

Debtor(s) (Last Name First) and address(es)
KELLY NISSAN, INC.
4300 WEST 95TH STREET
OAK LAWN, IL 60453

Secured Party(ies) and address(es)
FIRST NATIONAL BANK OF EVERGREEN
PARK
4900 WEST 95TH STREET
OAK LAWN, IL 60453

UNOFFICIAL COPY

For Filing Officer
(Date, Time, Number, and Filing Office)

97647286 Page 1 of 6

1. This financing statement covers the following types (or items) of property:
SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF.

2. (If collateral is crops) The above described crops are growing or are to be grown on:
(Describe Real Estate)

3. (If applicable) The above goods are to become fixtures or (The above timber is standing on . . .) (The above minerals or the like (including oil and gas.)
or accounts will be financed at the wellhead or minehead of the well or mine located on . . .) (Strike what is inapplicable) (Describe Real Estate)

THE REAL PROPERTY DESCRIBED ON SCHEDULE I ATTACHED HERETO AND MADE A PART HEREOF.

and this financing statement is to be filed in the real estate records. (If the debtor does not have an interest of record)
The name of a record owner is

FIRST NATIONAL BANK OF EVERGREEN PARK, AS TRUSTEE UNDER TRUST NO. 15255 DATED JANUARY 8, 1997

4. Products of Collateral are also covered.

4 Additional sheets presented.
X Filed with Recorder's Office of COOK County, Illinois.

KELLY NISSAN, INC.
By: *Arthur W. Kelly*
Signature of (Debtor)
ARTHUR W. KELLY, PRESIDENT (Secured Party)
& SECRETARY

*Signature of Debtor Required in Most Cases;
Signature of Secured Party in Cases Covered By UCC 9-402 (2)

FILING OFFICER COPY-ALPHABETICAL

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

EXHIBIT A

Debtor: KELLY NISSAN, INC.

Secured Party: First National Bank of Evergreen Park

This financing statement covers any and all right, title and interest of the Debtor, whether now owned or existing or hereafter created, acquired or arising, in and to the following:

PART I.

(a) *Receivables.* All Receivables, whether now owned or existing or hereafter created, acquired or arising, and however evidenced or acquired, or in which the Debtor now has or hereafter acquires any rights (the term "Receivables" means and includes all accounts, non-factory accounts receivable, contract rights, instruments, notes, drafts, acceptances, documents, chattel paper, and all other forms of obligations owing to the Debtor, any right of the Debtor to payment for goods sold or leased or for services rendered, whether or not earned by performance, and all of the Debtor's rights to any merchandise and other goods (including, without limitation, any returned or repossessed goods and the right of stoppage in transit) which is represented by, arises from or is related to any of the foregoing);

(b) *General Intangibles.* All General Intangibles, whether now owned or existing or hereafter created, acquired or arising, or in which the Debtor now has or hereafter acquires any rights (the term "General Intangibles" means and includes all general intangibles, patents, patent applications, patent licenses, trademarks, trademark registrations, trademark licenses, trade styles, trade names, copyrights, copyright registrations, copyright licenses and other licenses and similar intangibles, all customer, client and supplier lists (in whatever form maintained), all rights in leases and other agreements relating to real or personal property, all causes of action and tax refunds of every kind and nature, all privileges, franchises, immunities, licenses, permits and similar intangibles, all rights to receive payments in connection with the termination of any pension plan or employee stock ownership plan or trust established for the benefit of employees of the Debtor, and all other personal property (including things in action) not otherwise covered hereby);

(c) *Inventory.* All Inventory, whether now owned or existing or hereafter created, acquired or arising, or in which the Debtor now has or hereafter acquires any rights, and all documents of title at any time evidencing or representing any part thereof (the term "Inventory" means and includes all inventory and any other goods which are held for sale or lease or are to be furnished under contracts of service or consumed in the Debtor's business, all goods which are raw materials, work-in-process or finished goods, all goods which are returned or repossessed goods, and all

615370.01.02
1441062/SGH
6/9/97



Return to: 1274043-3
LEXIS DOCUMENT SERVICES
135 S. LaSalle, Suite 2200
Chicago, Illinois 60603

