

9

Property of Cook County Clerk

upon recording, please return to:

LYNN HASCHAK
FIRST EAGLE NATIONAL BANK
1040 W. LAKE STREET
HANOVER PARK, IL 60103

FIRST AMENDMENT TO LOAN DOCUMENTS

This **FIRST** Amendment to Loan Documents ("FIRST Amendment"), is made this 16th day of **DECEMBER**, 1997, by **HOME RELO RESOURCES, LTD.**, ("Borrower"); **JOSEPH F. GILLESPIE AND VICKI M. GILLESPIE, HUSBAND AND WIFE, AND JAMES GAGLIANO AND DOBINE GAGLIANO, HUSBAND AND WIFE**, (collectively, "Grantor"); **JOSEPH F. GILLESPIE AND JAMES GAGLIANO** (collectively, "Guarantor"), and First Eagle National Bank, a national banking association, ("Lender").

- A. On **DECEMBER 15, 1996**, Lender made a loan (the "Loan") to Borrower in the amount of **FOUR HUNDRED THOUSAND & 00/100 Dollars (\$400,000.00)**. The Loan was evidenced by the note ("Note") of Borrower, dated **DECEMBER 15, 1996**, in the principal amount of **FOUR HUNDRED THOUSAND & 00/100 Dollars (\$400,000.00)**.

BOX 169

RE/TITLE

85689 B

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- B. The Note was secured by a mortgage ("Mortgage") dated **DECEMBER 15, 1996**, and recorded as document number **R96-977233** with the Recorder of Deeds, **COOK** County, Illinois ("The Recorder"), which created a **SECOND** lien on the real property ("Real Property") pledged by **JAMES GAGLIANO AND DORINE GAGLIANO** located at **906 S. HOUGH ST., BARRINGTON, IL** which is legally described on **EXHIBIT A** attached hereto and made a part hereof.
- C. The Note was further secured by a mortgage ("Mortgage"), dated **DECEMBER 15, 1996**, and recorded as document number **R96-977232** with the Recorder of Deeds, **COOK** County, Illinois ("The Recorder") on the real property ("Real Property") pledged by **JOSEPH F. GILLESPIE AND VICKI M GILLESPIE** located at **764 CRABTREE LANE, BARTLETT, IL** which is legally described on **EXHIBIT B**.
- D. The Note was further secured by a mortgage ("Mortgage"), dated **DECEMBER 15, 1996**, and recorded as document number **R96-206735** with the Recorder of Deeds, **DUPAGE** County, Illinois ("The Recorder") on the real property ("Real Property") pledged by **JOSEPH F. GILLESPIE AND VICKI M GILLESPIE** located at **6084 FREMONT, HANOVER PARK, IL** which is legally described on **EXHIBIT C**.
- E. The Note was further secured by an assignment of rents ("Assignment of Rents"), dated **DECEMBER 15, 1996**, and recorded as document number **R96-206736** with the Recorder of Deeds, **DUPAGE** County, Illinois ("The Recorder") on the real property ("Real Property") pledged by **JOSEPH F. GILLESPIE AND VICKI M. GILLESPIE** located at **6084 FREMONT, HANOVER PARK, IL** which is legally described on **EXHIBIT C**.
- F. The Note was further secured by the Guaranty of Payment ("Guaranty") of **JOSEPH F. GILLESPIE AND JAMES GAGLIANO** ("Guarantor") dated **DECEMBER 15, 1996**.
- G. The Note was further secured by a Security Agreement dated **DECEMBER 15, 1995** and recorded as document number **3484681** with the Illinois Secretary of State ("Secretary of State") which created a lien on personal property ("Personal Property") pledged by **Borrower** which is described on **EXHIBIT D**, attached hereto and made a part hereof.

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H. The Note was further secured by a Security Agreement dated **DECEMBER 15, 1996** which created a lien on a **1991 LEXUS LS 400 VIN # JT8UF11EXM0074739** ("Lexus") pledged by **JOSEPH F. GILLESPIE**.

I. The Borrower wishes to:

- (i) extend the maturity date of the Loan to **DECEMBER 15, 1998**; and
- (ii) release the lien on a **1991 LEXUS LS 400 VIN # JT8UF11EXM0074739** pledged by **JOSEPH F. GILLESPIE**.

Lender has agreed to **EXTEND THE MATURITY DATE AND RELEASE ITS LIEN ON THE LEXUS**, subject to the following covenants, agreements, representations and warranties.

NOW THEREFORE, for and in consideration of the covenants, agreements, representations and warranties set forth herein, the parties hereto agree as follows:

1. **Recitals.** The recitals set forth above shall be incorporated herein, as if set forth in their entirety.
2. **Maturity Date.** The maturity date shall be extended to **DECEMBER 15, 1998**.
3. **Notices to Lender.** All notices shall be given to Lender at the following address:

Eric Missil, AVP
First Eagle National Bank
1040 W. Lake Street
Hanover Park, IL 60103
fax: 630/893-3803
4. **Modification of Documents.** The Note, Mortgage, Assignment of Rents, Security Agreement, Guaranty, and other loan documents shall be deemed to be modified to reflect the modifications and amendments set forth in **PARAGRAPHS 1 and 2**.
5. **Extension Fee.** In consideration of Lender's agreement to **EXTEND THE MATURITY DATE AND RELEASE ITS LIEN ON THE LEXUS**, as

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aforesaid, Borrower has agreed and shall pay Lender upon Borrower's execution hereof, an extension fee in the amount of ONE & 00/100 DOLLAR (\$1.00).

