

SECOND MODIFICATION TO MORTGAGE

**THIS SECOND MODIFICATION TO MORTGAGE** is made and entered into as of this 10th day of October, 1997 by the **ESTATE OF LILLIAN KRIST, DECEASED, MARTIN KRIST** and **JOANNE KRIST CLEAVES** (hereinafter collectively referred to as "**MORTGAGORS**") in favor of **LASALLE BANK, N.A., formerly known as LASALLE NORTHWEST**, 4747 W. Irving Park Road, Chicago, Illinois 60641-2791 (hereinafter at times referred to as "**LENDER**").

RECITALS:

A. **MARTIN KRIST** and **JOANNE KRIST CLEAVES** are each shareholders, officers and/or directors of Motec, Inc., an Illinois corporation having its principal place of business at 555 Rogers Street, Downers Grove, Illinois 60515.

B. On November 2, 1990, Affiliated Bank (predecessor-in-interest to LaSalle Bank, N.A.) lent Motec, Inc. the amount of \$65,836.10, which such loan was evidenced by a Promissory Note of even date therewith payable to the order of Affiliated Bank in the principal amount of \$65,836.10 (the "November 2, 1990 Note").

C. As partial security for the payment of the November 2, 1990 Note, on November 2, 1990, **LILLIAN KRIST, MARTIN KRIST** and **JOANNE KRIST CLEAVES** granted Affiliated Bank, predecessor-in-interest to LaSalle Bank, N.A., a certain Mortgage dated November 2, 1990

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and recorded on November 19, 1990 with the Cook County Recorder as Document Number 90-563959 (the "Mortgage") against the following described property (the "Real Property"):

Lot 26 (except West 16 feet thereof) and Lot 27 in Block Three in John Cudahy's Morton Park Addition to Chicago a subdivision in South East Quarter of Section 28, Township 39 North, Range 13, East of the Third Principal Meridian, in Cook County, Illinois.

P.I.N.: 16-28-427-016

Commonly known as: 5006 W. 30th Place, Cicero, Illinois 60650

D. The November 2, 1990 Promissory Note matured on November 2, 1995 without full payment being made to **LENDER**. **LENDER** agreed to renew and extend the terms of payment called for under the November 2, 1990 Promissory Note. As evidence of such renewal and extension, Motec, Inc. executed and delivered to **LENDER** a Renewal Variable Rate Installment Note dated October 28, 1996 in the principal amount of \$76,887.45 (the "Renewal Note").

E. As partial security for the payment of the Renewal Note on October 28, 1996, the Estate of **LILLIAN KRIST**, deceased, **MARTIN KRIST** and **JOANNE KRIST CLEAVES** granted LaSalle Northwest, now known as LaSalle Bank, N.A., a certain Modification to Mortgage dated as of October 28, 1997 and recorded with the Cook County Recorder as Document No. 96926179 against the Real Property.

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F. The Renewal Note matured on October 10, 1997 without full payment being made to LENDER. LENDER has agreed to further renew and extend the terms of payment called for under the Renewal Note. As evidence of such further renewal and extension, Motec, Inc. has executed and delivered to LENDER a Second Renewal Installment Note dated October 10, 1997 in the principal amount of \$60,134.22 (the "Second Renewal Note").

G. LENDER and MORTGAGORS desire to further modify the terms of the Mortgage to also secure payment of the Second Renewal Installment Note.

NOW, THEREFORE, for value received, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Mortgage be and it hereby is further modified and amended as follows:

1. **Incorporation of Recitals.** The Mortgage is further amended, restated and modified to incorporate the recitals set forth hereinabove.

2. **Description of Indebtedness Secured by the Mortgage.** The front side Mortgage is amended, restated and modified to read as follows:

\* \* \*

This Security Instrument is given to LASALLE BANK, N.A., formerly known as LASALLE NORTHWEST, successor-in-interest to AFFILIATED BANK, which is organized and existing under the laws of Illinois and whose address is 4747 West

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Irving Park Road, Chicago, Illinois 60641-2791 ("Lender"). Borrower owes Lender the principal sum of SIXTY THOUSAND ONE HUNDRED THIRTY-FOUR AND 22/100 DOLLARS (\$60,134.22). This debt is evidenced by that certain Promissory Note dated November 2, 1990 in the principal amount of \$65,836.10 (the "Note"), as extended and renewed by that certain Renewal Variable Rate Installment Note dated October 28, 1996 in the principal amount of \$76,887.45 (the "Renewal Note") and by that certain Second Renewal Installment Note dated October 10, 1997 in the principal amount of \$60,134.22 (the "Second Renewal Note"). Such Second Renewal Note, if not paid earlier, is due and payable on October 10, 1998. This Security Instrument secures to Lender: (a) the repayment of the debt evidenced by the Note, by the Renewal Note and by the Second Renewal Note, with interest, and all renewals, extensions and modifications; (b) the payment of all other sums, with interest, advanced under paragraph 7 to protect the security of this Security Instrument; and (c) the performance of Borrower's covenants and agreements under this Security Instrument, the Note and the Renewal Note.

