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This instrument prepared by
and please return to:
Jennifer L. Worstell, Esq.
100 West Monroe Street #1500
Chicago, Illinois 60603

0020854866

9812/0079 90 001 Page 1 of 13
2002-08-05 13:08:50
Cook County Recorder 45.50



0020854866

MODIFICATION OF ASSIGNMENT OF RENTS AND LEASES

This instrument is a Modification of an Assignment of Rents and Leases ("Assignment of Rents") among LaSalle Bank National Association, a national banking association ("Assignee"), Chicago Title Land Trust Company, as Trustee under Trust No. 52076 dated May 3, 1968, and not individually ("Trustee No. 1"), Victor J. Cacciatore, Sr. ("Beneficiary No. 1"), Chicago Title Land Trust Company as Trustee under Trust No. 44551 dated June 8, 1962, and not individually ("Trustee No. 2"), Victor J. Cacciatore, Sr., Charlotte R. Cacciatore, Victor J. Cacciatore II as Trustee of The Cacciatore Children's Trust dated June 28, 1993, Joseph P. Cacciatore, Trustee of The Cacciatore Children's Trust dated June 28, 1993, Peter C. Cacciatore, Trustee of The Cacciatore Children's Trust dated June 28, 1993, Mary Beth Serwinski, Trustee of The Cacciatore Grandchildren's Trust dated December 24, 2000, Susan Lasek, Trustee of The Cacciatore Grandchildren's Trust dated December 24, 2000 and Christopher P. Cacciatore, Trustee of The Cacciatore Grandchildren's Trust dated December 24, 2000 (collectively "Beneficiary No. 2"), LaSalle Bank National Association, as Trustee under Trust No. 24378 dated June 9, 1980, and not individually ("Trustee No. 3"), and Victor J. Cacciatore, Sr. ("Beneficiary No. 3"). Trustee No. 1, Trustee No. 2, Trustee No. 3, Beneficiary No. 1, Beneficiary No. 2 and Beneficiary No. 3 are collectively referred to herein as

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"Assignor." The Assignment of Rents was recorded on September 25, 2001 with the Cook County Recorder of Deeds as Document No. 0010889911.

RECITALS:

- A. WHEREAS, Assignor holds fee simple title to certain real estate legally described on Exhibit A hereto ("Real Estate");
- B. WHEREAS, Trustee No. 1, Trustee No. 2 and Trustee No. 3 (collectively "Trustees"), hold fee simple title to the real estate commonly known respectively as 527-29 S. Wells, Chicago, Illinois, 521-25 and 549 S. Wells, Chicago, Illinois, and 11211 Cermak Road, Westchester, Illinois, each of which is described on Exhibit A attached hereto. Beneficiary No. 1, Beneficiary No. 2 and Beneficiary No. 3 (collectively "Beneficiaries") are the beneficiaries of the respective trusts held by each Trustee.
- C. WHEREAS, on August 31, 2001, Assignee loaned to Hunter Line LLC, an Illinois limited liability company ("Borrower"), the principal amount of Twenty Million (\$20,000,000) Dollars ("Loan"). On even date therewith, Borrower executed a Promissory Note in the amount of \$20,000,000 ("Note") payable to the order of Assignee to evidence the Loan. To evidence and secure the Loan, Assignor and certain other parties affiliated with Assignor executed and delivered a series of instruments as follows:
1. a Credit Agreement;
 2. Pledge and Security Agreements (5)
 3. Pledge Agreement assigning LaSalle Safekeeping Account No. 05-8266-107;

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4. a Guaranty of Note, Credit Agreement, Collateral Assignments, Pledge Agreements and Other Undertakings executed by Victor J. Cacciatore Sr.;

5. a Collateral Assignment of Beneficial Interest in Land Trust for Trustee No. 1;

6. a Collateral Assignment of Beneficial Interest in Land Trust for Trustee No. 2;

7. a Collateral Assignment of Beneficial Interest in Land Trust for Trustee No. 3;

8. UCC-1 Financing Statements for the State of Illinois (16);

9. an Environmental, ADA and ERISA Indemnification Agreement covering the Real Estate; and

10. certain other documents of a security, evidentiary and collateral nature.

