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**PREPARED BY AND WHEN
RECORDED MAIL TO:**

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1696/0076 21 001 Page 1 of 4

2002-02-05 11:18:34

Cook County Recorder 27.00



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**AMENDMENT NO. 1 TO ASSIGNMENT OF
LEASES AND RENTS -
PASQUALE CAPUTO AND RENE CAPUTO**

Amendment No. 1 to Assignment of Leases and Rents dated as of December 1, 2001, made by **PASQUALE CAPUTO AND RENE CAPUTO** (collectively, "Assignor") in favor of **BANCO POPULAR NORTH AMERICA f/k/a CAPITOL BANK AND TRUST** ("Assignee"). This Amendment pertains to the real estate described on Exhibit A attached hereto and made a part hereof.

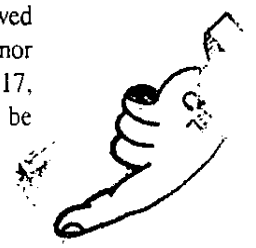
P R E A M B L E:

Assignor gave to Assignee that certain Assignment of Leases and Rents dated October 17, 1996, which was recorded on October 25, 1996 in the Office of the Cook County, Illinois Recorder of Deeds as Document No. 96-814071 (the "Assignment"). Assignor has requested Assignee to modify certain terms and conditions of Assignor's financing of Assignee. Assignee has agreed to do so, so long as, among other things, Assignor executes and delivers to Assignee this Amendment.

NOW, THEREFORE, in consideration of the premises which are incorporated herein by this reference and constitute an integral part hereof and the execution and delivery of this Amendment, Assignor agrees as follows:

1. The second paragraph of the Assignment is amended to as follows:

"WHEREAS, said Assignment will inure to the benefit of Assignee, its successors, and assigns as security for the payment of the principal and interest provided to be paid in or by **PASQUALE CAPUTO AND RENE CAPUTO'S** Secured Promissory Note to Assignee in the original principal amount of **SEVEN HUNDRED AND FIFTY THOUSAND (\$750,000.00) DOLLARS**, (together with all other documents executed in connection with said Note, hereafter collectively referred to as the "Obligation") dated October 17, 1996, as amended as of the as of the date of Amendment No. 1 to this Assignment, and as may be further amended, modified, substituted, restated, renewed and/or extended from time to time, and the performance of the agreements of Assignor contained in the mortgage (hereafter referred to as the "Mortgage") dated October 17, 1996, as amended as of the date of Amendment No. 1 to this Assignment, and as may be



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Page 2 of 4

further amended and/or restated from time to time, in favor of the Assignee covering the real estate located at:

LEGAL: SEE ATTACHED EXHIBIT A

PIN: 12-34-404-036-0000

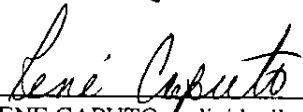
ADDRESS: 1931-1935 NORTH 15TH AVENUE, MELROSE PARK, ILLINOIS 60160."

2. All references to the "Assignment" in the Assignment shall mean the "Assignment" as amended by this Amendment and as may be further amended and/or restated from time to time.

3. In all other respects, the Assignment is hereby restated, reaffirmed and incorporated herein, the only amendments intended to be made thereto being those above set forth. Except as specifically set forth herein to the contrary, all terms defined in the Assignment shall have the same meanings herein as therein.



PASQUALE CAPUTO, individually



RENE CAPUTO, individually

Property of Cook County Clerk's Office

STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

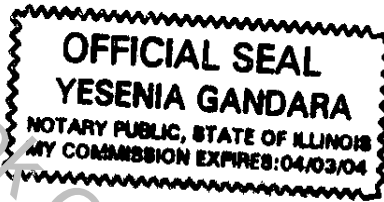
I, YESENIA GANDARA, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY, that Pasquale Caputo, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that such person signed and delivered the said instrument as such person's own free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 27th day of DECEMBER, 2001.

Yesenia Gandara
NOTARY PUBLIC

My Commission Expires:

April 3, 2004
[SEAL]



STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

I, YESENIA GANDARA, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY, that Pasquale Caputo, 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 such person signed and delivered the said instrument as such person's own free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 27th day of DECEMBER, 2001.

Yesenia Gandara
NOTARY PUBLIC

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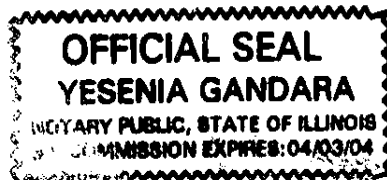


EXHIBIT A

Legal Description

THAT PART OF LOT 4 AND LOT 8 IN AMLING'S SUBDIVISION OF THE SOUTHWEST ¼ OF THE SOUTHEAST ¼ OF SECTION 34, TOWNSHIP 40 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE WEST LINE OF LOT 4 AFORESAID, WHICH POINT IS 241.0 FEET SOUTH OF THE NORTH LINE OF LOT 4; THENCE EASTERLY ALONG A LINE PARALLEL TO THE NORTH LINE OF LOT 4 TO A POINT WHICH IS MIDWAY BETWEEN THE EAST LINE OF 15TH AVENUE AND THE WEST LINE OF GEORGE STREET; THENCE SOUTHERLY ALONG A LINE PARALLEL TO THE WEST LINE OF LOT 4 TO THE SOUTH LINE OF LOT 8; THENCE WESTERLY ALONG THE SOUTH LINE OF LOT 8 TO THE EAST LINE OF LOT 4; THENCE NORTHERLY ALONG THE EAST LINE OF LOT 4 A DISTANCE OF 13.15 FEET, MORE OR LESS, TO THE NORTH LINE OF THE SOUTH 429.15 FEET OF SAID LOT 4; THENCE WEST ALONG THE NORTH LINE OF THE SOUTH 429.15 FEET OF SAID LOT 4 TO THE WEST LINE OF SAID LOT 4; THENCE NORTH ALONG THE WEST LINE OF SAID LOT 4 TO THE PLACE OF BEGINNING, EXCEPTING THE NORTH 24 FEET OF SAID TRACT, IN COOK COUNTY, ILLINOIS.

P/N: 12-34-404-036-0000