2/50
2/50

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

materials and supplies of every kind and nature used or usable in connection with the acquisition, manufacture, processing, supply, servicing, storing, packing, shipping, advertising, selling, leasing or furnishing of the foregoing, and any constituents or ingredients thereof, provided that the term "Inventory" shall exclude all new vehicles and pre-owned vehicles acquired by the Debtor from either Nissan Motor Corporation, U.S.A. or Nissan Motor Acceptance Corporation and then only to the extent then being financed by, and subject to a lien in favor of, Nissan Motor Acceptance Corporation);

(d) *Equipment.* All Equipment, whether now owned or existing or hereafter created, acquired or arising, or in which the Debtor now has or hereafter acquires any rights (the term "Equipment" means and includes all equipment and any other machinery, tools, fixtures, trade fixtures, furniture, furnishings, office equipment, vehicles (including vehicles subject to a certificate of title law), and all other goods now or hereafter used or usable in connection with the Debtor's business, together with all parts, accessories and attachments relating to any of the foregoing);

(e) *Investment Property.* All Investment Property, whether now owned or existing or hereafter created, acquired or arising, or in which the Debtor now has or hereafter acquires any rights (the term "Investment Property" means and includes all investment property and any other securities (whether certificated or uncertificated), security entitlements, securities accounts, commodity contracts and commodity accounts, including all substitutions and additions thereto, all dividends, distributions and sums distributable or payable from, upon, or in respect of such property, and all rights and privileges incident to such property);

(f) *Deposits and Property in Possession.* All deposit accounts (whether general, special or otherwise) of the Debtor maintained with the Secured Party and all sums now or hereafter on deposit therein or payable thereon, and all other personal property and interests in personal property of the Debtor of any kind or description now held by the Secured Party or at any time hereafter transferred or delivered to, or coming into the possession, custody or control of, the Secured Party, or any agent or affiliate of the Secured Party, whether expressly as collateral security or for any other purpose (whether for safekeeping, custody, collection or otherwise), and all dividends and distributions on or other rights in connection with any such property, in each case whether now owned or existing or hereafter created, acquired or arising;

(g) *Records.* All supporting evidence and documents relating to any of the above-described property, whether now owned or existing or hereafter created, acquired or arising, including, without limitation, computer programs, disks, tapes and related electronic data processing media, and all rights of the Debtor to retrieve the same from third parties, written applications, credit information, account cards, payment records, correspondence, delivery and installation certificates, invoice copies, delivery receipts, notes and other evidences of indebtedness, insurance certificates and the like, together with all books of account, ledgers and cabinets in which the same are reflected or maintained;

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

(h) *Accessions and Additions.* All accessions and additions to, and substitutions and replacements of, any and all of the foregoing, whether now owned or existing or hereafter created, acquired or arising; and

(i) *Proceeds and Products.* All proceeds and products of the foregoing and all insurance of the foregoing and proceeds thereof, whether now owned or existing or hereafter created, acquired or arising.

PART II.

Any and all right, title, interest and claim of Debtor in and to, and under or pursuant to, the Nissan Dealer Sales and Servicing Agreement between Nissan Motor Corporation U.S.A. ("Nissan") and Debtor, as the same may be amended, supplemented, or restated from time to time, and all instruments and documents delivered pursuant thereto (the Nissan Dealer Sales and Servicing Agreement and all instruments and documents delivered pursuant thereto or in connection therewith, as modified or amended from time to time, being hereinafter referred to collectively as the "Collateral Documents"), (ii) all sums due and to become due to Debtor under the Collateral Documents and all rights to all collateral or security for any of the Collateral Documents, and (iii) all proceeds and products of any and all of the foregoing.

PART III.

Any and all of the right, title and interest of the Debtor in, to or under that certain Trust Agreement dated January 8, 1997 (the "Trust Agreement"), and known as Trust Number 15255 executed by First National Bank of Evergreen Park, as Trustee, including, without limitation, the beneficial interest thereunder, the power of direction and all other rights, powers and privileges thereunder, and all proceeds and avails of the foregoing.

