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. DEPT-01 RECORDING \$35.00  
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. 12863 P.C.G. 8-96-625758  
. COOK COUNTY RECORDER

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Third Supplemental Trust Indenture

3500  
BJ

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PREPARED BY AND RETURN TO:

BRENDA FERGUSON  
BOATMEN'S FIRST NATIONAL BANK OF AMARILLO  
CBT DEPARTMENT  
P. O. BOX 1331  
AMARILLO, TX 79180

**BOX 333-CTI**

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## THIRD SUPPLEMENTAL TRUST INDENTURE

THIS THIRD SUPPLEMENTAL TRUST INDENTURE by and between BOATMEN'S FIRST NATIONAL BANK OF AMARILLO, a national banking association having trust powers with its principal office located in Amarillo, Texas, formerly known as The First National Bank of Amarillo, as Successor Trustee to Trust Company of America (the "Trustee") and OMEGA MISSIONARY BAPTIST CHURCH, INC., Chicago, Illinois, an Illinois non-profit corporation ("Issuer"),

### WITNESSETH:

WHEREAS, Issuer has heretofore executed and delivered to Trust Company of America as original Trustee that certain Trust Indenture dated as of October 1, 1988 (the "Original Indenture") for the purpose of providing for the issuance and governing the administration of bond issue no. 1191 in the aggregate principal amount of \$650,000 (the "Original Bonds") secured by a Trust Deed, Security Agreement and Fixture Filing recorded as Document No. 89026692 in the Records of Cook County, Illinois on January 18, 1989 (the "Trust Deed"); and

WHEREAS, Trustee was appointed Successor Trustee to the Trust Company of America as original Trustee effective March 8, 1990 pursuant to an Order of the 251st District Court in and for Randall County, Texas, dated February 2, 1990 in Cause No. 33,305-C; and

WHEREAS, as permitted by Section 209 of said Original Indenture, the following "Additional Parity Bonds" were issued pursuant to Supplemental Indentures:

1. Supplemental Trust Indenture dated May 24, 1990 and filed in the Records of Cook County, Illinois as Document No. 90244149 (the "First Supplemental Indenture"), also secured by said Trust Deed regarding the following bond issues of April 1, 1990:
  - a. Bond issue no. 1300 in the original principal amount of \$238,250 (Series 1990-II);
  - b. Bond issue no. 1301 in the original principal amount of \$85,000 (Series 1990-III);

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2. Supplemental Trust Indenture dated June 15, 1991 recorded as Document No. 21324825 in the Records of Cook County, Illinois (the "Second Supplemental Indenture"), also secured by said Trust Deed, securing bond issue no. 1310 on June 15, 1991 in the original principal amount of \$95,000;

and

WHEREAS, each of the aforesaid Supplemental Trust Indentures provides as follows:

Article XII. Section 1. Additional Bonds. The Issuer shall have the right to issue Additional Bonds to be secured hereby provided it is not in default under any provision of this Indenture. Such Additional Bonds shall be issued pursuant to resolution duly adopted by the governing body of the Issuer provided, however, that the Additional Bonds are issued pursuant to a supplement to this Trust Indenture. An executed copy of the Supplemental Trust Indenture signed by the Issuer and the Trustee, when recorded in the Deed Records of the Political Subdivision in the State where the Premises is located, shall serve as a modification of this Indenture. Such Additional Bonds shall be of equal standing and priority with the original series of bonds secured hereby (a) if all proceeds from the sale of such Additional Bonds (after deducting brokers' commissions and expenses of sale and issue) are expended to make further improvements on the premises conveyed in this Indenture, and/or (b) to retire bonds of the original series secured hereby, or any other series of equal standing and priority (at maturity or early redemption), (c) to acquire additional property to become subject to the lien of this Indenture, and/or (d) to refinance indebtedness which has priority over the bonded indebtedness authorized by the terms of this Trust Indenture. In no event shall the Additional Bonds issued be in excess of the principal amount of \$5,000,000.00.

Article XVI. ...In the event of any conflict between the terms of this Supplemental Trust Indenture and the Trust Deed, the provisions of this Supplemental Trust Indenture shall control;

and

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WHEREAS, it is the desire of Issuer to issue up to \$850,000 in additional parity bonds for the purpose of refunding and redeeming pursuant to the terms of the Original Indenture and both Supplemental Indentures all or part of the outstanding bonds of said bond issues nos. 1191, 1300, 1301 and/or 1310, which Additional Bonds shall be on a parity or *pari passu* basis with each other and with said Original Bonds and said bonds supplementally issued;

NOW, THEREFORE, in consideration of the premises, the acceptance by the Trustee of the Trust to be created, the mutual covenants contained in the Original Indenture and all Supplemental Indentures, the purchase and acceptance of the Additional Bonds by the registered owners thereof, and for other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Trustee and Issuer do hereby agree as follows:

**Section 1.** That Issuer shall be authorized to issue up to \$850,000 in additional parity bonds.

**Section 2.** That all Bonds described in this Third Supplemental Trust Indenture (expressly excluding bond issue no. 1302, the Series 1990-IV second mortgage bonds in the original principal amount of \$100,000) shall be on a parity and shall be *pari passu* with all Bonds previously issued by Issuer under said Original Indenture and said First and Second Supplemental Indentures of May 24, 1990 and June 15, 1991, respectively, it being the understanding and agreement of Issuer and Trustee that all registered bondholders of said Bonds as well as all registered bondholders of the Additional Bonds to be issued pursuant to this Third Supplemental Trust Indenture shall have identical rights as between themselves and as against the Issuer or any third party, as if all of the bonds which have been originally issued pursuant to the Original Indenture, or Additional Bonds which have been issued pursuant to said First and Second Supplemental Trust Indentures of May 24, 1990 and June 15, 1991, as well as the Additional Bonds to be issued pursuant to this Third Supplemental Trust Indenture, were simultaneously issued under one single Trust Indenture, a default as to any one bond issue constituting a default as to all other bond issues, and all being secured, *pari passu* by the same Property.

