

UNOFFICIAL COPY

94758173

N931845 ① cmk

=====

SECOND AMENDMENT AND SUPPLEMENT

Dated as of August 15, 1994

To

MORTGAGE, SECURITY AGREEMENT AND FIXTURE FILING

Dated as of October 13, 1993

From

WINTHROP R & D HOLDINGS, INC.

To

WINTHROP HOLDINGS ACQUISITION CORP.

=====

94758173



Prepared by and after
 Recording, Please Return to:
 Lewis A. Burleigh, Esq.
 Day, Berry & Howard
 260 Franklin Street
 Boston, MA 02110
 (617) 345-4600

. DEPT-01 RECORDING \$39.50
 . T#7777 TRAN 7080 03/26/94 09:14:00
 . #9740 # DW *-94-758173
 . COOK COUNTY RECORDER

39/30
Jm

UNOFFICIAL COPY

Property of Cook County Clerk's Office

COOK COUNTY CLERK'S OFFICE
200 N. LAKE ST. CHICAGO, IL 60601
TEL: (773) 399-3000 FAX: (773) 399-3001
WWW.COOKCOUNTYCLERK.COM

UNOFFICIAL COPY

SECOND AMENDMENT AND SUPPLEMENT, dated as of August 15, 1994 (this Amendment), TO MORTGAGE, SECURITY AGREEMENT AND FIXTURE FILING, dated as of October 13, 1993 and recorded as Document Number 93825694, Records of Cook County, Illinois, as amended by a First Amendment and Supplement thereto, dated as of February 15, 1994 (collectively, the Mortgage), from Winthrop R & D Holdings, Inc., a Delaware corporation (Owner) having an address c/o Winthrop Financial Associates, One International Place, Boston, Massachusetts 02110, to Winthrop Holdings Acquisition Corp., a Delaware corporation (herein, together with its successors and assigns as mortgagee hereunder or as holder of an interest in the Notes hereinafter referred to, called Mortgagee), as mortgagee, having an address c/o Winthrop Financial Associates, One International Place, Boston, Massachusetts 02110.

PRELIMINARY STATEMENT

Capitalized terms used but not defined herein shall have the meanings set forth in the Mortgage.

Owner has borrowed an additional amount of \$4,559,000 from Mortgagee, such borrowing being evidenced by a Note in the original principal amount of \$4,559,000.

Owner is duly authorized to issue the Note and to execute and deliver this Amendment, and all actions required by law and all actions of Owner required therefor have been duly taken.

The Mortgage relating to the land parcel described on Schedule A hereto is hereby amended and supplemented as follows:

1. "Default Rate" shall mean the rate payable on the Notes plus 2% per annum, or the maximum rate permitted by law, whichever is lower.

2. "Improvements" shall also include without limitation, all improvements now or hereafter existing and conveyed by Holme Curtis, Inc. to Owner pursuant to the Bill of Sale, dated on or about the date hereof.

3. "Mortgagee Notes" shall also include the 8.85% Secured Notes Due August 1, 2012 issued by Mortgagee to Lender in the original principal amount of \$4,700,000 (and any note or notes issued from time to time in exchange or substitution therefor).

4. "Notes" shall also include the 8.85% Secured Notes Due August 1, 2012 (subject to earlier maturity in the event of accelerated principal repayment as therein provided), issued by Owner in the original principal amount of \$4,559,000 and secured hereby (and any note or notes issued from time to time in exchange or substitution therefor).

94753173

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

9 1 7 9 0 1 7 3

5. The "Pari-Passu Mortgage" shall also secure the obligations of Owner under its Secured Series D Preferred Stock.

6. "Personalty" shall also include the personalty described on Schedule B hereto.

7. The Notes shall be secured by the Mortgage, as amended by this Amendment.

8. This Amendment may be executed in counterparts, each of which shall be an original and which together shall constitute one and the same instrument.

9. Except as expressly amended by this Amendment, the Mortgage remains in full force and effect.

10. The following are Schedule A and Schedule B attached hereto and made a part hereof.

Property of Cook County Clerk's Office

947ES173

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

IN WITNESS WHEREOF, Owner and Mortgagee have caused this Amendment to be duly executed as of the day and year first above written.

