96347828

RENEWAL MODIFICATION AGREEMENT

This Note and Mortgage Modification Agreement (the "Agreement", is made as of the 1st day of April, 1996, by and among Waterford East, Inc., ("Borrowers") and NBD BANK, a state banking corporation ("NBD"):

WITNESSETH:

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WHEREAS, NBD has loaned SIX HUNDRED TWENTY SIX THOUSAND TWO HUNDRED FIFTY DOLLARS AND 00/200 (\$626,250.00) Dollars to Borrowers (the "Loan") and,

WHEREAS, the Loan is evidenced by a Note dated DECEMBER 27, 1994, made by Borrowers in the principal amount of SIX HUNDRED TWENTY SIX THOUSAND TWO HUNDRED FIFTY DOLLARS AND 00/100 (\$626,250.00) Dollars (the "Note"); and

WHEREAS, the Note is secured by a Morugage dated December 27, 1994, made by Borrowers to the Mortgagee and recorded December 28, 1994, in the Office of the Recorder of Deeds of Cook County, Illinois as Document Number 04078770 (the "Mortgage"), which Mortgage was modified by an Unrecorded Modification Agreement dated July 1, 1995; extending the Maturity date to September 1, 1995; and

WHEREAS, the Mortgagee and Borrower have previously entered into a subsequent Modification Agreement (the "Modification Agreement") dated September 1, 1995 and Recorded in the Office of the Recorder of Deeds of Cook County Illinois on January 1, 1996, as Document Number 96063580, whereby amongst other things, the amount of indebtedness secured by the Mortgage was decreased from \$626,250.00 to \$482,250.00, and the Maturity date of said Note was extended to April 1, 1996; encumbers the property described in Exhibit "A" attached hereto (the "Property"); and,

WHEREAS, the Borrowers have requested and NBD has agreed to modify the terms and conditions of the Note and Mortgage in accordance with the terms and conditions herein contained:

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NOW, THEREFORE, in consideration of the foregoing and for other good and valuable consideration, the receipt of which is hereby acknowledged, Borrowers and NBD agree as follows:

- 1. The date "April 1, 1996" (the "Maturity Date"), whenever it appears in the Note and Mortgage is hereby deleted and October 1, 1996, (the "New Maturity Date") is substituted thereby extending the maturity date of the Note to the New Maturity Date.
- 2. The Borrowers hereby acknowledge that, as of the date of this Agreement, the outstanding principal balance owed under the Note is FOUR TUNDRED EIGHTY TWO THOUSAND ONE HUNDRED EIGHTY SIX DOLLARS and ?//100 (\$482,186.37) Dollars and there is no outstanding interest owed under the Note as of April 1, 1996.
- 3. The interest rate of PRIME PLUS ONE (P + 1%) percent per annum as set forth in the Note shall remain the same.
- 4. The monthly installments of interest payments only and a final payment of outstanding principal plus accrued interest due at maturity shall remain the same.
- 5. Borrowers shall cause to be delivered to Mortgagee, within ninety (90) days after the close of each calendar year ending during the term of this Mortgage, annual financial statements of the Borrowers on a form approved by Mortgagee setting forth the information therein as of the immediately preceding year, and a cashflow statement on all investment real estate in such detail as Mortgagee may reasonably require.
- 6. As used in the Note and Mortgage, the terms "Note" and "Mortgage" shall mean and include each of said instruments, respectively, as supplemented and modified by this Agreement.
- 7. As supplemented and modified hereby, each of the Note and Mortgage is hereby ratified, adopted and confirmed.

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IN WITNESS WHEREOF, the parties have executed or caused this Agreement to be executed by their duly authorized representatives as of the day and year first written above.

Waterford East, Inc.

George J. Cyrus, Jr.

Secretary and Vice President

Walter H. Kihm, Jr. Aresident

Olypic Clarks Office

NBD BANK

By: Linda M. Sikora

Its: Assistant Vice President

ATTEST:

By: Jack O. Bernhard

Its: Vice President

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STATE OF ILLINOIS)
) SS
COUNTY OF <u>Cook</u>)
I, <u>Jill Hosman</u> , a Notary Public in and for said County and State, do hereby certify that the above named
for said County and State, do hereby certify that the above named
John D. Bernhard and Linda M. Sikora
of NBD BANK, personally known to me to be the same persons whose
names are subscribed to the foregoing instrument as such
<u>Vice President</u> and <u>Assistant Vice President</u>
respectively, appeared before me this day in person and
acknowledged that they signed and delivered said instrument as
their own free and voluntary act and as the free and voluntary act
of said Company for the uses and purposes therein set forth.
GIVEN prior my hand and official seal, this 18th day of
GIVEN under my hand and official seal, this /8 day of
Ox () () () () () () () () () (
Notary Public
"OFFICIAL SEAL" JILL HOSMAN
Notary Public, State of Illinois
My Commission Expires 1-27-2000
STATE OF ILLINOIS)
) SS
COUNTY OF COOK
O / / MI O
I, Jose / ashirmed a Notary Public in and for
said County and State, do hereby certify that George J. Cyrus, Jr.
and Walter H. Kihm personally known to me to be the same persons
whose names are subscribed to the foregoing instrument, appeared
before me this day in person, and acknowledged that they signed and
delivered said instrument as their free and voluntary act, for the
uses and purposes therein set forth.
Ω #
GIVEN under my hand and official seal, this day of
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Notary Public
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?;;;;;;;;;;;;;;;;;;;;;;;;;;;;;;;;;;;;;;
3 "OFFICIAL SEAL" 8
THIS INSTRUMENT PREPARED BY:
NBD BANK Notary Public, State of Illinois My Commission Expires 1/5/30
1603 ORRINGTON AVENUE
EVANSTON, ILLINOIS 60204
Jill Hosman

9634782

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MODIFICATION AGREEMENT

EXHIBIT "A"

LEGAL DESCRIPTION

The South 49 feet of lot 10 in Block 25 in Evanston, in Section 18, Township 41 North, Range 14, east of the Third Principal meridian, in Cook County, Illinois.

PIN:

11-18-409-002

PROPERTY ADDRESS: 1519 Hinman, Evanston, Illinois 60201

Units 1D, 5D, 6D, & 2S

Tonits

Or County Clark's Office M.B. D. Bunt 1603 Orkington Ave EVANSTON IZ 60204

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