D. WHEREAS, on even date herewith, Assignor and Assignee are entering into a Loan Modification Agreement ("Modification") pursuant to which Assignee has agreed to extend the maturity date of the Note. Pursuant to the terms of the Modification, Borrower is executing a Promissory Note in the amount of \$20,000,000 ("Revised Note").

NOW, THEREFORE:

TO SECURE the payment and performance of Indebtedness Hereby Secured (as defined in the Assignment of Rents) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, it is agreed that the Assignment of Rents is hereby modified and amended to secure the Revised Note in place of the Note, pursuant to the terms of the Modification.

Rev 5/02

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This Modification of Assignment of Rents may be executed in any number of counterparts, each of which shall be effective only upon delivery and thereafter shall be deemed an original, and all of which shall be taken to be one and the same instrument, for the same effect as if all parties hereto had signed one and the same signature page. Any signature page of this Agreement may be detached from any counterpart of this Agreement without impairing the legal effect of any signatures thereon and may be attached to another counterpart of this Agreement identical in form hereto but having attached to it one or more additional signature pages.

IN WITNESS WHEREOF, the parties hereto have executed this Modification of Assignment of Rents on May 1, 2002.

ATTACHED EXONERATION RIDER IS INCORPORATED HEREIN
TRUSTEE NO. 1:



Chicago Title Land Trust Company, as
Trustee under Trust No. 52076 dated May
1968, and not individually

[Signature]
Its ASST VP

Attest: Attestation not required
Its pursuant to corporate by-laws.

BENEFICIARY NO. 1:

[Signature]
Victor J. Cacciatore, Sr.

TRUSTEE NO. 3

Lasalle Bank National Association, as
Trustee under Trust No. 24378 dated June
9, 1980, and not individually

By: _____
Its _____

Attest: _____
Its _____

BENEFICIARY NO. 3

[Signature]
Victor J. Cacciatore, Sr.

TRUSTEE NO. 2

Chicago Title Land Trust Company, as
Trustee under Trust No. 44551 dated July
29, 1994, and not individually

By: [Signature]
Its ASST VP

Attest: Attestation not required
Its pursuant to corporate by-laws.

BENEFICIARY NO. 2

[Signature]
Victor J. Cacciatore, Sr.

[Signature]
Charlotte R. Cacciatore

[Signature]
Mary Beth Serwinski, Trustee of The
Cacciatore Grandchildren's Trust dated
December 24, 2000



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AIR Rev 5/02

This Modification of Assignment of Rents may be executed in any number of counterparts, each of which shall be effective only upon delivery and thereafter shall be deemed an original, and all of which shall be taken to be one and the same instrument, for the same effect as if all parties hereto had signed one and the same signature page. Any signature page of this Agreement may be detached from any counterpart of this Agreement without impairing the legal effect of any signatures thereon and may be attached to another counterpart of this Agreement identical in form hereto but having attached to it one or more additional signature pages.

IN WITNESS WHEREOF, the parties hereto have executed this Modification of Assignment of Rents on May 1, 2002.

TRUSTEE NO. 1:

Chicago Title Land Trust Company, as Trustee under Trust No. 52076 dated May 3, 1968, and not individually

By: _____
Its _____

Attest: _____
Its _____

BENEFICIARY NO. 1:

[Signature]
Victor J. Cacciatore, Sr.

TRUSTEE NO. 3

Lasalle Bank National Association, as Trustee under Trust No. 24378 dated June 9, 1980, and not individually ~~and not personally~~

By: Lisa S. Smith
Its **LAND TRUST ADMINISTRATOR**

Attestation not required by
Attest: Lasalle Bank National Association
Its Bylaws

* See Reverse for Trustee's exoneration

BENEFICIARY NO. 3

[Signature]
Victor J. Cacciatore, Sr.

TRUSTEE NO. 2

Chicago Title Land Trust Company as Trustee under Trust No. 44551 dated July 29, 1994, and not individually

By: _____
Its _____

Attest: _____
Its _____

BENEFICIARY NO. 2

[Signature]
Victor J. Cacciatore, Sr.

