

FIRST MODIFICATION OF MORTGAGE AND ASSIGNMENT OF RENTS AND LEASES

This Agreement entered into as of April 1, 1991 by and between LASALLE NATIONAL TRUST, N.A. (as successor trustee to LaSalle National Bank), a national banking association, as trustee under trust agreement dated December 1, 1972 and known as Trust Number 10-27454-09 (the "Trustee") and FOREST VIEW VENTURE, an Illinois general partnership (the "Beneficiary") (collectively, the Trustee and Beneficiary are hereinafter referred to as the "Mortgagor"), and LASALLE NATIONAL BANK, a national banking association (the "Mortgagee"), having an address at 120 South LaSalle Street, Chicago, Illinois 60603.

RECITALS:

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A. Trustee executed a Mortgage (the "Mortgage") dated March 11, 1986 and recorded on June 16, 1986 as Document No. 86-244630 in the Office of the Cook County Recorder of Deeds (the "Recorder's Office");

B. Mortgagor executed an Assignment of Rents and Leases (the "Assignment") dated March 11, 1986;

C. The Mortgage grants a lien in favor of Mortgagee with respect to a certain parcel of real estate located in Cook County, Illinois, and as more specifically described on Exhibit A attached hereto;

D. The Mortgage and Assignment secure that certain Promissory Term Note dated March 11, 1986, in the original principal amount of \$700,000, as amended by a Substitute Promissory Term Note dated April 1, 1991 (the "Note");

E. The Note bears interest prior to maturity or the occurrence of a Default at the rate of interest announced from time to time by Mortgagee as its Prime Rate (the "Interest Rate") and following maturity or the occurrence of a Default at the Interest Rate plus two percent (2%);

F. Mortgagor desires hereby to amend the Mortgage to reflect the amendment of the Note extending the maturity date and changing certain payment obligations thereunder.

NOW, THEREFORE, in consideration of the foregoing it is hereby agreed as follows:

1. Note Secured. The Mortgage and Assignment secure the Note and any and all notes issued in renewal thereof or in substitution or replacement therefor

2. Date of Trust Agreement. Each of the Mortgage and Assignment contains a typographical error with respect to the date of the trust agreement establishing Trustee. The Mortgage and Assignment are hereby amended to provide the trust agreement establishing Trust No. 10-27454-09 is dated December 1, 1972 rather than December 1, 1970.

3. Continuing Effect. All the terms of the Mortgage are hereby incorporated by reference herein and in all respects, the Mortgage, except as hereby modified, shall remain in full force and effect. Mortgagor, by execution of this Agreement, hereby reaffirms, assumes and binds itself to all of the obligations, duties, rights, covenants, terms and conditions that are contained in the Mortgage and Assignment.

4. Exculpation. This First Modification of Mortgage and Assignment of Rents and Leases is executed by LASALLE NATIONAL TRUST, N.A. ("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 said Bank, hereby warrants that it possesses full power and authority to execute this instrument), and it is expressly understood and agreed that nothing herein or in said Note contained shall be construed as creating any liability on said Mortgagor or on said Bank personally hereunder, or to perform any covenant either express or implied herein contained, all such liability, if any, being expressly waived by Mortgagee and by every person now or hereafter claiming any right or security hereunder, and that so far as the Mortgagor and its successors and said Bank personally are concerned, the legal holder or holders of said Note, and the owner or owners of the indebtedness accruing hereunder shall look solely to the premises hereby conveyed for the payment thereof, by the enforcement of the lien hereby created, in the manner herein and in said Note provided or by action to enforce the personal liability of any guarantor.

70 82-649 D2 2 of 3 AC

(2)

AS

IN WITNESS WHEREOF, this First Modification of Mortgage and Assignment of Rents and Leases has been duly executed the day and year first above written.

ATTEST:

LASALLE NATIONAL TRUST, N.A., as trustee
as aforesaid

By: _____
Its: _____

By: [Signature]
Its: _____

BORROWER:

FOREST VIEW VENTURE

By: Joseph F. Sirotek, Trustee of the Joseph Sirotek Revocable Trust under agreement dated July 2, 1980, a general partner (1/6 interest)

By: H. Bruce Sirotek, Trustee under a written trust with H. Bruce Sirotek, dated July 1, 1982 or the successor(s) in Trust, a general partner (1/9 interest)

By: [Signature]
Joseph F. Sirotek, Trustee

By: [Signature]
H. Bruce Sirotek, Trustee

By: Rosalie M. Sirotek, Trustee of the Rosalie Sirotek Revocable Trust under agreement dated July 2, 1980, a general partner (1/6 interest)