**Section 3.** The following shall be substituted for Section 3 of said First and Second Supplemental Indentures:

"The interest received by Trustee from the investment of bond proceeds and sinking fund payments shall in its entirety constitute Trustee's base fee due hereunder. In addition, Issuer shall pay to

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Trustee a weekly fee equal to \$2.00 per \$100,000 (.00002) of the total principal amount of all Bonds originally and additionally offered and sold. Such fee shall be added to and included in the weekly or monthly sinking fund payment required of issuer. In the event issuer becomes fifteen (15) days or more delinquent in the payment of the sinking fund payments, Trustee shall be paid, in addition to the fees described above, \$10 per week per \$100,000 or fraction thereof of the original amounts of issue until such delinquency is cured. In the event issuer prepays or exchanges all or part of the Bonds, Trustee shall further charge an additional handling fee in the greater amount of \$2.50 per bond prepaid or exchanged or \$300, plus stationery and postage costs of \$50 for prepayment and \$250 for an exchange."

**Section 4.** Section 1108 of the Original Indenture has been rendered void in its entirety effective September 8, 1989 by Order of the 331st District Court in and for Travis County, Texas entered April 20, 1990 in Cause No. 462,411.

**Section 5.** The Original Indenture, except as clarified, supplemented and/or modified by the First, Second and Third Supplemental Trust Indentures, will otherwise remain in full force and effect and all four documents shall hereafter be collectively referred to as the "Indenture."

**Section 6.** All terms, conditions and provisions of the Trust Deed, Security Agreement and Fixture Filing filed as Document No. 80926691 in the records of Cook County, Illinois, except as expressly modified and amended to include within its security the additional parity bonds issued pursuant to the First, Second and Third Supplemental Indentures, shall remain in full force and effect.

**Section 7.** This Third Supplemental Trust Indenture shall be effective as of the latter date set forth below and may be simultaneously executed in several counterparts, each of which shall be an original and all of which shall constitute one and the same instrument.

IN WITNESS WHEREOF, OMEGA MISSIONARY BAPTIST CHURCH, INC. has caused these presents to be signed in its name and behalf by its President and attested by its Secretary, and to evidence its acceptance of the Trust hereby created, BOATMEN'S FIRST NATIONAL BANK OF AMARILLO, as Trustee, has caused these presents to be signed in its name and behalf by one of its duly authorized corporate trust officers, and attested by one

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of its authorized corporate officers, all as of the latter date written below.

ATTEST:

OMEGA MISSIONARY BAPTIST CHURCH,  
INC. of Chicago, Illinois, an  
Illinois non-profit corporation

Name: W. S. Bruce  
Title: Church Deacon

BY: [Signature]  
Title: Pastor  
Date: 2-6-96

ATTEST:

Name: Ronnie Gilbert  
Title: Treasurer

BOATMEN'S FIRST NATIONAL BANK  
OF AMARILLO, a national banking  
association, not personally but  
solely as trustee

BY: [Signature]  
Title: Vice President & Trust Officer  
Date: 10-23-94

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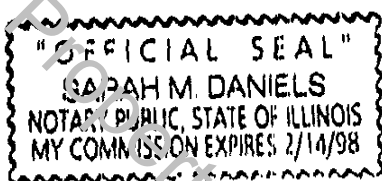
APR 18 1996

THE STATE OF ILLINOIS

COUNTY OF COOK

CBT

This instrument was acknowledged before me on this 2 day of April, 1996 by Joseph Henry of OMEGA MISSIONARY BAPTIST CHURCH, an Illinois non-profit corporation, in said capacity and on behalf of said non-profit corporation.

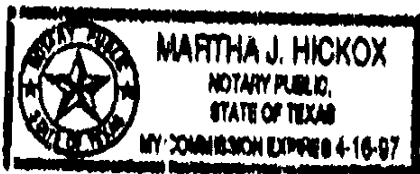


Sarah M. Daniels  
Notary Public, State of Illinois  
My Commission Expires: 2/14/98

THE STATE OF TEXAS

COUNTY OF POTTER

This instrument was acknowledged before me on this 23rd day of October, 1995 by Mozelle Hedrick Vice-President & Trust Officer of BOATMAN'S FIRST NATIONAL BANK OF AMARILLO, a national banking association, in said capacity and on behalf of said bank.



Martha J. Hickox  
Notary Public, State of Texas  
My Commission Expires 4-16-97

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## EXHIBIT A

### LEGAL DESCRIPTION

LOTS 31 THROUGH 38 IN BLOCK 4 IN WINSTON'S SUBDIVISION OF THE SOUTH 3/4 ACRES OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 38 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

STREET ADDRESS: OMEGA MISSIONARY BAPTIST CHURCH  
4625-27 SOUTH STATE STEET  
CHICAGO, IL 60609

REAL ESTATE TAX NUMBERS: 20-03-318-005  
20-03-318-006  
20-03-318-007

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