[Signature]
Charlotte R. Cacciatore

[Signature]
Mary Beth Serwinski, Trustee of The Cacciatore Grandchildren's Trust dated December 24, 2000

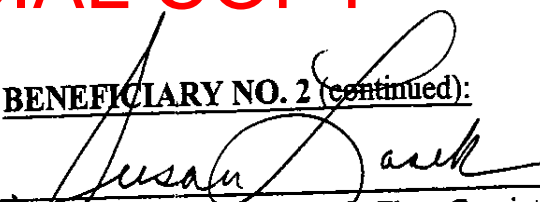
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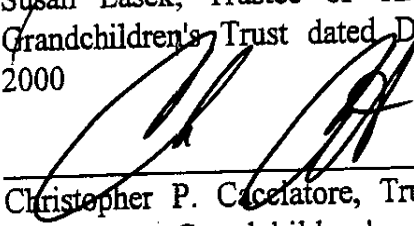
This instrument is executed by the undersigned Land Trustee not personally but solely as Trustee in the exercise of the power and authority conferred upon and vested in it as such Trustee. It is expressly understood and agreed that all the warranties, indemnities, representations, covenants, undertakings and agreements herein made on the part of the Trustee are not undertaken by it solely in its capacity as Trustee and are not personally assumed by it. No personal liability or personal responsibility is assumed by or shall at any time be asserted or enforceable against the Trustee on account of any warranty, indemnity, representation, covenant, undertaking or agreement of the Trustee in this instrument.

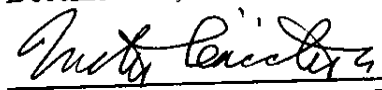
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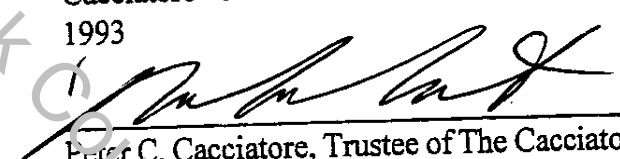
BENEFICIARY NO. 2 (continued):


Susan Lasek, Trustee of The Cacciatore Grandchildren's Trust dated December 24, 2000


Christopher P. Cacciatore, Trustee of The Cacciatore Grandchildren's Trust dated December 24, 2000


Victor J. Cacciatore II, Trustee of The Cacciatore Children's Trust dated June 28, 1993


Joseph P. Cacciatore, Trustee of The Cacciatore Children's Trust dated June 28, 1993


Peter C. Cacciatore, Trustee of The Cacciatore Children's Trust dated June 28, 1993

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EXCULPATORY CLAUSE FOR CHICAGO TITLE LAND TRUST COMPANY, AS TRUSTEE

It is expressly understood and agreed by and between the parties hereto, anything to the contrary notwithstanding, that each and all of the warranties, indemnities, representations, covenants, undertakings and agreements herein made on the part of the Trustee while in form purporting to be the warranties, indemnities, representations, covenants, undertakings and agreements of said Trustee are nevertheless each and every one of them, made and intended not as personal warranties, indemnities, representations, covenants, undertakings and agreements by the Trustee or for the purpose or with the intention of binding said Trustee personally but are made and intended for the purpose of binding only that portion of the trust property specifically described herein, and this instrument is executed and delivered by said Trustee not in its own right, but solely in the exercise of the powers conferred upon it as such Trustee; and that no personal liability or personal responsibility is assumed by nor shall at any time be asserted or enforceable against Chicago Title Land Trust Company, on account of this instrument or on account of any warranty, indemnity, representation, covenant or agreement of the said Trustee in this instrument contained, either expressed or implied, all such personal liability, if any, being expressly waived and released.

DePaul University
Cook County Clerk's Office

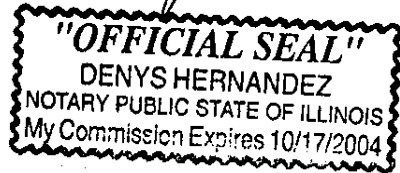
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STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

I, Undersigned, a Notary Public in and for said County, in the State aforesaid, do hereby certify that Lisa S. Smith and LAND TRUST, respectively, of LaSalle Bank National Association, and not individually, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such Trustee, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their own free and voluntary act and as the free and voluntary act of said Trustee, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal, this 19 day of July, 2002.

