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Cook County Recorder

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SECOND MORTGAGE

The Mortgagor, **JAIME R. GUTIERREZ** OF THE City of Chicago, County of Cook, State of Illinois, **MORTGAGES AND WARRANTS to NATIONAL MORTGAGE WAREHOUSE, L.L.C., ("Mortgagee")**, To secure payment of a certain Promissory Note executed By the Mortgagor, as Guarantor, bearing even date Herewith, payable to the order of Mortgagee, the following Described real estate, to-wit:



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Parcel 1:

Unit 108 and parking space no. 20 in the 1935 North Fairfield Condominium, as delineated on a survey attached As an exhibit to the Declaration of Condominium ownership And of easements, restrictions, covenants and by-laws for The 1935 N. Fairfield, L.L.C., an Illinois limited liability Company, which was recorded December 29, 2000 as Document number 01022154 lying within a portion of the West Half of the Southeast Quarter of Section 36, Township 40 North, Range 13, East of the Third Principal Meridian, together with its undivided percentage interest in the common elements, as amended from time to time, in Cook County, Illinois.

Parcel 2:

Easement and Operating Agreement dated December 29, 2000, executed by and between 1935 N. Fairfield, L.L.C., an Illinois limited liability company, and 1934 N. Washtenaw, L.L.C., an Illinois limited liability company, recorded December 29, 2000 as document number 01022153, in Cook County, Illinois.

Commonly Known As: 1935 N. Fairfield, Unit 108
Chicago, IL 60647

Permanent Real Estate Index Number: 13-36-401-002-0000

Situated in the County of Cook, in the State of Illinois, hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of this State.

The parties hereto further agree as follows:

1. Mortgagor (as Guarantor) owes Lender the principal sum of \$1,000,000. This debt is evidence by a Surety Agreement executed by the Mortgagor that is an Exhibit and part of a certain Mortgage Warehouse and Security Agreement between Gutierrez Financial Services, Inc. and the Lender dated 12/15/, 2001, which shall hereinafter by referred to as the "Note". This Second Mortgage is given as additional security pursuant to that Note and May be enforced against the real property herein referenced, but only to the amount of Ninety Thousand Dollars (\$90,000.00).
2. This mortgage is subject and subordinate to any and all rights created by that certain Mortgage dated November 6, 2001, from Mortgagor to Mortgage Express, Inc. D/B/A 1st Elite, its successors and assigns, and recorded in Cook County, Illinois.

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3. Upon payment in full of the amounts due in connection with the Note which is being secured by this Mortgage and/or cancellation of the Warehouse and Security Agreement after payment in full, Mortgagee shall promptly provided Mortgagor a release of this Mortgage in a form which is recordable under the laws of the State of Illinois.

4. This Mortgage shall be construed and enforced according to Illinois law.

Dated this 6th day of December, 2001.

Jaime R. Gutierrez
JAIME R. GUTIERREZ

R+R-

This instrument was prepared by and after recording, return to: National Mortgage Warehouse, 400-B Lippincott Drive, Marlton, NJ 08053

STATE OF ILLINOIS

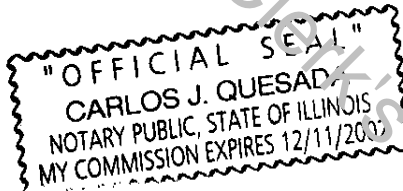
COUNTY OF COOK

I, CARLOS QUESADA, a Notary Public in and for the said County, in the State aforesaid, do hereby certify that JAIME R. GUTIERREZ 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, sealed and delivered the said instrument as his free and voluntary act, for the uses and purposes therein set forth, including his release and waiver of the right to homestead.

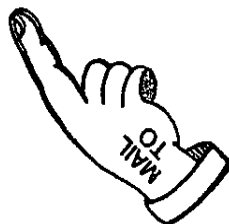
Given under my hand and official seal this 6th day of December, 2001.

Carlos J. Quesada
Notary Public

My Commission Expires



National Mortgage Warehouse, LLC
400-B Lippincott Drive
Marlton, NJ 08053
Attn: C. Auriemma



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