

MODIFICATION OF MORTGAGE AND ASSIGNMENT OF RENTS

88131267

THIS MODIFICATION OF MORTGAGE AND ASSIGNMENT OF RENTS dated as of the 1st day of March, 1988, by and between BOULEVARD BANK NATIONAL ASSOCIATION, a national banking association, not personally or individually, but as Trustee under Trust Agreement dated March 20, 1987 and known as Trust No. 8510 (hereinafter referred to as "Borrower"), EXPRESS JOT LIMITED PARTNERSHIP (hereinafter referred to as "Beneficiary") and BOULEVARD BANK NATIONAL ASSOCIATION, a national banking association (hereinafter referred to as "Lender").

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WITNESSETH:

WHEREAS, Borrower executed and delivered to Lender a certain Principal Note dated August 5, 1987, in the principal amount of ONE MILLION SIX HUNDRED THOUSAND AND NO/100 (\$1,600,000.00) DOLLARS (hereinafter referred to as the "Note"); and

WHEREAS, Borrower and Lender did, by Modification of Principal Note dated of even date herewith (hereinafter referred to as the "Modification of Principal Note"), modify and amend the Note to increase the indebtedness evidenced thereby; and

WHEREAS, as security for the Note, Borrower did execute and deliver to Lender a Mortgage and Security Agreement (hereinafter referred to as the "Mortgage") dated August 5, 1987, which Mortgage was recorded on August 20, 1987 with the Recorder of Deeds, Cook County, Illinois as Document No. 87460537, encumbering certain real

THIS DOCUMENT PREPARED BY:

PROPERTY ADDRESS:

Benjamin D. Steiner
Katz Randall & Weinberg
200 North LaSalle Street
Suite 2300
Chicago, Illinois 60601

17170 Westview Avenue
South Holland, Illinois

P. I. N.:

KRW File No. 2441.205

OBO

29-28-105-008-LOT-3
29-28-105-012-LOT-12

Box 340
(805)

estate as described on Exhibit "A" attached hereto and by this reference incorporated herein; and

WHEREAS, to further secure the payment of the Principal Note, Borrower and Beneficiary did execute and deliver to Lender an Assignment of Rents and Lessor's Interest in Leases (hereinafter referred to as the "Assignment of Rents") dated August 5, 1987, which Assignment of Rents was recorded on August 20, 1987 with the Recorder of Deeds, Cook County, Illinois as Document No. 87460538; and

WHEREAS, Borrower and Lender desire to modify the Mortgage and the Assignment of Rents to refer to the Note as amended by the Modification of Principal Note.

NOW, THEREFORE, in consideration of the above set forth recitals, the terms of which are by this reference incorporated herein and in consideration, of the covenants, promises and conditions herein contained and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. The Mortgage and the Assignment of Rents shall be deemed to secure the Note as modified by the Modification of Principal Note.
2. Borrower hereby agrees to perform all of the terms, covenants, conditions and obligations of the Borrower as set forth in the Mortgage.
3. This agreement shall be governed and construed under the laws of the State of Illinois.

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4. Except as modified herein, the terms, conditions and covenants of the Mortgage and the Assignment of Rents shall remain unchanged and otherwise in full force and effect. In the event of an inconsistency between this Modification of Mortgage and Assignment of Rents, and the Mortgage and the Assignment of Rents, the terms herein shall control.

5. It is expressly understood and agreed by and between the parties hereto, anything herein 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 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 the Boulevard Bank National Association as trustee or any of the beneficiaries under said Trust Agreement, on account of this instrument or on account of any warranty, indemnity, representation, covenant, undertaking 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.

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IN WITNESS WHEREOF, the parties hereto have executed this Modification of Mortgage and Assignment of Rents as of the day and year first above written.

BORROWER

BOULEVARD BANK NATIONAL ASSOCIATION, a national banking association, not personally or individually, but as Trustee under Trust Agreement dated March 20, 1987 and known as Trust No. 8510

ATTEST:

Charles A. York
Its: ASST. TRUST OFFICER

By: [Signature]
Its: ASST. VICE PRESIDENT

BENEFICIARY

EXPRESS JOT LIMITED PARTNERSHIP

By: David C. Seaver
Its: General Partner

LENDER

BOULEVARD BANK NATIONAL ASSOCIATION, a national banking association

ATTEST:

John C. Hartzel
Its: Comptroller Banking Dep.

By: Michael D. Dolger
Its: ASST. VP

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COOK COUNTY CLERK'S OFFICE

COOK COUNTY CLERK'S OFFICE

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STATE OF ILLINOIS)
COUNTY OF C O O K)

I, _____, a Notary Public in and for the said County, in the State aforesaid, DO HEREBY CERTIFY that _____, as _____ President and _____, as _____ Secretary of BOULEVARD BANK NATIONAL ASSOCIATION, a national banking association, not personally or individually, but as Trustee under Trust Agreement dated March 20, 1987 and known as Trust No. 8510, who are personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such _____ President and _____ Secretary of said Bank, respectively, 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 Bank for the uses and purposes therein set forth; and said _____ Secretary did then and there acknowledge that he, as custodian of the corporate seal of said Bank did affix the corporate seal of said Bank to said instrument as his own free and voluntary act and as the free and voluntary act of said Bank, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 18th day of March, 1988.

Mary E. Spero
Notary Public

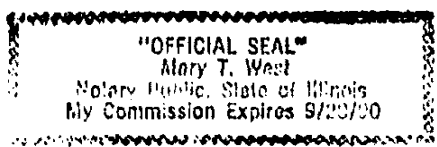
STATE OF Illinois)
COUNTY OF Cook)



I, _____, a Notary Public in and for said County and State aforesaid, DO HEREBY CERTIFY that _____, General Partner of EXPRESS JOT LIMITED PARTNERSHIP, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument as such General Partner of EXPRESS JOT LIMITED PARTNERSHIP, appeared before me this day in person and acknowledged that he signed, sealed 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 18th day of March, 1988.

Mary T. West
Notary Public



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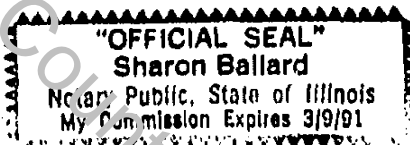
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STATE OF ILLINOIS)
COUNTY OF C O O K)

I, SHARON BALLARD, a Notary Public in and for the said County, in the State aforesaid, DO HEREBY CERTIFY that MICHAEL C. GALCHER, Assistant Vice President and SPAIN C. HORTWICK, as Corporate Secretary of BOULEVARD BANK NATIONAL ASSOCIATION, a national banking association, who are personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such Assistant Vice President and Corporate Secretary of said Bank, respectively, 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 Bank, for the uses and purposes therein set forth; and said ROBERTA WYLLIE Secretary did then and there acknowledge that he, as custodian of the corporate seal of said Bank, did affix the corporate seal of said Bank to said instrument as his own free and voluntary act and as the free and voluntary act of said Bank, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 18th day of March, 1988.

Sharon Ballard
Notary Public



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EXHIBIT "A"

LOT 3 (except the North 505.0 feet thereof) together with Lot 8 (except the South 352.00 feet of said Lot 8) all in South Holland Industrial Park, being a subdivision of part of the Northwest ¼ of Section 28, Township 36 North, Range 14 East of the Third Principal Meridian in Cook County, Illinois.

29-28-105-008 - LOT-3

DBO

29-28-105-012 - LOT-12

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DEPT-01 RECORDING \$17.00
T#2822 FROM \$175.00/30/08 15:41:00
#1267-105-29-28
COOK COUNTY RECORDER

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