



CITY OF NAPOLEON

Building & Zoning Division

255 W. Riverview Avenue, PO Box 151, Napoleon, OH 43545

Phone: 419-592-4010 – Fax: 419-599-8393

Zoning Administrator
Building Commissioner
Tom Zimmerman

3/29/2007

LaSalle Bank National Association
135 S LaSalle St
Suite 3410
Chicago, IL 60603

ATTN: Amy Abmad
Real Estate Capital Markers

RE: Burger King Portfolio
2296 Scott St, Napoleon, OH

To Whom It May Concern:

We have completed and attached a Zoning Compliance Form relating to the above referenced Property, which we have been advised is to secure a proposed loan from LaSalle Bank National Association to Burger King.

Please call me if you have any questions or need any additional information.

Thank you,
Tom Zimmerman

Tom Zimmerman

TZ/als

ZONING COMPLIANCE FORM

1. Name of person completing this form: Tom Zimmerman
Title: Building + Zoning Phone number: 419-592-4010

2. Property name and address: Burger King, 2296 Scott Street, Napoleon, OH (the "Property")

3. Have certificates of occupancy been issued for the Property: Yes No. If 'No', please explain why. If 'Yes', please attach copies to this form or explain why they are not available: The City of Napoleon contracts with Wood County Building dept for building inspection. They issue and retain certificate of occupancies. There number is 419-354 9190

4. What is the current zoning designation of the Property: C-5

5. Does this zoning designation permit the current use: Yes No

6. The Property (please check one of the following):

- complies with the **current** zoning and land use regulations in all respects including without limitation use, density, parking, setbacks, height, floor/area ratio, landscaping, etc.
- is **legally non-conforming** with respect to _____ and in all other respects complies with the **current** zoning and land use regulations.
- Neither of the previous two options applies to the Property (please explain):

7. If the Property is legally non-conforming, please complete the following:

a. Please provide details as to the legal non-conformities (i.e. the code requires 200 parking spaces but only 190 exist; the code allows a maximum of 100 units and there are 150 in existence): _____

b. Please check one or more of the following as applicable:

- The Property is legally non-conforming because the construction of the Property and/or its current use occurred prior to the enactment of the current zoning and land use regulations.
- The Property is legally non-conforming because a variance or other special use permit was issued with respect to the Property.

The Property is legally non-conforming because _____

c. Because the Property is legally non-conforming, it may be rebuilt to current specifications (including without limitation use, density, parking, setbacks, height and floor/area ratio) following a casualty so long as the casualty destroys less than _____% of the Property improvements. Please provide additional explanation if necessary: _____

8. Are there any current/pending rezoning applications, hearings, appeals or other proceedings which could affect the zoning or land use classification of the Property: Yes No. If 'Yes', please explain: _____

(LETTERHEAD OF ZONING AUTHORITY)

[Insert Date]

LaSalle Bank National Association
135 S. LaSalle Street
Suite 3410
Chicago, Illinois 60603
Attn: Amy Ahmad
Real Estate Capital Markets

Re: Burger King Portfolio
2296 Scott Street, Napoleon, OH (the "*Property*")

To whom it may concern:

We have completed and attached a Zoning Compliance Form relating to the above referenced Property, which we have been advised is to secure a proposed loan from LaSalle Bank National Association to [Borrower Entity Name], a/an _____

Please call me if you have any questions or need any additional information.

Sincerely,

[Insert Name of Zoning Authority]

[Insert Name]
[Insert Title]

Facsimile Transmittal Sheet

Date: March 26, 2007

To: Angela - Building Dept.

Total no. of pages including cover: 4

Fax Number: 419-599-8393

Re: Burger King Zoning Letter - 2296 Scott Street, Napoleon, OH

From: Collateral Real Estate Capital, LLC
8517 Excelsior Drive, Suite 202
Madison, WI 53717
fax: 808.827.8301

Michael J. Lee, Director
mlee@collateral.com 608.827.7747 ext. 222

Matthew E. Lund, Director
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Marianne Woodbury, Real Estate Analyst
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carmstrong@collateral.com 808.827.7747 ext. 224

Rob S. Cook, Real Estate Analyst
rcook@collateral.com 608.827.7747 ext. 225

Comments:

As we discussed, attached please find the form zoning letter. Please note the CO/letter stating there is none needed per #3 of the form.

Please return by fax once completed. Call with any questions.

Thank you!



Collateral Real Estate Capital, LLC
www.collateral.com