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Doc#: 0834333124 Fee: \$46.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 12/08/2008 01:57 PM Pg: 1 of 6

LHYNES # 8452996/8452997-D1

SECOND MODIFICATION OF PRINCIPAL NOTE
AND JUNIOR MORTGAGE

Property of Cook County Clerk's Office

Box 400-CTCC

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This instrument was prepared by,
and after recording mail to:

Lawrence M. Gritton
400 West Huron Street
Chicago, Illinois 60654

SECOND MODIFICATION OF PRINCIPAL NOTE AND JUNIOR MORTGAGE

THIS SECOND MODIFICATION OF PRINCIPAL NOTE AND JUNIOR MORTGAGE ("Modification") is made and entered into this 14 day of March, 2008, by JAMES D. ELVART ("Borrower") and of THE POOBA TRUST ("Lender").

RECITALS:

A. Lender has heretofore made a loan ("Loan") to Borrower in the original principal amount of \$100,000.00, evidenced by a Principal Note in said principal amount dated July 16, 2004 made by Borrower and payable to Lender, as amended by Modification of Principal Note and Junior Mortgage dated as of July 31, 2006 (as so modified, the "Note"). The Note is secured by a Junior Mortgage of even date with the Note, made by Borrower in favor of Lender, and recorded in the Office of the Cook County Recorder of Deeds on September 2, 2004 as Document No. 0424635027, as modified by the aforesaid Modification (as so modified, the "Mortgage"), encumbering a condominium unit commonly known as Unit 1101 at the Five N. Wabash Condominium project in Chicago, Illinois and legally described on Exhibit A attached hereto (the "Condo Unit").

B. Borrower is selling the Condo Unit to Lender and Borrower and his wife, Sarah C. Blue (collectively, "Mortgagors"), are acquiring certain property from Lender commonly known as 570 Winnetka Road, Winnetka, Illinois and legally described on Exhibit B attached hereto ("Winnetka Home").

C. The parties desire to cause the lien of the Mortgage to be released from the Condo Unit and spread against the Winnetka Home, subject and subordinate to first mortgage financing, and to modify and amend the Note and the Mortgage (collectively, the "Loan Documents") as provided herein.

NOW, THEREFORE, in consideration of the foregoing recitals, the mutual covenants and agreements contained herein, and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. **Incorporation of Recitals.** The aforesaid Recitals are hereby incorporated into this Modification as if fully set forth in this Paragraph 1.
2. **Amendment to Loan Documents.** The lien of the Mortgage is hereby released from the Condo Unit. Mortgagors hereby mortgage, grant, assign, remise, release, warrant and convey and grant to Lender a mortgage lien on the Winnetka Home, subject and subordinate to any first mortgage financing of Mortgagors, or any replacement first mortgage financing. From and after the date hereof, all references in the Loan Documents to the Property or Premises shall be deemed to refer to the Winnetka Home; and (ii) the Note shall be secured by the Mortgage as modified by this Modification.
3. **Full Force and Effect; Inconsistency.** Except as herein modified, the terms, conditions and covenants of the Loan Documents shall remain unchanged and otherwise in full force and effect. In the

LAYNES # 84-52-996/8452997-21

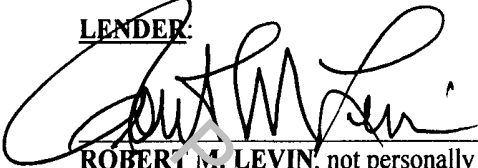
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CONSENT OF LENDER

The Pooba Trust hereby accepts the foregoing Modification.

This Consent is executed by Robert M. Levin solely in his capacity as Trustee of The Pooba Trust and not personally or individually.

LENDER:



ROBERT M. LEVIN, not personally but solely as Trustee as aforesaid

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Exhibit A

Legal Description of the Condo Unit

Unit 1101 in the Five N. Wabash Condominium as delineated on a survey of the following described real estate:

Lot 8 and the South 10.5 feet of Lot 9 in Block 15 in Fort Dearborn Addition to Chicago, a Subdivision of the South fraction half of Section 10, Township 39 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois;

which survey is attached as Exhibit "C" to the Declaration of Condominium recorded November 13, 2003 as document number 0331727007, and as amended from time to time, together with its undivided percentage interest in the common elements, all in Cook County, Illinois.

Property Address: Unit 1101, Five N. Wabash, Chicago, Illinois 60602
PIN: 17-10-312-012-1049

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Exhibit B

Legal Description of the Winnetka Home

Lot 4 in Block 3 in Manus Indian Hill Subdivision of Part of the Northwest 1/4 of Section 28 North, Township 42 North, Range 13, East of the Third Principal Meridian, and Part of the Northeast 1/4 of said Section 28, as shown by Plat recorded June 22, 1922 as Document Number 7550571, in Cook County, Illinois.

Common Address: 570 Winnetka Road, Winnetka, Illinois 60093

PIN: 05-28-101-002-0000

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