

UNOFFICIAL COPY

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2002-06-28 14:00:06  
Cook County Recorder 27.50



0020722683

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 95088 GMAC4  
P.O. Box 29071 3364847.1-30-1  
Glendale, CA 91209-9071

THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY

1a. INITIAL FINANCING STATEMENT FILE #  
97748298 10-08-97 CC II COOK

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

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

10. OPTIONAL FILER REFERENCE DATA  
3364847.1 Debtor Name: SMITH, BERNARD A 881081861

Handwritten signature and date: 06/28/02

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

11. INITIAL FINANCING STATEMENT FILE # (same as item 1a on Amendment form)  
97748298 10-08-97 CC IL COOK

12. NAME of PARTY AUTHORIZING THIS AMENDMENT (same as item 9 on Amendment form)

12a. ORGANIZATION'S NAME U S BANK		
OR	12b. INDIVIDUAL'S LAST NAME	
	FIRST NAME	MIDDLE NAME SUFFIX

13. Use this space for additional information

THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY

Recorded Owner: BERNARD SMITH  
Owner Address: 1400 TORRENCE SUITE 203 CALUMET, IL  
Description: PIN # IS 29-11-225-019

Property of Cook County Clerk's Office

X  
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RIDER A TO FINANCING STATEMENT ON FORM UCC-1

DEBTOR

BERNARD SMITH

88/a Wendy's Store No. 1081-002  
c/o 1400 Torrance, Suite 203  
Cokemat, IL 60409

Social Security Number:

SECURED PARTY

FRANCHISE MORTGAGE ACCEPTANCE COMPANY LLC  
Five Greenwich Office Park, 4th Floor  
Greenwich, CT 06831

COLLATERAL

All goods (including inventory and equipment), general intangibles (other than the Debtor's Franchise Agreement with Wendy's International Inc., ("Wendy's"), if prohibited by Wendy's, and license thereunder), accounts, certificates of title, fixtures, money, instruments, securities, documents, chattel paper, deposits, credits, claims, demands and other personal property, now or hereafter owned, acquired, held, used, sold or consumed in connection with the Debtor's business of operating Wendy's Restaurant Number 1081-002 and any other property, rights and interests of Debtor which at any time relate to, arise out of or in connection with the foregoing or which shall come into the possession or custody or under the control of the Secured Party or any of its agents, representatives, associates or correspondents, for any purpose; all additions thereto, substitutions therefor and replacements thereof, all interest, income, dividends, distributions and earnings thereon or other monies or revenues derived therefrom, including any such property received in connection with any disposition of the Franchise Agreement and all moneys which may become payable under any policy insuring the Collateral or otherwise required to be maintained under the Security Agreement (including return of unearned premium); and all products and proceeds of the foregoing. In addition to granting a security interest in the Collateral, Debtor has entered into a "negative pledge" pursuant to which, among other things, the Debtor has agreed not to transfer, grant any security interest in, or otherwise encumber or dispose of the Franchise Agreement or, except with the Secured Party's consent or as expressly permitted in its Pledge and Security Agreement, any of the Collateral.

PROPERTY

Location:  
Record Owner:  
Legal Description:

9843 South Western, Chicago, IL 60643 (Cook County)  
Evergreen Plaza Associates Limited Partnership  
See attached Exhibit A

DEBTOR:

Bernard Smith  
BERNARD SMITH

SECURED PARTY:  
FRANCHISE MORTGAGE ACCEPTANCE  
COMPANY LLC

By: Cathy B. Linakis  
Name: CATHY B. LINAKIS  
Title: Senior Loan Officer

Office

**EXHIBIT "A"**  
**(Legal Description)**  
**Wendy's Store No. 1081-002**  
**9843 South Western, Chicago, IL 60643**  
**(Cook County)**

**Lots 18, 19, 20, 21, 22, 23, and 24, in Block 2 and that part of the north and South 16 foot public alley lying North of the North Line of West 99<sup>th</sup> street, and lying South of the North Line of Lot 24 extended East in John Jenson & Sons' Beverly Highlands, being a subdivision of the South 9.25 acres of the Southwest 1/4 of the Southwest 1/4 of the Northwest 14 of section 7. Township 37 North, Range 14 East of the Principal Meridian, Cook County, Illinois**

Property of Cook County Clerk's Office