By: Diana R. Collins a/k/a Diana R. Martin and H. Bruce Sirotek Trustees under a written trust with Diana R. Collins a/k/a Diana R. Martin dated November 1, 1982, or the successor(s) in Trust, a general partner (1/9 interest)

By: [Signature]
Rosalie M. Sirotek, Trustee

By: _____
Diana R. Collins a/k/a/ Diana R. Martin, Trustee

By: _____
H. Bruce Sirotek, Trustee

By: H. Susanne Sirotek, Trustee of the H. Susanne Sirotek Revocable Trust under agreement dated December 17, 1980, a general partner (1/6 interest)

By: Robert Sirotek, Trustee of the Robert Sirotek Revocable Trust under agreement dated December 17, 1980, general partner (5/48 interest)

By: [Signature]
H. Susanne Sirotek, Trustee

By: [Signature]
Robert Sirotek, Trustee

By: Stuart E. Grass, Trustee of the Robert L. Sirotek Gift Trust for Helen Sirotek under agreement dated December 26, 1985, a general partner (1/48 interest)

By: Stuart E. Grass, Trustee of the Robert L. Sirotek Gift Trust for Gordon Sirotek under agreement dated December 26, 1985, a general partner (1/48 interest)

By: [Signature]
Stuart E. Grass, Trustee

By: [Signature]
Stuart E. Grass, Trustee

By: Jonathan R. Sirotek, Trustee under a written Trust Agreement with Jonathan R. Sirotek dated January 5, 1983 or the successor(s) in Trust, a general partner (1/9 interest)

By: *Jonathan R. Sirotek*
Jonathan R. Sirotek, Trustee

By: Stuart E. Grass, Trustee of the Robert L. Sirotek Gift Trust for Mark Sirotek under agreement dated December 26, 1988, a general partner (1/48 interest)

By: *Stuart E. Grass*
Stuart E. Grass, Trustee

HJM:mk
T3121S.AGR
March 22, 1991

This Document Prepared by
and Following Recording Return to:

Harrison J. McCown, Esq.
LaSalle National Corporation
135 S. LaSalle Street
Chicago, Illinois 60603

Property of Cook County Clerk's Office

UNOFFICIAL COPY

IN WITNESS WHEREOF, this First Modification of Mortgage and Assignment of Rents and Leases has been duly executed the day and year first above written.

ATTEST:

LASALLE NATIONAL TRUST, N.A., as trustee
as aforesaid

By: _____
Its: _____

By: _____
Its: _____

BORROWER:

FOREST VIEW VENTURE

By: Joseph F. Sirotek, Trustee of the
Joseph Sirotek Revocable Trust
under agreement dated July 2,
1980, a general partner
(1/6 interest)

By: H. Bruce Sirotek, Trustee under a written
trust with H. Bruce Sirotek, dated
July 1, 1982 or the successor(s)
in Trust, a general partner (1/9 interest)

By: _____
Joseph F. Sirotek, Trustee

By: _____
H. Bruce Sirotek, Trustee

By: Rosalie M. Sirotek, Trustee of
the Rosalie Sirotek Revocable Trust
under agreement dated July 2, 1980, a
general partner (1/6 interest)

By: Diana R. Collins a/k/a Diana R. Martin
and H. Bruce Sirotek Trustees under a
written trust with Diana R. Collins a/k/a
Diana R. Martin dated November 1, 1982,
or the successor(s) in Trust, a general
partner (1/9 interest)

By: _____
Rosalie M. Sirotek, Trustee

By: Diana R. Collins a/k/a Diana R. Martin
Diana R. Collins a/k/a Diana R. Martin, Trustee

By: H. Bruce Sirotek
H. Bruce Sirotek, Trustee

By: H. Susanne Sirotek, Trustee of the
H. Susanne Sirotek Revocable Trust
under agreement dated December 17,
1980, a general partner (1/6 interest)

By: Robert Sirotek, Trustee of the Robert
Sirotek Revocable Trust under
agreement dated December 17, 1980,
general partner (5/48 interest)

By: _____
H. Susanne Sirotek, Trustee

By: _____
Robert Sirotek, Trustee

By: Stuart E. Grass, Trustee of the
Robert L. Sirotek Gift Trust for
Helen Sirotek under agreement
dated December 26, 1985,
a general partner (1/48 interest)

By: Stuart E. Grass, Trustee of the Robert
L. Sirotek Gift Trust for Gordon
Sirotek under agreement dated
December 26, 1985, a general partner
(1/48 interest)

