, 1962 AS DOCUMENT NO. 18540252, BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF PARCEL "A" AFORESAID, BEING A POINT 50.00 FEET WEST FROM THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 22 AND RUNNING

THENCE NORTH 29 DEGREES 54 MINUTES 15 SECONDS WEST ALONG THE NORTH LINE OF SAID PARCEL "A", A DISTANCE OF 1190.09 FEET;

THENCE SOUTH 00 DEGREES 05 MINUTES 45 SECONDS WEST ALONG A LINE PERPENDICULAR TO SAID NORTH LINE, A DISTANCE OF 168.48 FEET TO THE NORTHEAST CORNER OF AN EXISTING ONE STORY BRICK BUILDING, BEING THE POINT OF BEGINNING FOR THAT PART OF SAID PARCEL "A" HEREINAFTER DESCRIBED;

THENCE SOUTH 00 DEGREES 32 MINUTES 44 SECONDS WEST ALONG THE EAST FACE OF SAID BUILDING, A DISTANCE OF 150.07 FEET TO THE SOUTH-EAST CORNER THEREOF;

THENCE NORTH 89 DEGREES 27 MINUTES 16 SECONDS WEST ALONG THE SOUTH FACE OF SAID BUILDING AND ALONG A WESTWARD EXTENSION THEREOF, A DISTANCE OF 108.52 FEET;

THENCE SOUTH 00 DEGREES 32 MINUTES 44 SECONDS WEST ALONG A STRAIGHT LINE, A DISTANCE OF 24.61 FEET;

THENCE NORTH 89 DEGREES 27 MINUTES 16 SECONDS WEST ALONG A STRAIGHT LINE, A DISTANCE OF 121.70 FEET;

THENCE NORTH 43 DEGREES 10 MINUTES 20 SECONDS WEST ALONG A STRAIGHT LINE, A DISTANCE OF 13.94 FEET;

Line of the Northeast 1/4 of Section 22-35-13

AVE.

North

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ANY

THENCE NORTH 00 DEGREES 32 MINUTES 44 SECONDS EAST ALONG A STRAIGHT LINE, A DISTANCE OF 181.76 FEET;

THENCE NORTH 46 DEGREES 21 MINUTES 16 SECONDS EAST ALONG A STRAIGHT LINE, A DISTANCE OF 14.08 FEET TO A POINT WHICH IS 139.71 FEET SOUTH AND 1419.62 FEET WEST FROM THE NORTHEAST CORNER OF SAID PARCEL "A" (AS MEASURED ON THE NORTH LINE OF SAID PARCEL "A" AND A LINE DRAWN PERPENDICULAR THERETO);

THENCE SOUTH 89 DEGREES 27 MINUTES 16 SECONDS EAST ALONG A STRAIGHT LINE, A DISTANCE OF 90.33 FEET;

THENCE NORTH 00 DEGREES 32 MINUTES 44 SECONDS EAST ALONG A STRAIGHT LINE, A DISTANCE OF 9.80 FEET;

THENCE SOUTH 89 DEGREES 27 MINUTES 16 SECONDS EAST ALONG A STRAIGHT LINE, A DISTANCE OF 19.00 FEET;

THENCE SOUTH 00 DEGREES 32 MINUTES 44 SECONDS WEST ALONG A STRAIGHT LINE, A DISTANCE OF 9.80 FEET TO THE NORTHWEST CORNER OF THE AFOREMENTIONED ONE STORY BRICK BUILDING;

THENCE SOUTH 89 DEGREES 27 MINUTES 16 SECONDS EAST ALONG THE NORTHERNMOST FACE OF SAID BUILDING AND ALONG A EASTWARD EXTENSION THEREOF, A DISTANCE OF 78.72 FEET;

THENCE SOUTH 00 DEGREES 32 MINUTES 44 SECONDS WEST ALONG A STRAIGHT LINE, A DISTANCE OF 26.96 FEET TO SAID NORTH FACE OF THE AFORESAID BUILDING AND

THENCE SOUTH 89 DEGREES 27 MINUTES 16 SECONDS EAST ALONG SAID NORTH FACE, A DISTANCE OF 41.70 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

CONTAINING 44,656 SQUARE FEET (1.0251 ACRES) OF LAND, MORE OR LESS.

MARKET PLACE PLAZA

SITE PLAN

Scale 1" = 150'

#153

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Exhibit B

(See Attached)

Property of Cook County Clerk's Office

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(For Use by Domestic Corporations)

CERTIFICATE OF AMENDMENT TO THE ARTICLES OF INCORPORATION OF

FRANK'S NURSERY SALES, INC. (Name of Corporation)

The undersigned corporation executes the following Certificate of Amendment to its Articles of Incorporation pursuant to the provisions of Section 631, Act 284, Public Acts of 1972:

1. The name of the corporation is Frank's Nursery Sales, Inc.

The location of the registered office is 619 E. Nevada, Detroit, Michigan 48234 (Zip Code)

2. The following amendment to the Articles of Incorporation was adopted by the shareholders of the corporation in accordance with Subsection (2) of Section 611, Act 284, Public Acts of 1972, on the 24th day of April, 1980:

Resolved, that Article I of the Articles of Incorporation be amended to read as follows: (Any article being amended is required to be set forth in its entirety.)

ARTICLE I

The name of the Corporation is FRANK'S NURSERY & CRAFTS, INC.

3. The necessary number of shares as required by statute were voted in favor of the amendment. 4. The effective date of this amendment shall be July 31, 1980

Dated this 8th day of May, 1980.

FRANK'S NURSERY SALES, INC. (Corporate Name)

BY I. William Sherr, President (Type or Print Name and Title)

(See Instructions on Reverse Side)

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(Please do not write in spaces below — for Department use)

MICHIGAN DEPARTMENT OF COMMERCE — CORPORATION AND SECURITIES BUREAU	
Date Received	<p style="text-align: center;">FILED Michigan Department of Commerce MAY 16 1980 <i>Frank P. Kelleys</i> DIRECTOR</p> <p style="text-align: center;">EFFECTIVE: JULY 31, 1980</p>
MAY 12 1980	

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INFORMATION AND INSTRUCTIONS Certificate of Amendment - Domestic Corporations

1. This form may be used by both profit and non-profit corporations. In case of a non-profit corporation organized on a non-stock basis, "shareholders" shall be construed to be synonymous with "members."
2. An effective date, not later than 90 days subsequent to the date of filing may be stated in the Certificate of Amendment.
3. The Certificate of Amendment is required to be signed in ink by the chairman or vice-chairman of the board of directors or the president or a vice-president of the corporation.
4. One original copy is required. A true copy will be prepared by the Corporation and Securities Bureau and returned to the person submitting the Certificate of Amendment for filing.
5. FEES: Filing Fee \$10.00
Franchise Fee (payable only in case of increase in authorized capital stock) - $\frac{1}{2}$ % on each dollar of increase over highest previous authorized capital stock
(Make fee payable to State of Michigan)
6. Mail form and fee to:
Michigan Department of Commerce
Corporation and Securities Bureau
Corporation Division
P. O. Drawer C
Lansing, Michigan 48904

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