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Cook County Recorder 23.50



0020721199

UCC FINANCING STATEMENT AMENDMENT
FOLLOW INSTRUCTIONS (front and back) CAREFULLY

A. NAME & PHONE OF CONTACT AT FILER [optional]
Phone (800) 331-3282 Fax (818) 662-4141

B. SEND ACKNOWLEDGEMENT TO: (Name and Mailing Address)
UCC Direct Services 506529 IBANCOPOP6
P.O. Box 29071 5476623.1-30-1
Glendale, CA 91209-9071

THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY

1a. INITIAL FINANCING STATEMENT FILE #
98159653 02-27-98 CC # Cook County Recorder

1b. This FINANCING STATEMENT AMENDMENT is to be filed [for record] (or recorded) in the REAL ESTATE RECORDS.

2. TERMINATION: Effectiveness of the Financing Statement identified above is terminated with respect to security interest(s) of the Secured Party authorizing this Termination Statement.

3. CONTINUATION: Effectiveness of the Financing Statement identified above with respect to the security interest(s) of the Secured Party authorizing this Continuation Statement is continued for the additional period provided by applicable law.

4. ASSIGNMENT (full or partial): Give name of assignee in item 7a or 7b and address of assignee in 7c; and also give name of assignor in item 9.

5. AMENDMENT (PARTY INFORMATION): This Amendment affects Debtor or Secured Party of record. Check only one of these two boxes.

Also check one of the following three boxes and provide appropriate information in items 6 and/or 7.

CHANGE name and/or address: Give current record name in item 6a or 6b; also give new name (if name change) in item 7a or 7b and/or new address (if address change) in item 7c. DELETE name: Give record name to be deleted in item 6a or 6b. ADD name: Complete item 7a or 7b, and also item 7c; also complete items 7d-7g (if applicable)

6. CURRENT RECORD INFORMATION:

6a. ORGANIZATION'S NAME
KMS ENERGY, INC.

OR 6b. INDIVIDUAL'S LAST NAME FIRST NAME MIDDLE NAME SUFFIX

7. CHANGED (NEW) OR ADDED INFORMATION:

7a. ORGANIZATION'S NAME

OR 7b. INDIVIDUAL'S LAST NAME FIRST NAME MIDDLE NAME SUFFIX

7c. MAILING ADDRESS CITY STATE POSTAL CODE COUNTRY

7d. TAX ID# SSN or EIN ADD'L INFO RE ORGANIZATION DEBTOR 7e. TYPE OF ORGANIZATION 7f. JURISDICTION OF ORGANIZATION 7g. ORGANIZATIONAL ID #, if any NONE

8. AMENDMENT (COLLATERAL CHANGE): check only one box.

Describe collateral deleted or added, or give entire restated collateral description, or describe collateral assigned.

9. NAME OF SECURED PARTY OF RECORD AUTHORIZING THIS AMENDMENT (name of assignor, if this is an Assignment). If this is an Amendment authorized by a Debtor which adds collateral or adds the authorizing Debtor, or if this is a Termination authorized by a Debtor, check here and enter name of DEBTOR authorizing this Amendment.

9a. ORGANIZATION'S NAME
AMERICANMIDWEST BANK AND TRUST

OR 9b. INDIVIDUAL'S LAST NAME FIRST NAME MIDDLE NAME SUFFIX

10. OPTIONAL FILER REFERENCE DATA

5476623.1 Debtor Name: KMS ENERGY, INC. 15451 Equipment/Lease No: 095812/15451



Handwritten initials and date: P/L, M/L, 2/23/02

EXHIBIT B

LEGAL DESCRIPTION OF "PROJECT FACILITY"

THE LEASEHOLD ESTATE CREATED BY THE INSTRUMENT HEREIN REFERRED TO AS THE LEASE, EXECUTED BY: CDT LANDFILL CORP., AS LESSOR, AND KMS JOLIET POWER PARTNERS, L.P., AS LESSEE, DATED APRIL 13, 1995, A MEMORANDUM OF WHICH LEASE WAS RECORDED APRIL 13, 1995 AS DOCUMENT R95-23992, WHICH LEASE DEMISES THE FOLLOWING-DESCRIBED REAL ESTATE FOR A TERM OF YEARS BEGINNING APRIL 13, 1995 AND ENDING NOT LATER THAN APRIL 13, 2017 SAID REAL ESTATE LEGALLY DESCRIBED AS FOLLOWS TO-WIT:

PARCEL 1.

THAT PART OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 24, TOWNSHIP 35 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS COMMENCING AT THE NORTHEAST CORNER OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION; THENCE SOUTH 01 DEGREES 49 MINUTES 16 SECONDS WEST ALONG THE EAST LINE OF SAID WEST 1/2, 612.34 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 01 DEGREES 49 MINUTES 16 SECONDS WEST, ALONG SAID EAST LINE, 225.00 FEET; THENCE NORTH 88 DEGREES 10 MINUTES 44 SECONDS WEST, 110.00 FEET; THENCE NORTH 01 DEGREES 49 MINUTES 16 SECONDS EAST, PARALLEL WITH THE EAST LINE, 225.00 FEET; THENCE SOUTH 88 DEGREES 10 MINUTES 44 SECONDS EAST, 110.00 FEET TO THE POINT OF BEGINNING, IN WILL COUNTY, ILLINOIS.

Commonly Known as:

KMS JOLIET PROJECT
Facility Site
CDT Landfill
Mound Road, Joliet IL

PIN: (06-24-3XX)-(X)7-(XXX)

EASEMENT FOR INGRESS AND EGRESS FOR THE BENEFIT OF THE LEASED PREMISES AS CREATED BY GRANT OF EASEMENT IN MEMORANDUM OF LEASE MADE BY CDT LANDFILL CORP. TO KMS JOLIET POWER PARTNERS, L.P., RECORDED ON APRIL 13, 1995, AS DOCUMENT NO. R95-023992 OVER A ROADWAY LOCATED IN THE FOLLOWING-DESCRIBED LAND:

THAT PART OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 24, TOWNSHIP 35 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, BEING A STRIP OF LAND 20 FEET IN WIDTH, LYING 10 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED LINE: COMMENCING AT THE NORTHEAST CORNER OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION; THENCE SOUTH 01 DEGREES, 49 MINUTES, 16 SECONDS WEST ALONG THE EAST LINE OF SAID WEST 1/2, 827.34 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 88 DEGREES 10 MINUTES 44 SECONDS EAST, 3.64 FEET; THENCE SOUTH 48 DEGREES 08 MINUTES 48 SECONDS EAST, 87.16 FEET; THENCE SOUTH 40 DEGREES 11 MINUTES 10 SECONDS EAST, 106.09 FEET; THENCE SOUTH 49 DEGREES 24 MINUTES 58 SECONDS EAST, 167.46 FEET; THENCE SOUTH 35 DEGREES 55 MINUTES 32 SECONDS EAST, 105.94 FEET; THENCE SOUTH 37 DEGREES 25 MINUTES 57 SECONDS EAST, 159.97 FEET TO THE CENTERLINE OF MOUND ROAD AND THE TERMINUS OF SAID LINE, IN WILL COUNTY, ILLINOIS.

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