Notary Public Denys Hernandez



STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

I, _____, a Notary Public in and for said County, in the State aforesaid, do hereby certify that _____ and _____, respectively, of Chicago Title Land Trust Company, and not individually, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such Trustee, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their own free and voluntary act and as the free and voluntary act of said Trustee, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal, this ___ day of _____, 2002.

Notary Public

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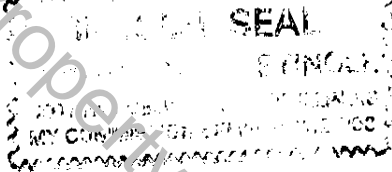
STATE OF ILLINOIS

)
) SS.

COUNTY OF COOK

I, Romualdo J. Kuty, a Notary Public in and for said County, in the State aforesaid, do hereby certify that Victor J. Cacciatore, Sr., 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 and delivered the said instrument as his own free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal, this 17 day of July, 2002.



Romualdo J. Kuty
Notary Public

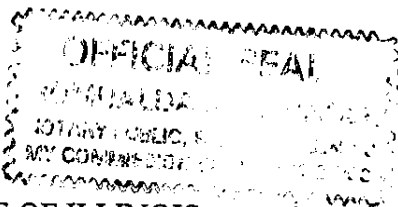
STATE OF ILLINOIS

)
) SS.

COUNTY OF COOK

I, Romualdo J. Kuty, a Notary Public in and for said County, in the State aforesaid, do hereby certify that Charlotte K. Cacciatore, 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 she signed and delivered the said instrument as her own free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal, this 17 day of July, 2002.



Romualdo J. Kuty
Notary Public

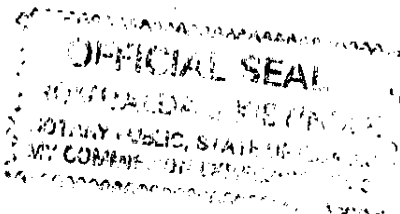
STATE OF ILLINOIS

)
) SS.

COUNTY OF COOK

I, Romualdo J. Kuty, a Notary Public in and for said County, in the State aforesaid, do hereby certify that Peter C. Cacciatore, Trustee of The Cacciatore Children's Trust dated June 28, 1993, 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 and delivered the said instrument as his own free and voluntary act, and as the free and voluntary act of said Trust, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal, this 17 day of July, 2002.



Romualdo J. Kuty
Notary Public

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STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

I, Dalia Balciunas, a Notary Public in and for said County, in the State aforesaid, do hereby certify that Joseph P. Cacciatore, Trustee of The Cacciatore Children's Trust dated June 28, 1993, 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 and delivered the said instrument as his own free and voluntary act, and as the free and voluntary act of said Trust, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal, this 18 day of July, 2002.

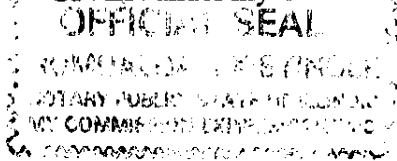


Dalia Balciunas
Notary Public

STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

I, Romulda J. Kinty, a Notary Public in and for said County, in the State aforesaid, do hereby certify that Victor J. Cacciatore II, Trustee of The Cacciatore Children's Trust dated June 28, 1993, 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 and delivered the said instrument as his own free and voluntary act, and as the free and voluntary act of said Trust, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal, this 17 day of July, 2002.

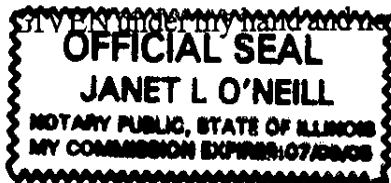


Romulda J. Kinty
Notary Public

STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

I, JANET L. O'NEILL, a Notary Public in and for said County, in the State aforesaid, do hereby certify that Christopher P. Cacciatore, Trustee of The Cacciatore Grandchildren's Trust dated December 24, 2000, 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 and delivered the said instrument as his own free and voluntary act, and as the free and voluntary act of said Trust, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal, this 18 day of JULY, 2002.



