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460001
INSTRUMENT PREPARED BY:
ALLEN C. WESOLOWSKI
161 N. Clark St. - Suite 550
Chicago, Illinois 60601

PLEASE MAIL TO:
THE FIRST COMMERCIAL BANK
6945 N. Clark Street
Chicago, IL 60626



Doc#: 0535540076 Fee: \$32.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 12/21/2005 02:54 PM Pg: 1 of 5

HERITAGE TITLE COMPANY

ASSUMPTION AGREEMENT

WHEREAS, The First Commercial Bank (the "Lender") has made a certain loan to Domenech Properties, LLC (the "Borrower") as evidenced by a promissory note dated February 22, 2005 and in the principal amount of \$1,080,000.00 (the "Note");

WHEREAS, Gus Domenech (the "Guarantor") has absolutely and unconditionally guaranteed the repayment of the Note:

WHEREAS the Note is secured by a mortgage and assignment of leases and rents executed and delivered by Borrower in favor of Lender upon the real estate commonly known as 2419 W. 71st St./7101-09 S. Artesian Ave., Chicago, Illinois, recorded on March 3, 2005 as Document Nos. 0506219011 and 0506219012 respectively with the Cook County Recorder of Deeds and legally described as follows:

LOTS 45, 46 AND 47 IN BLOCK 1 IN F. H. BARTLETT'S WESTERN AVENUE SUBDIVISION OF THE NORTHEAST ¼ OF THE NORTHEAST ¼ OF SECTION 25, TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PIN: 19-25-207-045-0000

WHEREAS Borrower wishes to convey its interest in the real estate commonly known as

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2419 W.71st St./7101-09 S. Artesian Ave., Chicago, Illinois to Michael Machalek, Donna L. Zyrkowski, and Pamela L. Saul (hereinafter collectively referred to as "Assumptor") and Assumptor wishes to assume the obligations of Borrower under the Note, in consideration of Lender's consent to the aforementioned real estate conveyance;

NOW, THEREFORE, for and in consideration of the consent of the Lender to the conveyance to Assumptor by the Borrower of all of Borrower's interest in the real estate commonly known as 2419 W.71st St./7101-09 S. Artesian Ave., Chicago, Illinois, subject to Lender's lien arising from its mortgage and assignment of leases and rents recorded as Document Nos. 0506219011 and 0506219012, the Assumptor does hereby assume and agree to pay the indebtedness evidenced by the Note in accordance with the terms thereof as amended herein, and on which there is a present unpaid principal balance in the amount of \$1,072,699.11, as of December 12, 2005.

Assumptor also hereby assumes and agrees to be bound by all of the terms and provisions of the documents collateralizing the loan evidenced by the Note, including, but not limited to, the aforementioned mortgage and assignment of leases and rents recorded as Document Nos. 0506219011 and 0506219012, previously executed by Borrower:

The terms of the Note are hereby amended as follows:

1. In consideration of Lender's consent, Assumptor shall pay an assumption fee of \$10,727.00 and reimburse Lender its attorney's fees of \$250.00.
2. Michael Machalek shall pledge savings account no. 2101005515 with a balance of \$75,000.00 to Lender as additional collateral securing the Note.
3. All other terms and conditions of the Note shall remain in full force and effect.

By Lender's execution of this Assumption Agreement, Lender hereby releases Borrower from

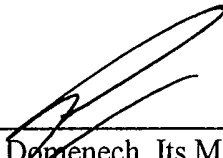
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Borrower's obligations under the Note and the other loan documents evidencing the Note and releases Guarantor from Guarantor's obligations under the Note and the other loan documents.

This Agreement may be executed in counterparts.

DATED this 12th day of December, 2005

DOMENECH PROPERTIES, LLC, an Illinois limited liability company

By: 
Gus Domenech, Its Manager

GUS DOMENECH


DONNA L. ZYRKOWSKI



MICHAEL MACHALEK



PAMELA L. SAUL

THE FIRST COMMERCIAL BANK

Attest:

Its

By: _____
Its

Property of Cook County Clerk's Office

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STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, do hereby certify that GUS DOMENECH, personally known to me to be the same person whose name is subscribed to the foregoing instrument individually and as the Manager of Domenech Properties, LLC, an Illinois limited liability company, appeared before me this day in person, and acknowledged that he signed and delivered the said instrument as his free and voluntary act, and as the free and voluntary act of said limited liability company, for the uses and purposes therein set forth.

GIVEN, under my hand and notarial seal this 12 day of December, 2005.



Maureen Ocampo
Notary Public

STATE OF ILLINOIS)
)
COUNTY OF COOK)

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, do hereby certify that MICHAEL MACHALEK, DONNA L. ZYRKOWSKI and PAMELA L. SAUL, personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that they signed and delivered the said instrument as their free and voluntary act, for the uses and purposes therein set forth.

GIVEN, under my hand and notarial seal this 12 day of December, 2005.



Maureen Ocampo
Notary Public

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Exhibit A

H-60001

LOTS 45, 46, AND 47 IN BLOCK 1 IN F.H. BARTLETT'S WESTERN AVENUE, A SUBDIVISION OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 25, TOWNSHIP 38 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

P.I.N. 19-25-207-45 0000

C/K/A 7101 S. ARTESIAN AVENUE, CHICAGO, ILLINOIS 60629-1438

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