1237/0291 55 001 Page 1 of 8 2002-08-23 15:16:04 Cook County Recorder 67.00

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

Pursuant to the filed Certificate of Amendment to the Articles of Incorporation at ached 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

By:

Tita.

Office Name: Michael D. McBride Title: Vice President

STATE OF NEW YORK MICHIGAN COUNTY OF NEW YORK OAKLAYOD

On May 20, 2002, before me, the undersigned, personally appeared Michael D. McBride, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument, the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Notary Public in and for said County and State

> **SUBAN M. MILLER** NOTARY PUBLIC OAKLAND CO., MI MY COMMISSION EXPIRES Aug 12, 2004

WHEN RECORDED RETURN TO:

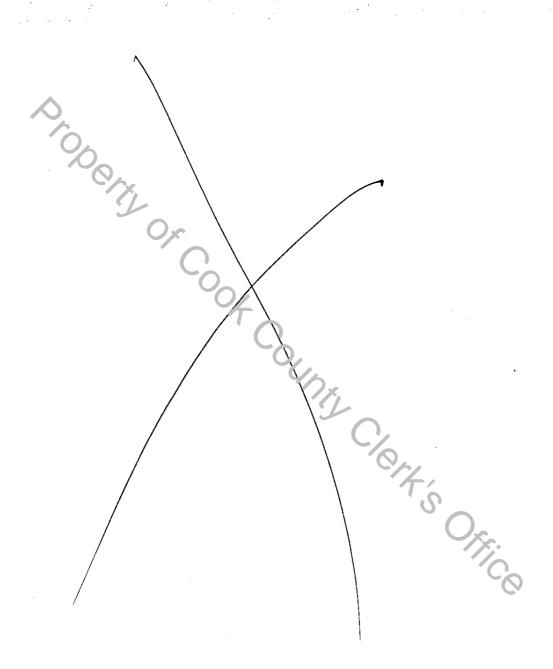
Coot County Clart's Office Fidelity National Title Insurance Company 100 West Big Beaver Road, Suite 140 Troy, MI 48084

Prepared by and when recorded return to:

Thomas J. Henry, Esq. Willkie Farr & Gallagher 787 Seventh Avenue New York, NY 10019-6099

Exhibit A

(See Attached)



20932076

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 RECORD-ED JULY 23, 1982 AS DOCUMENT NO. 18540252, BOUNDED AND DESCRIBED AS, FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF PARCEL "A" AFORESAID, BEING A POINT 50.00 FLET WEST FROM THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTIO, 72 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 CEGREES 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 LINUTES 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 WESTMARD 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 SECONIS 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;

#93 continued

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

NY

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 19 DEGREES 27 MINUTES 16 SECONDS EAST ALONG A

STRAIGHT LINE, A DISTANCT OF 90.33 FEET;

THENCE NORTH 00 DIGREES 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 FFLT 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 13 SECONDS EAST ALONG SAID NORTH FACE, A DISTANCE OF 41.70 FRET TO THE POLIT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

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

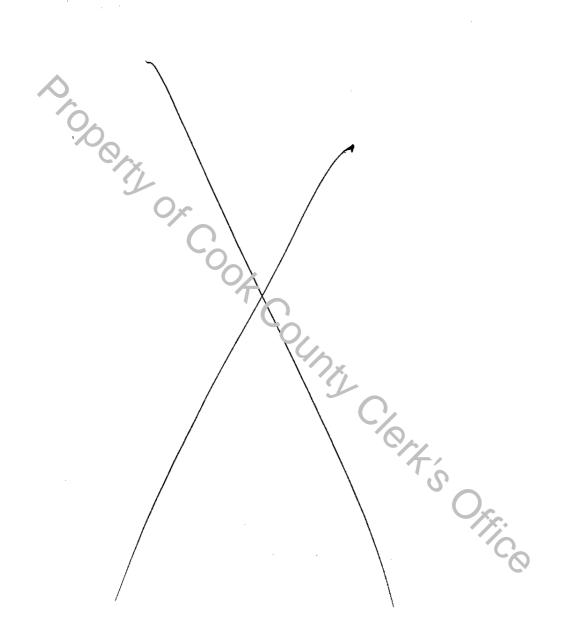
MARKET PLACE PLAZA

SITE PLAN

Scale 1"=150'