Owner:

WINTHROP R & D HOLDINGS, INC.

By: _____

Name: James R. Greene
Title: President

Mortgagee:

WINTHROP HOLDINGS ACQUISITION CORP.

By: _____

Name: George L. Herbolshelmer
Title: Vice President

Consented To:

Mortgagee's Assignee:

PRINCIPAL MUTUAL LIFE INSURANCE
COMPANY

By: _____

Name:
Title:

By: _____

Name:
Title:

94755173

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

94788173

IN WITNESS WHEREOF, Owner and Mortgagee have caused this Amendment to be duly executed as of the day and year first above written.

Owner:

WINTHROP R & D HOLDINGS, INC.

By: _____

Name:
Title:

Mortgagee:

WINTHROP HOLDINGS ACQUISITION CORP.

By: _____

Name:
Title:

Consented To:

Mortgagee's Assignee:

PRINCIPAL MUTUAL LIFE INSURANCE
COMPANY

By: Karen A. Pearson

Name:
Title: KAREN A. PEARSON, Counsel

By: Leanne M. Swenson

Name:
Title: Leanne M. Swenson
Counsel

94788173

UNOFFICIAL COPY

Property of Cook County Clerk's Office

SEARCHED
SERIALIZED
INDEXED
FILED

2011
JAN
10
11
12

UNOFFICIAL COPY

94758173

[Illinois]

COMMONWEALTH OF MASSACHUSETTS)
COUNTY OF SUFFOLK) ss.:
)

The foregoing instrument was acknowledged before me this August 16, 1994 by JAMES H. GREENE, the PRESIDENT President of Winthrop R & D Holdings, Inc., a Delaware corporation, on behalf of the corporation.

Robert Begley
Notary Public
[SEAL]

My Commission expires: 4/6/2001

Property of Cook County Clerk's Office

94758173

UNOFFICIAL COPY

Property of Cook County Clerk's Office

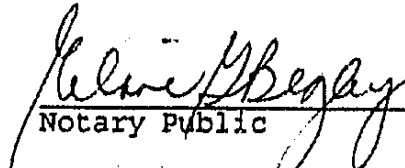
UNOFFICIAL COPY

9 1 7 5 0 1 7 5

[Illinois]

COMMONWEALTH OF MASSACHUSETTS)
) SS.:
COUNTY OF SUFFOLK)

The foregoing instrument was acknowledged before me this August 18, 1994 by GEORGE L. HERBOLSHEIMER as VICE PRESIDENT of Winthrop Holdings Acquisition Corp., a Delaware corporation, on behalf of the corporation.



Notary Public
My commission expires: 4/6/2001

[Seal]

Property of Cook County Clerk's Office

94758173

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

94756173

[Illinois]

STATE OF IOWA)
) SS.:
COUNTY OF POLK)

The foregoing instrument was acknowledged before me this August 18, 1994 by KAREN A. PEARSTON and LEANNE M. SWENSON as COUNSEL and COUNSEL, respectively, of Principal Mutual Life Insurance Company, an Iowa corporation, on behalf of the corporation.

Barbara M. Beaman
Notary Public

My commission expires:



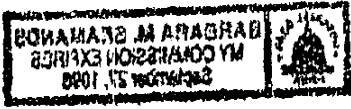
[Seal]