Janet L. O'Neill
Notary Public

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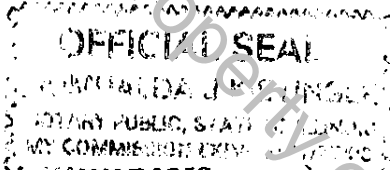
STATE OF ILLINOIS)

) SS.

COUNTY OF COOK)

Arnold J. Kuty, a Notary Public in and for said County, in the State aforesaid, do hereby certify that Susan Lasok, Trustee of The Cacciatore Grandchildren's Trust dated December 24, 2000, 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 she signed and delivered the said instrument as her own free and voluntary act, and as the free and voluntary act of said Trust, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal, this 17 day of July, 2002.



Arnold J. Kuty
Notary Public

STATE OF ILLINOIS)

) SS.

COUNTY OF COOK)

I, JANET L. O'NEILL, a Notary Public in and for said County, in the State aforesaid, do hereby certify that Mary Beth Serwinski, Trustee of The Cacciatore Grandchildren's Trust dated December 24, 2000, 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 she signed and delivered the said instrument as her own free and voluntary act, and as the free and voluntary act of said Trust, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal, this 18 day of JULY, 2002.



Janet L. O'Neill
Notary Public

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STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

I, _____, a Notary Public in and for said County, in the State aforesaid, do hereby certify that _____ and _____, _____ and _____, respectively, of LaSalle Bank National Association, and not individually, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such Trustee, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their own free and voluntary act and as the free and voluntary act of said Trustee, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal, this ____ day of _____, 2002.

Notary Public

STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

I, **SHEILA DAVENPORT**, a Notary Public in and for said County, in the State aforesaid, do hereby certify that VAREN MICHEL and REST UP, respectively of Chicago Title Land Trust Company, and not individually, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such Trustee, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their own free and voluntary act and as the free and voluntary act of said Trustee, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal, this ____ day of JUL 18 2002, 2002.

.....
"OFFICIAL SEAL"
SHEILA DAVENPORT
Notary Public, State of Illinois
My Commission Expires 10/7/03
.....

Sheila Davenport
Notary Public

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EXHIBIT A

Legal Description of Premises

PARCEL NO. 1:

LOT 7 IN BLOCK 100 IN THE SCHOOL SECTION ADDITION TO CHICAGO IN SECTION ADDITION TO CHICAGO IN SECTION 16, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS: 527-29 S. Wells, Chicago, Illinois
P.I.N.: 17-16-241-015

PARCEL NO. 2:

PARCEL 1:

THAT PART OF LOT 3 IN GEORGE MERRILL'S SUBDIVISION OF BLOCK 100 IN SCHOOL SECTION ADDITION TO CHICAGO IN SECTION 16, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, LYING SOUTH OF A LINE DRAWN FROM A POINT OF THE EAST LINE OF SAID LOT 3, A DISTANCE OF 4.75 FEET NORTH OF THE SOUTH EAST CORNER THEREOF TO A POINT ON THE WEST LINE OF SAID LOT 3, A DISTANCE OF 7.25 FEET NORTH OF THE SOUTH WEST CORNER THEREOF.

PARCEL 2:

LOT 6 IN GEORGE MERRILL'S SUBDIVISION OF BLOCK 100 IN SCHOOL SECTION ADDITION TO CHICAGO IN SECTION 16, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

AND

LOT 15 IN GEORGE W. MERRILL'S SUBDIVISION OF BLOCK 100 OF SCHOOL SECTION ADDITION IN SECTION 16, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS: 521-25 and 549 SOUTH WELLS, CHICAGO, ILLINOIS
P.I.N.: 17-16-241-062; 17-16-241-022

PARCEL NO. 3:

THE NORTH 305.0 FEET (EXCEPTING THEREFROM THE NORTH 231.0 FEET OF THE EAST 225.0 FEET) OF THE EAST ½ OF THE NORTH EAST ¼ OF THE NORTH EAST ¼ OF SECTION 30, TOWNSHIP 39 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPT THAT PART THEREOF TAKEN BY CONDEMNATION ON JULY 30, 1957 AS CASE NUMBER 57S11371 FOR ROAD WIDENING) IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS: 11211 Cermak Road, Westchester, Illinois
P.I.N.: 15-30-200-033-0000 15-30-200-033-0000