UNOFFICIAL COPY

Property of Cook County Clerk's Office

SCHEDULE 7
UNOFFICIAL COPY
LEGAL DESCRIPTION

PARCEL 1 (A)

THE EAST 69.25 FEET OF LOT 3 AND THAT PART OF LOT 2 DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 2; THENCE EAST ALONG THE SOUTH LINE OF LOT 2, 140.75 FEET; THENCE NORTH AT RIGHT ANGLES TO THE SOUTH LINE OF LOT 2, 150 FEET TO A POINT; THENCE WEST PARALLEL TO THE SOUTH LINE OF LOT 2, 47 FEET; THENCE NORTH AT RIGHT ANGLES TO THE LAST DESCRIBED LINE 150 FEET TO A POINT IN THE NORTH LINE OF LOT 2 THAT IS 93.75 FEET EAST OF THE NORTHWEST CORNER OF LOT 2; THENCE WEST ALONG THE NORTH LINE OF LOT 2, 93.75 FEET TO THE NORTHWEST CORNER OF LOT 2; THENCE SOUTH ALONG THE WEST LINE OF LOT 2 TO THE POINT OF BEGINNING, ALL IN WIEGEL AND KILGALLENS 95TH STREET SUBDIVISION OF THE NORTH 300 FEET OF THE SOUTH 350 FEET OF THE EAST THREE QUARTERS OF THE SOUTHWEST (1/4) OF THE SOUTH EAST 1/4 OF SECTION 3, TOWNSHIP 37 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS;

AND

PARCEL 1 (B)

THE WEST 163 FEET OF THE FOLLOWING DESCRIBED PROPERTY TAKEN AS A TRACT; THE NORTH 25 FEET OF THE SOUTH 375 FEET (EXCEPT THE EAST 33 FEET THEREOF AND EXCEPT THE WEST 262.50 FEET THEREOF), OF THE EAST THREE QUARTERS OF THE SOUTHWEST 1/4 OF THE SOUTH EAST 1/4 OF SECTION 3, TOWNSHIP 37 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS;

PARCEL 1 (C)

THAT PART OF LOT 2 IN WIEGEL AND KILGALLENS 95TH STREET SUBDIVISION OF THE NORTH 300 FEET OF THE SOUTH 350 FEET OF THE EAST 3/4 OF THE SOUTHWEST 1/4 OF THE SOUTH EAST 1/4 OF SECTION 3, TOWNSHIP 37 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS::

COMMENCING AT THE SOUTHWEST CORNER OF LOT 2; THENCE EAST ALONG THE SOUTH LINE OF LOT 2 FOR A DISTANCE OF 140.75 FEET TO THE POINT OF BEGINNING; THENCE NORTH AT RIGHT ANGLES TO THE SOUTH LINE OF LOT 2 FOR A DISTANCE OF 150.00 FEET TO A POINT; THENCE WEST PARALLEL WITH THE SOUTH LINE OF LOT 2 FOR A DISTANCE OF 47.00 FEET TO A POINT; THENCE NORTH 150 FEET TO A POINT OF THE NORTH LINE OF LOT 2 THAT IS 93.75 FEET EAST OF THE NORTHWEST CORNER OF SAID LOT 2; THENCE EAST ALONG THE NORTH LINE OF LOT 2 FOR A DISTANCE OF 87.00 FEET TO A POINT; THENCE SOUTH FOR A DISTANCE OF 300 FEET TO A POINT ON THE SOUTH LINE OF LOT 2, SAID POINT BEING 180.75 FEET EAST OF THE SOUTHWEST 1/4 OF SAID LOT 2; THENCE WEST ALONG THE SOUTH LINE OF LOT 2 FOR A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING;

AND ALSO

PARCEL 1 (D)

THE WEST 86.98 FEET OF THE NORTH 25 FEET OF THE SOUTH 375 FEET (EXCEPT THE EAST 33 FEET THEREOF AND EXCEPT THE WEST 425.50 FEET THEREOF) OF THE EAST 3/4 OF THE SOUTHWEST 1/4 OF THE SOUTH EAST 1/4 OF SECTION 3, TOWNSHIP 37 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

Property Address: 4300 West 95th Street
Oak Lawn, Illinois 60453

Permanent Index Numbers: 24-03-408-010, 24-03-400-037, 24-03-408-013 and
24-03-400-040

97642286

UNOFFICIAL COPY

Property of Cook County Clerk's Office