

SECOND MODIFICATION OF MORTGAGE AND ASSIGNMENT OF RENTS AND LEASES

This Agreement is made and entered into this 30th day of September, 1986, by and between LYONS FEDERAL TRUST AND SAVINGS BANK, a federally chartered institution, formerly known as LYONS SAVINGS AND LOAN ASSOCIATION, ("Lyons") and LASALLE NATIONAL BANK, not personally but as Trustee under Trust Agreement dated June 6, 1985, and known as Trust Number 109891 ("Trustee").

WHEREAS, Trustee made and executed a Mortgage dated September 6, 1985, which was recorded in the Office of the Recorder of Deeds of Cook County, Illinois, on September 6, 1985, as Document Number 85178956, to Lyons to secure the payment of an indebtedness in the principal sum of TWO MILLION FIVE HUNDRED THOUSAND AND NO DOLLARS (\$2,500,000.00) together with an Assignment of Rents and Leases, also dated September 6, 1985, and recorded as Document Number 85178957 with the Recorder of Deeds of Cook County, Illinois, on September 6, 1985;

WHEREAS, the Mortgage and the Assignment of Rents and Leases provided the property shall mean that real property commonly known as 400 North Franklin, 416 North Franklin, 311-15 West Hubbard and 317 West Hubbard, Chicago, Illinois, and legally described on Exhibit A attached to both documents and made a part thereof;

AND WHEREAS, Trustee has secured or might secure certain rights hereinafter with respect to the vacation of the alley premises located between the parcels described in Exhibit A, attached to the Mortgage and the Assignment of Rents and Leases, and such alley premises are intended to be covered by said Mortgage and Assignment of Rents and Leases;

IT IS HEREBY AGREED that the legal description on Exhibit A of the Mortgage and the Assignment of Rents and Leases is amended to include the alley premises. Exhibit A attached to both Mortgage and Assignment of Rents and Leases will read as follows:

Parcel 1:

Lots 1 through 4 inclusive in Block 1 in Butler Wright and Webster's Addition to Chicago in Section 9, Township 39 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois;

Parcel 2:

Lots 5, 6 and the East 7/12 feet of Lot 7 in Block 1 in Butler Wright and Webster's Addition to Chicago in Section 9, Township 39 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois;

Parcel 3:

Lot 7 (except the East 7/12th feet thereof) in Block 1 in Butler Wright and Webster's Addition to Chicago in Section 9, Township 39 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois;

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Parcel 4:

Lots 16 (except the West 15 1/2 feet thereof) 17, 18, 19, 20, 21, 22, 23, 24, 25 and 26 in Block 1 in Butler Wright and Webster's Addition to Chicago in Section 9, Township 39 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois;

Parcel 5:

Lots 8, 9, 10 and 11 (except the West 15 feet thereof) in Block 1 in Butler Wright and Webster's Addition to Chicago in Section 9, Township 39 North Range 14, East of the Third Principal Meridian, in Cook County, Illinois; and

That part of the east-west 18 foot public alley lying south of the south line of Lots 1 to 11, both inclusive; lying north of the north line of Lots 16 to 26, both inclusive; lying west of a line drawn from the southeast corner of Lot 1 to the northeast corner of Lot 26; and lying east of the northwardly extension of the east line of the west 15.5 feet of Lot 16, all in Block 1 in Butler Wright and Webster's Addition to Chicago in Section 9, Township 39 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois.

Commonly known as: 400 North Franklin, 416 North Franklin, 311-15 West Hubbard and 317 West Hubbard, Chicago, Illinois

Permanent Real Estate Tax Index Numbers: 17-09-257-017 - 1st Hm 7
17-09-257-018 - PAR 4
17-09-257-019 - PAR 5

Notwithstanding anything to the contrary herein the terms and conditions of the aforementioned Mortgage and Assignment of Rents and Leases not expressly modified by the terms of this Agreement shall remain in full force and effect. In all other respects the Trustee expressly reaffirms all of the terms, conditions and covenants of the Mortgage and Assignment of Rents and Leases as identified above.

Exculpation

This instrument is executed by LaSalle National Bank, not personally but as Trustee as aforesaid in the exercise of the power and authority conferred upon and vested in it as such Trustee, and it is expressly understood and agreed that nothing herein shall be construed as creating any liability on LaSalle National Bank personally to pay the Note or any interest that may accrue thereon, or any indebtedness accruing hereunder, or to perform any covenant either express or implied herein contained, all such liability, if any, being expressly waived by every person now or hereafter claiming any right or security hereunder, and that so far as LaSalle National Bank personally is concerned, the holder of the Note and the owner of any indebtedness accruing hereunder shall look solely to the premises described herein.

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IN WITNESS WHEREOF, the parties have executed this Second Modification of Mortgage and Assignment of Rents and Leases on the date and year first above written.

LASALLE NATIONAL BANK, not personally but as Trustee under Trust Agreement dated June 6, 1985, and known as Trust Number 109891

By:


Its ASSISTANT VICE PRESIDENT

(CORPORATE SEAL)

Attest:


Its ASSISTANT SECRETARY

LYONS FEDERAL TRUST AND SAVINGS BANK, formerly known as LYONS SAVINGS AND LOAN ASSOCIATION

By:


Its Vice President

(CORPORATE SEAL)

Attest:


Its Assistant Secretary

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STATE OF ILLINOIS)
) SS
COUNTY OF C O O K)

I, the undersigned, a Notary Public, in and for the County and State aforesaid, DO HEREBY CERTIFY, that JAMES A. CLARK personally known to me to be the ASSISTANT VICE PRESIDENT of LASALLE NATIONAL BANK, as Trustee under Trust Agreement Number 109891, a national banking corporation, and Wita Slimm Welter, personally known to me to be the ASSISTANT SECRETARY of said corporation, and 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 severally acknowledged that as such ASSISTANT VICE PRESIDENT and ASSISTANT SECRETARY, they signed and delivered the said instrument as ASSISTANT VICE PRESIDENT and ASSISTANT SECRETARY of said Corporation, and caused the corporate seal of said Corporation to be affixed thereto, pursuant to authority, given by the Board of Directors of said corporation as their free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

Given under my hand and notarial seal this 27th day of Oct., 1986.

Marla Franarim
Notary Public

My commission expires 4-28-90

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STATE OF ILLINOIS)
) SS
COUNTY OF C O O K)

I, the undersigned, a Notary Public, in and for the County and State aforesaid, DO HEREBY CERTIFY, that MICHAEL J. MASLANKA, personally known to me to be the Vice President of LYONS FEDERAL TRUST AND SAVINGS BANK, formerly known as LYONS SAVINGS AND LOAN ASSOCIATION, a federally chartered institution, and JANET M. DONGARRA, personally known to me to be the Assistant Secretary of said corporation, and 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 severally acknowledged that as such Vice President and Assistant Secretary, they signed and delivered the said instrument as Vice President and Assistant Secretary of said Corporation, and caused the corporate seal of said Corporation to be affixed thereto, pursuant to authority, given by the Board of Directors of said corporation as their free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

Given under my hand and notarial seal this 16th day of October, 1986.

Judith Steiner

Notary Public

My commission expires October 22, 1987.

THIS INSTRUMENT PREPARED BY AND SHOULD BE MAILED TO:
Joanne L. Lanigan
Lyons Federal Trust and
Savings Bank
911 North Elm Street
Hinsdale, Illinois 60521



DEPT-01 RECORDING
T4333 TRAN 274 11 13/86 11 53:00
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COOK COUNTY RECORDER

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