3. **No Other Modifications.** Other than as provided herein, the terms and provisions of the Mortgage and all subsequent modifications thereof, shall remain unchanged and in full force and effect. **MORTGAGORS** hereby affirm, adopt and incorporate by reference the remaining terms contained in the foregoing Mortgage, as modified from time to time.

4. **Governing Law.** This Agreement shall be construed in accordance with and governed by the laws of the State of Illinois.

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IN WITNESS WHEREOF, this Second Modification to Mortgage has been executed as of the day and year first above-written.

ESTATE OF LILLIAN KRIST, DECEASED

By: \_\_\_\_\_

Title: \_\_\_\_\_

*Martin Krist*

MARTIN KRIST

\_\_\_\_\_  
JOANNE KRIST CLEAVER

*This Instrument Prepared By:*

MARK J. ROSE, ESQ.  
LAW OFFICES OF MARK J. ROSE  
~~135 South LaSalle Street~~  
~~Suite 4100~~  
~~Chicago, Illinois 60603~~  
~~(312) 784-1116~~

*Please return to:*  
*María D. Villagomez*

**LACALLE BANK N.A.**  
4747 W. Irving PK. 8000  
CHICAGO, ILLINOIS 60641

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INDIVIDUAL ACKNOWLEDGEMENT

STATE OF KENTUCKY )  
 ) SS  
COUNTY OF MARSHALL )

I, the undersigned, a Notary Public in and for the County and State aforesaid, do hereby certify that MARTIN KRIST, personally known to me to be the same person whose name is subscribed to the foregoing Second Modification to Mortgage appeared before me this day in person and acknowledged that he signed, sealed and delivered the said Modification to Mortgage as his free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and notarial seal this 13<sup>th</sup> day of Feb, 1997.

J. Lynell Gray  
Notary Public

My commission expires 7-30-99.

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IN WITNESS WHEREOF, this Second Modification to Mortgage has been executed as of the day and year first above-written.

ESTATE OF WILLIAN KRIST, DECEASED

By: *Joanne Cleaver*

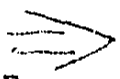
Title: *Successor to the estate of William Krist*

*Martin Krist (deceased)*  
MARTIN KRIST *deceased*

*Joanne Cleaver*  
JOANNE KRIST CLEAVER

This Instrument Prepared By:

MARK J. ROSE, ESQ.  
LAW OFFICES OF MARK J. ROSE  
~~115 South LaSalle Street~~  
~~Suite 4100~~  
~~Chicago, Illinois 60603~~  
~~(312) 704-1446~~



Please record and return to  
MARIA V. LLAGOMEZ  
LASALLE BANK N.A.  
4747 W. FLYING PARK ROAD  
CHICAGO, ILLINOIS 60641

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**INDIVIDUAL ACKNOWLEDGEMENT**

STATE OF ILLINOIS     )  
                                  ) SS  
COUNTY OF ~~DUPAGE~~ <sup>COOK</sup> )

I, the undersigned, a Notary Public in and for the County and State aforesaid, do hereby certify that **JOANNE KRIST CLEAVES**, personally known to me to be the same person whose name is subscribed to the foregoing Second Modification to Mortgage appeared before me this day in person and acknowledged that she signed, sealed and delivered the said Modification to Mortgage as her free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and notarial seal this 30<sup>th</sup> day of January, ~~1997~~ 1998

Deborah L Waldenmaier  
Notary Public

OFFICIAL SEAL  
DEBORAH L WALDENMAIER  
NOTARY PUBLIC STATE OF ILLINOIS  
MY COMMISSION EXP. JULY 11, 2001

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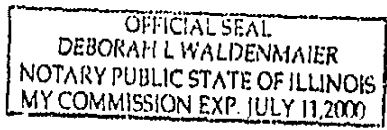
**ACKNOWLEDGEMENT**

STATE OF Illinois )  
 ) SS  
COUNTY OF Cook )

I, the undersigned, a Notary Public in and for the County and State aforesaid, do hereby certify that Jocanne Krist Cleary, personally known to me to the \_\_\_\_\_ of the **ESTATE OF LILLIAN KRIST, DECEASED**, appeared before me this day in person and acknowledged that he signed, sealed and delivered the foregoing Second Modification to Mortgage as his/her free and voluntary act and as the free and voluntary act of the **ESTATE OF LILLIAN KRIST, DECEASED**, for the uses and purposes therein set forth.

Given under my hand and notarial seal this 30 day of January, 1997. 1998

Deborah L Waldenmaier  
Notary Public



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