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ILLINOIS MORTGAGE AND ASSIGNMENT OF MORTGAGE

This Mortgage is made on this day, _ April 18, 1996

, between the Mortgagor, POSE A. DIAZ AND BETSY GORDILS DIAZ,

His ivipe, as joint tenants

fhereinafter referred to as "Mortgagor" whether singular or plural) for and on consideration of the sum of one and No/100 (\$1.00) together with other good and valuable consideration, cash in hand paid by.

HILLS GARAGE MART

(hereinafter referred to as ("Mortgagee") receipt of which consideration is hereby acknowledged do hereby grant, bargain, sell, convey and warrant unto Mortgagee and unto its successors and a signs forever, the following properties, situated in the County of COOK , State of Illinois To-wit:

LOT 31 IN BLOCK 2 IN CEPEN, CEPMAK AND FRIEDL'S SUBDIVISION OF LOTS 2, 3, 6, 7 AND 10 IN KERFOOT'S SUBDIVISION OF THE EAST 1/2 OF THE NORTH WEST 1/4 OF SECTION 28, TOWN 5/1/2 40 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY JILLINOIS. P.I.N. 13-28-106-030

ADDRESS OF THE PROPERTY:

5328 W. BARRY CHICAGO, IL 60641

To have and hold the same unto Mortgagee and unto its successors and assigns forever, together with all appurtenances thereinto belonging, and all fixtures and equipment used or useful in connection with said property, Mortgagor hereby covenants by and with Mortgagor that Mortgagor will forever warrant and defend the Title to said properties against any and all claims of any nature or kind whatsoever. And, we the Mortgagor for and in consideration of the considerations herein before recited, do hereby release, and relinquish unto Mortgagee all our rights of dower, curtesy and Homestead on and to the above-described lands.

The grant of Mortgage is on the condition that whereas Morgago is justly indebted unto Mortgagee in the sum of

Six Thousand Six Hundred Sixty One Dollars (\$6,661.00), evidenced by one retail recution date, in the sum of \$6,661.00, bearing interest from date until due as provided we monthly installments of \$160.22 each, except the final installment, which shall be the installment contract ("The Contract") of even execution date, in the sum of in the contract, payable in 60 equal successive monthly installments of balance then due on the contract.

This instrument shall also secure the payment of any and all renewals and/or extensions of said indebtedness, or any portion hereof together with any and all amounts that the Mortgagor now owes or may owe the Mortgagee, either circut or by endorsement, at any time between this date and the satisfaction of record of lien of this instrument, including any and all future advances that may by Morigagee be made to the Morigagor jointly and/or severally, either direct or by endorsement.

Mortgagor and Mortgagee acknowledge and represents that a material part of the consideration for the indebtedness owed by Mortgagors to Mortgagee is that the entire unpaid balance of principal and accrued interest due on said independence, shall be paid prior to the sale, transfer, encumbrance, contract of sale, contact to transfer or contract to encumber all or any part of or interest in the Mortgaged property. In the event of the sale, transfer encumbrance contract of sale, contract to transfer or contract to encumber all or any part of the property herein described, without the prior written approval of Mortgagee, contract to transfer or contract to encumber shall constitute a default under the Mortgage and the indebtedness evidence by the contract hereinabove described shall be immediately die and payable on the election of Mortgagee regardless of the financial position (net worth) of the proposed transferee.

Mortgagor hereby agrees and covenants to pay any and all taxes both general and special as same may be assessed vid become due and payable and of required by Mortgagee to keep all buildings located upon the premises insured against loss and damage from fire tornado and extended coverage insurance in a company and amount acceptable to Mortgagee, with standard Mortgagee clause in favor of Mortgagee as its interest appears, and with adequate flood coverage under the National Flood Insurance Program, and pay the premiums thereon. If Mortgagor fails to pay and such taxes or obtain taxes and/or insurance premiums, and the amount so paid shall constitute a charge against the Mortgagor and added to the amount due hereunder, shall be secured hereby and shall be, without demand, immediately repaid by Mortgagor to Mortgagee with interest thereon at the rate then applicable to the unpaid balance of the principal as set forth in the above-referenced contract.

In addition to pledging the property as herein before mentioned, Mortgagor also hereby pledges and all profits, rents and income accruing in connection with said property. However, the right is reserved to the Mortgagor to collect the profits, rents and/or as same mature and become due and payable, then at the option of the Mortgagee, its assigns or the holders of the indebtedness, all the remaining unpaid portion thereof shall become due and pavable, and the lien of this instrument subject to foreclosure by suit filed in chancery court of the county in which the above described property is situated. Failure to exercise the option herein granted to declare the entire balance due and payable on the default shall not be a waiver to exercise the option in any subsequent default.

But, if the undersigned shall pay all of the indebtedness secured by this mortgage, at the time and in the manner set out above, and shall fully do and perform all of the other obligations herein assumed by the undersigned the above conveyance shall be null and void; otherwise, to remain in full force and effect.

(Page 1 of 2)

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STATE OF ILLINOIS COUNTY OF COOK				
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