Property of Cook County Clerk's Office

94756173

UNOFFICIAL COPY

Property of Cook County Clerk's Office



UNOFFICIAL COPY

SCHEDULE A

ALL THAT LAND SITUATED IN COOK COUNTY, ILLINOIS AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTH 919.84 FEET (AS MEASURED ON THE WEST LINE THEREOF) OF THAT PART OF THE SOUTH HALF OF THE SOUTH HALF OF SECTION 7, TOWNSHIP 41 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTH OF THE NORTH LINE OF GOLF ROAD AS DEDICATED BY DOCUMENT 10494972 AND LYING EAST OF A LINE DRAWN FROM A POINT ON THE SOUTH LINE OF SAID SECTION 7, 1688.86 FEET EAST (AS MEASURED ON SAID SOUTH LINE) OF THE CENTER LINE OF ROHLWING ROAD, AS OCCUPIED, (SAID CENTER LINE OF ROHLWING ROAD BEING 345.57 FEET EAST OF THE SOUTHWEST CORNER OF SAID SECTION 7, AS MEASURED ON SAID SOUTH LINE OF SAID SECTION 7) TO A POINT ON THE NORTH LINE OF THE SOUTH HALF OF THE SOUTH HALF OF SAID SECTION 303.0 FEET EAST OF THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 7, TOWNSHIP 41 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, EXCEPT THE EAST 30 FEET THEREOF TAKEN FOR BARKER AVENUE (CURRENTLY KNOWN AS APOLLO DRIVE) AND EXCEPT THAT PART TAKEN FOR GOLF ROAD IN CASE 68L13469, IN COOK COUNTY, ILLINOIS, EXCEPTING THEREFROM THE FOLLOWING DESCRIBED TRACT: BEGINNING AT THE NORTHWEST CORNER OF THE ABOVE DESCRIBED TRACT; THENCE SOUTH ALONG THE WEST LINE OF SAID TRACT, 438.24 FEET; THENCE EAST PARALLEL TO THE NORTH LINE OF SAID TRACT, 274.00 FEET; THENCE NORTH AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE, 47.00 FEET; THENCE EAST AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE, 153.00 FEET; THENCE NORTH AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE 325.25 FEET TO A POINT 66.00 FEET SOUTH OF THE NORTH LINE OF SAID TRACT; THENCE EAST PARALLEL TO THE NORTH LINE OF SAID TRACT 572.57 FEET TO THE EAST LINE OF SAID TRACT; THENCE NORTH ALONG THE EAST LINE OF SAID TRACT 66.00 FEET TO THE NORTHEAST CORNER OF SAID TRACT; THENCE WEST ALONG THE NORTH LINE OF SAID TRACT 1000.65 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS

(CONTAINING 15.00 ACRES, MORE OR LESS)

THE STREET ADDRESS OF THE PROPERTY IS 3100 GOLF ROAD, POLLING MEADOWS, COOK COUNTY, ILLINOIS.

PERMANENT INDEX NUMBER 08-07-403-017 and 08-07-403-018

94758173

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

SCHEDULE B

PERSONALTY

GTE TELEPHONE & TELEPHONE RELATED HARDWARE

<u>QUANTITY</u>	<u>DESCRIPTION</u>
10	NTZK08AA35 ASH M2008 BASIC SET
213	NTZK08AA35 ASH M2008 SINGLE LINE
1	NTGG00AE35 M2250 ATTENDANT CONSOLE
13	NT8D02AB DIGITAL LINE CARD
11	NT8D02AK ANALOG LINE CARD
3	NT8D14B4 UNIVERSAL TRK CARD
2	NT8D16AB DIGITONE RECEIVER
2	NT8D42CB RING GENERATOR
2	AS1054D IPE MODULE ASSEMBLY
2	NT8D49AA COLUMN SPACER KIT
2	NT8D04BA SUPERLOOP NETWORK CARD
2	NT8D91AE NETWORK TO CONTR. CABLE
32	25CX50 PE CABLE
16	68M150 BLOCK AND BRACKET
1	NTSC06CA 25 AMP MOD. RECTIFIER
125	2554 STYLE WALL SET
4	ELEVATOR PHONE
1	EXPLOSION PROOF WALL SET (281)
1	QPC 414 DUAL LOOP NETWORK CARD
2	QPC 471 CLOCK CONTROLLER
2	AS1061 PRI ASSEMBLY
1	NT8D75AD CLOCK TO CLOCK CABLE
4	NT8D78 DTI TO CLOCK CABLE
2	77695 KENTROX D-4 CSU
2	77995 KENTROX POWER SUPPLY
2	9305D151 KENTROX DB15/RJ48 CABLE
2	SW0000C REL 19 BASE SOFTWARE
7	SW0050A NETWORKING
2	WALKER AMPLIFIER BOX (W10)
4	MPR052135 20 2816 DSPY & DLC
1	MPR0518 MDU/MEMORY/ROM UPGRADE

94758173

UNOFFICIAL COPY

Property of Cook County Clerk's Office

94932585
11 2011