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AGREEMENT AND ASSIGNMENT OF REAL ESTATE CONTRACT

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SBA Loan Number:
DLH-58640730-09

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THIS AGREEMENT dated April 27, 1994 between ORA BERKHALTER and DELBERT BERKHALTER (hereinafter called "Assignors") whose address is 6230 SOUTH CAMPBELL, CHICAGO, ILLINOIS 60629, and SMALL BUSINESS ADMINISTRATION, an agency of the United States, with principal office in Washington, D.C., and a District Office at POST OFFICE BOX 12247, BIRMINGHAM, ALABAMA 35202-2247 (hereafter called "Assignee" or "SBA"), WITNESSETH THAT

WHEREAS, ORA BERKHALTER and DELBERT BERKHALTER (Purchaser) have entered into an agreement dated AUGUST 5, 1987 with ADMINISTRATOR OF VETERANS AFFAIRS (Seller) to purchase the following described tract of land:

LOT 11 IN BLOCK 6 IN COBE AND MC KINNON'S 63RD STREET SUBDIVISION OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 13, TOWNSHIP 38 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 24, TOWNSHIP 38 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

being located at 6230 SOUTH CAMPBELL, CHICAGO, ILLINOIS 60629, and
(Street Address, City and State)

P.I.N. # 19-13-029-025

WHEREAS, Assignee requires additional collateral security from Assignors to collateralize ORA BERKHALTER's loan with SBA;

NOW, THEREFORE, in consideration of and as inducement for disbursement of said loan by Assignee to ORA BERKHALTER, Assignors hereby agree with Assignee, as follows:

1. That all right, title and interest in and to the aforesaid real estate sales contract entered into between ORA BERKHALTER AND DELBERT BERKHALTER (Purchaser) and ADMINISTRATOR OF VETERANS AFFAIRS (Seller) are hereby made a part of this Agreement and Assignment, and are hereby assigned to SBA.

2. Assignors further stipulate that no previous assignment has been made, that all terms of purchase contract have been or will be fulfilled, and agree further that no additional assignment will be made of the realty specified under the aforementioned contract.

3. Assignors agree that upon fulfilling the terms of the purchase and sale contract, they will execute a real estate mortgage to Assignee as additional collateral security for payment of a note dated AUGUST 18, 1993.

DEPT-01 RECORDING \$23.50
160004 TRAM 1303 05/17/94 10:03:00
#2211 # LF # 9-4-94-439955
COOK COUNTY RECORDER

CONTROL NUMBER: 2653-0453

2350 BANK

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6/10/10

Property of Cook County Clerk's Office

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4. Assignors agree that this assignment is made on the express understanding and agreement that so long as SBA as holder of the note has not obtained possession of the real estate assigned herein, the SBA as holder of the note shall not be liable for the performance of any of the obligations, agreements, or covenants, including but not limited to, the obligation to make payments under the real estate sales contract, and Assignors shall, notwithstanding this assignment, remain liable for the performance of all obligations, agreements and covenants, including but not limited to, the obligation to pay the balance due as provided for in the real estate sales contract assigned hereby.

THIS AGREEMENT shall inure to the benefit of successors and assigns of SBA and shall be binding not only upon Assignors but upon their successors and assigns. The unenforceability or invalidity of any provision(s) of this Agreement shall not render any other provision herein contained unenforceable or invalid.

IN WITNESS WHEREOF, Assignors have caused this Agreement to be executed the date and year first above written.

THIS INSTRUMENT PREPARED BY:
Terry J. Miller - Attorney Advisor
Small Business Administration
Disaster Assistance
One Baltimore Place, Suite 300
Atlanta, Georgia 30308

Ora Berkhalter
ORA BERKHALTER

Delbert M. Berkhalter
DELBERT BERKHALTER

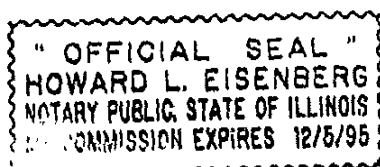
Rome Thompson
Witness

John Young
Witness

COUNTY OF COOK)
STATE OF ILL)SS

I, HOWARD L. EISENBERG a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that ORA BERKHALTER and DELBERT BERKHALTER the same person(s) whose name(s) are subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that they signed, sealed and delivered the said Instrument as their free and voluntary act, for the uses and purposes therein set forth, including waiver of rights and benefits under and by virtue of the Homestead exemption laws of the State of Illinois and federal law.

GIVEN under my hand and seal this 27 day of APRIL, 19 94.



Howard L. Eisenberg
Notary Public

My Commission Expires: _____

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