Exhibit B

(See Attached)



UNOFFICIAL COPY (1995)

(For Use by Demestic Corporations)

CERTIFICATE OF AMENDMENT TO THE

ARTICLES OF INCORPORATION OF

| • | | | |
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| | INV CATES THE | • | |
| FRANK'S NURSE | RY SALES, INC. | | |
| | | والمستقد المستدين الم | les of Instructure |
| The undersigned corporation executes if | re following Certificate of A | imendment to its ARA 2: | i , |
| ursuant to the provisions of Section 031, | Wel York Languages and the | -····································· | |
| 1. The name of the corporation is | Practic Miresons | Sales, Ita. | |
| 1. The name of the corporation is | Frank's Mursery | | <u> </u> |
| | | | <u> </u> |
| <u> </u> | | | |
| The location of the registered office is | | | |
| | Detroit | Michigan | 48234 |
| f 19) E. Nevada | (Town or City) | | (Dip Code) |
| p) and Smooth | ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,, | • • | |
| · //, | | | shareholders of the |
| 2. The following opendment to the | Articles of Incorporation | Mas poobled by 'me | |
| organization in occordance with Subsection | rth of Section 611, Act 284 | i, Public Acts of 1972, | on the _24th day |
| | que en examen en an | | |
| April 198 -1 | | 31.0 | 1000 |
| - | | | dattanna (Ama santala |
| Resolved, that Article I of the | Atten of Incorporation be | amended to read as | TOHOMS: CALLA GLISCIA |
| eing amended is required to be set forth | in Ha entirety.) | | 1: • |
| | T_{-} | | |
| | | | Albert De Contract |
| | ARTICLE I | | " |
| • . | A. 102 - | | |
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| The name of the Cor | poration is reads | - INGGNUN B | |
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| | | $\frac{\partial}{\partial x} = \frac{\partial}{\partial x} $ | |
| 3. The necessary number of shores | ne required by Holute Wen | voted in favor of the | umenomém. |
| 4. The necessary number of articles | f this amendment | shall bet July | 31, 1980 |
| Te Ar WARRING CONT. | | · · · · · · · · · · · · · · · · · · · | galar, |
| Duted this 8th day ofM | ry 1980. | | |
| | | | |
| | • | | 八日 李江 |
| | FRANK'S NURSERY | SALES INC. | |
| | Jan. 18 | Land from | indian . |
| | MMM | vin ke | 1 |
| | 5Y | (Chapter) | . 17. |
| • | Sher | | |
| • | President | | |

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(Plante de not write in spaces below -- for Department time)

| Date Received | ABINT OF COMMERCE - CORPORATION AND SECURITIES BUREAU |
|-------------------------|---|
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| MAY 1 2 1999 | FILED |
| · | Michigan Department of Committee |
| · . | MAY 1 6 1980 |
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| | DIRECTO |
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| <i>\(\bar{\chi} \)</i> | |
| 70 | EFFECTIVE: JULY 31, 1980 |

C & 5-111

INFORMATION AND INSTRUCTIONS

Certificate of Amendir at - Domestic Corporations

- This form may be used by both profit and non-platit 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 filling may be stated in the Certificate of Amendment.
- 3. The Certificate of Amendment is required to be signed in link by the chairman or vice-chairman of siboard of directors or the president or a vice-president of the corpo ation.
- 4. One original copy is required. A true copy will be prepared by the Corp on lon and Securities Burea and returned to the person submitting the Certificate of Amendment for tilling.
- 6. Mail form and fee to:

Michigan Department of Commerce Corporation and Securities Bureau Corporation Division P. O. Drawer C Lansing, Michigan 48904