By: _____
Stuart E. Grass, Trustee

By: _____
Stuart E. Grass, Trustee

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 JOSEPH F. LANG of LASALLE NATIONAL TRUST, N.A. (as successor trustee to LaSalle National Bank) and [redacted] of said Bank, who are personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such [redacted] and [redacted], 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, as Trustee, as aforesaid, for the uses and purposes therein set forth; and the said [redacted] and there acknowledged that said [redacted], as custodian of the corporate seal of said Bank, did affix said seal and attest to said instrument as his/~~her~~ own free and voluntary act and as the free and voluntary act of said Bank, as Trustee, as aforesaid, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 12th day of April, 1991.

[Signature]
Notary Public

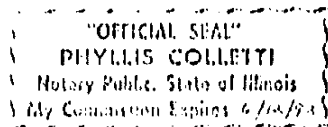
My Commission Expires: 12/19/94



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 JOSEPH F. SIROTEK, as trustee as aforesaid, who is 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 for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 8th day of April, 1991.



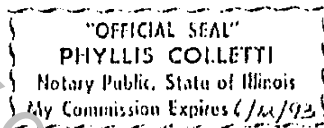
[Signature]
Notary Public

My Commission Expires: June 12, 1993

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 ROSALIE M. SIROTEK, as trustee as aforesaid, who is 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 for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 8th day of April 1991, 1991.



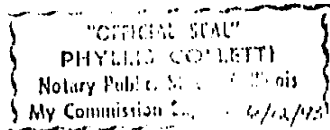
Phyllis Colletti
Notary Public

My Commission Expires:
June 12, 1993

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 H. SUZANNE SIROTEK, as trustee as aforesaid, who is 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 for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 8th day of April 1991, 1991.



Phyllis Colletti
Notary Public

My Commission Expires:
June 12, 1993

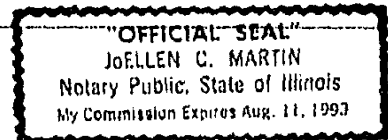
STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, do hereby certify that STUART E. GRASS, as trustee as aforesaid, who is 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 for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 16th day of April, 1991.

Joellen C. Martin
Notary Public

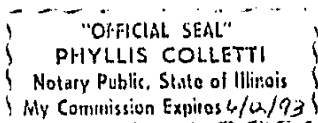
My Commission Expires:



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 JONATHAN R. SIROTEK, as trustee as aforesaid, who is 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 for the use and purposes therein set forth.

GIVEN under my hand and notarial seal this 8th day of April, 1991.



Phyllis Colletti
Notary Public

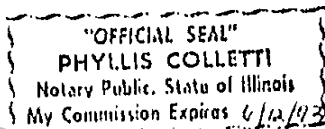
My Commission Expires:

June 12, 1993

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 H. BRUCE SIROTEK, as trustee as aforesaid, who is 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 for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 8th day of April 1991, 1991.



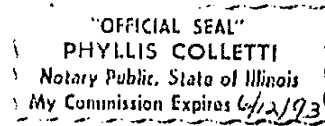
Phyllis Colletti
Notary Public

My Commission Expires:
June 12, 1993

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 DIANA R. COLLINS, as trustee as aforesaid, who is 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 for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 8th day of April 1991, 1991.



Phyllis Colletti
Notary Public

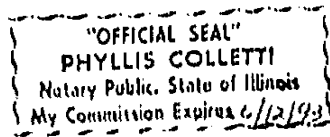
My Commission Expires:
June 12, 1993

UNOFFICIAL COPY 261241

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 ROBERT SIROTEK, as trustee as aforesaid, who is 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 for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 26th day of April, 1991.



Phyllis Colletti
Notary Public

HJM:mk
T31215.ACR
March 22, 1991

My Commission Expires:

June 12, 1993

Property of Cook County Clerk's Office

91254241

EXHIBIT A

Legal Description

PARCEL 1:

THAT PART OF LOT 2 IN ILLINOIS AUTO ELECTRIC COMPANY'S SUBDIVISION, BEING A SUBDIVISION IN THE NORTH 1/2 OF THE NORTH EAST 1/4 OF THE NORTH EAST 1/4 OF SECTION 8, TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO A PLAT THEREOF RECORDED JULY 8, 1959 AS DOCUMENT 17590754; ALSO THAT PART OF SAID NORTH 1/2 OF THE NORTH EAST 1/4 OF THE NORTH EAST 1/4 OF SECTION 8, ALL TAKEN AS A TRACT AND COMMENCING AT THE SOUTH EAST CORNER OF SAID LOT 2; THENCE NORTH 1 DEGREE 34 MINUTES 15 SECONDS WEST, ALONG THE EAST LINE THEREOF, 30.00 FEET TO ITS POINT OF INTERSECTION WITH A LINE DRAWN 30.00 FEET NORTH OF (MEASURED PERPENDICULARLY THERETO) AND PARALLEL WITH THE SOUTH LINE OF SAID LOT 2, TO A POINT OF BEGINNING; THENCE SOUTH 88 DEGREES 07 MINUTES 10 SECONDS WEST, ALONG SAID PARALLEL LINE, 359.07 FEET; THENCE NORTH 69 DEGREES 18 MINUTES 11 SECONDS WEST, 54.59 FEET, TO ITS POINT OF INTERSECTION WITH THE WEST LINE OF SAID LOT 2; THENCE NORTH 1 DEGREE 34 MINUTES 15 SECONDS WEST, ALONG SAID WEST LINE OF LOT 2, A DISTANCE OF 360.43 FEET, TO ITS POINT OF INTERSECTION WITH THE NORTH LINE OF SAID LOT 2; THENCE NORTH 88 DEGREES 07 MINUTES 10 SECONDS EAST, ALONG SAID NORTH LINE OF LOT 2, 409.38 FEET, TO THE NORTH EAST CORNER OF SAID LOT 2; THENCE SOUTH 1 DEGREE 34 MINUTES 15 SECONDS EAST, ALONG THE EAST LINE OF SAID LOT 2, A DISTANCE OF 381.38 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS

PARCEL 2:

THAT PART OF THE NORTH 1/2 OF THE NORTH EAST 1/4 OF THE NORTH EAST 1/4 OF SECTION 8 LYING WEST OF AND ADJOINING THE WEST LINE OF LOT 2 IN ILLINOIS AUTO ELECTRIC COMPANY'S SUBDIVISION, BEING A SUBDIVISION IN THE NORTH 1/2 OF THE NORTH EAST 1/4 OF THE NORTH EAST 1/4 OF SECTION 8, TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED THEREOF RECORDED JULY 8, 1959 AS DOCUMENT 17590754 DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH EAST CORNER OF SAID LOT 2; THENCE NORTH 1 DEGREE 34 MINUTES 15 SECONDS WEST, ALONG THE EAST LINE THEREOF, 30.00 FEET TO ITS POINT OF INTERSECTION WITH A LINE DRAWN 30.00 FEET NORTH OF (MEASURED PERPENDICULARLY THERETO) AND PARALLEL WITH THE SOUTH LINE OF SAID LOT 2; THENCE SOUTH 88 DEGREES 07 MINUTES 10 SECONDS WEST, ALONG SAID PARALLEL LINE, 359.07 FEET; THENCE NORTH 69 DEGREES 18 MINUTES 11 SECONDS WEST, 54.59 FEET, TO ITS POINT OF INTERSECTION WITH THE WEST LINE OF SAID LOT 2, SAID POINT BEING THE POINT OF BEGINNING; THENCE CONTINUING NORTH 69 DEGREES 18 MINUTES 11 SECONDS WEST ALONG THE NORTHWESTERLY EXTENSION OF THE LAST DESCRIBED COURSE, 18.32 FEET; THENCE NORTH 24 DEGREES 08 MINUTES 54 SECONDS WEST, 72.95 FEET TO ITS POINT OF INTERSECTION WITH A LINE DRAWN 45.00 FEET WEST OF AND PARALLEL WITH THE WEST LINE OF SAID LOT 2; THENCE NORTH 1 DEGREE 34 MINUTES 15 SECONDS WEST, 285.87 FEET, ALONG SAID LINE DRAWN 45.00 FEET WEST OF AND PARALLEL WITH THE WEST LINE OF LOT 2 TO ITS POINT OF INTERSECTION WITH THE WESTERLY EXTENSION OF THE NORTH LINE OF SAID LOT 2; THENCE NORTH 88 DEGREES 07 MINUTES 10 SECONDS EAST, ALONG SAID WESTERLY EXTENSION, 45.00 FEET TO THE NORTH WEST CORNER OF SAID LOT 2; THENCE SOUTH 1 DEGREE 34 MINUTES 15 SECONDS EAST, ALONG THE WEST LINE OF SAID LOT 2, A DISTANCE OF 360.43 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY,

19-08-201-019-0000

19-08-201-024-0000

ADDRESS: 4750 S. CENTRAL CHICAGO