6. **Restatement of Representations.** The undersigned hereby restate and reaffirm each and every representation, warranty, covenant and agreement made by them in the Note, Mortgage, Assignment of Rents, Security Agreement, Guaranty, and other Loan Documents.
7. **Defined Terms.** All capitalized terms which are not defined herein shall have the definitions ascribed to them in the Note, Mortgage, Assignment of Rents, Security Agreement, and other Loan Documents.
8. **Documents Unmodified.** Except as modified hereby, the Note, Mortgage, Assignment of Rents, Security Agreement, and other Loan Documents shall remain unmodified and in full force and effect.
9. **Guarantor Not Released.** Guarantor acknowledges and consents to the foregoing amendments, and agrees that the Guaranty will be amended to reflect the **EXTENDED MATURITY DATE AND THE RELEASE OF LIEN ON THE LEXUS**

BORROWER, GRANTOR AND GUARANTOR each ratify and confirm their obligations and liabilities under the Note, Mortgage, Assignment of Rents, Security Agreement, and other Loan Documents. **THEY ACKNOWLEDGE** no defenses claims, setoffs against the enforcement by Lender.

BORROWER, GRANTOR AND GUARANTOR each consent to the modifications contained in this **FIRST** Amendment to Loan documents.

IN WITNESS WHEREOF, this **FIRST** Amendment was executed by the undersigned as of the date and year first set forth above.

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BORROWER:
HOME RELO RESOURCES, LTD.

By: 
JAMES GAGLIANO, PRESIDENT

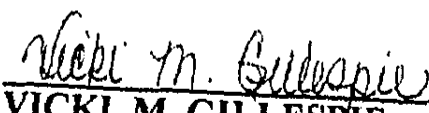
By: 
JOSEPH F GILLESPIE, VICE PRESIDENT

GRANTOR:

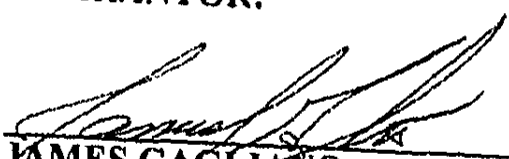

JAMES GAGLIANO


DORINE GAGLIANO


JOSEPH F. GILLESPIE


VICKI M. GILLESPIE

GUARANTOR:


JAMES GAGLIANO


JOSEPH F. GILLESPIE

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LENDER:
FIRST EAGLE NATIONAL BANK

By: 
ERIC MISSIL, AVP

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EXHIBIT A

OK LOT 1 IN RUTH E. SHIRLEY'S BARRINGTON ESTATES, BEING A SUBDIVISION OF PART OF SW 1/4 OF SW 1/4 OF SECTION 1, TOWNSHIP 42 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

The Real Property or its address is commonly known as 906 S. HOUGH ST., BARRINGTON, IL 60010. The Real Property tax identification number is 01-01-308-007. *vol 001*

EXHIBIT B

LOT 2, IN WALNUT HILLS UNIT NUMBER 1, BEING A SUBDIVISION OF PART OF THE NORTHWEST 1/4 OF SECTION 27, TOWNSHIP 41 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE VILLAGE OF BARTLETT, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 26, 1987 AS DOCUMENT 87471975 IN COOK COUNTY, ILLINOIS

The Real Property or its address is commonly known as 764 CRABTREE LN., BARTLETT, IL 60103. The Real Property tax identification number is 06-27-103-002-0000. *vol 061*

EXHIBIT C

UNIT 1672-4 TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS IN THE GLENS OF HANOVER CONDOMINIUM AS DELINEATED AND DEFINED IN THE DECLARATION RECORDED AS DOCUMENT NUMBER R78-02577 IN THE NORTHWEST FRACTIONAL QUARTER OF SECTION 6, TOWNSHIP 40 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS

The Real Property or its address is commonly known as 6084 FREMONT, HANOVER PARK, IL 60103. The Real Property tax identification number is 02-06-105-028.

EXHIBIT D

All Inventory, Chattel Paper, Accounts, Equipment, General Intangibles and Fixtures; whether any of the foregoing is owned now or acquired later; all accessions, additions, replacements, and substitutions relating to any of the foregoing; all records of any kind relating to any of the foregoing; all proceeds relating to any of the foregoing (including insurance, general intangibles and other accounts proceeds).

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STATE OF ILLINOIS }
COUNTY OF _____ } SS

I, the undersigned, a Notary Public in and for said County in the State aforesaid, DO HEREBY CERTIFY that **JOSEPH GILLESPIE AND VICKI GILLESPIE** personally known to me to be the same people whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed, sealed, and delivered said instrument as his free and voluntary act for the uses and purposes therein set forth.

Given under my hand and Official Seal this 23 day of Dec, 19 98

[Signature]
Notary Public

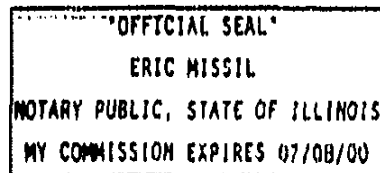


STATE OF ILLINOIS }
COUNTY OF _____ } SS

I, the undersigned, a Notary Public in and for said County in the State aforesaid, DO HEREBY CERTIFY that **JAMES GAGLIANO AND DORINE GAGLIANO** personally known to me to be the same people whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed, sealed, and delivered said instrument as his free and voluntary act for the uses and purposes therein set forth.

Given under my hand and Official Seal this 23 day of Dec, 19 98

[Signature]
Notary Public



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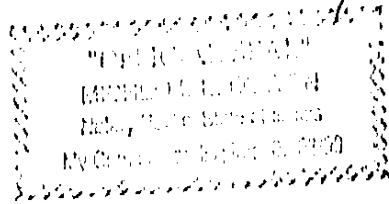
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STATE OF ILLINOIS }
COUNTY of DUPAGE } SS

I, the undersigned, a Notary Public in and for said County in the State aforesaid, DO HEREBY CERTIFY that ERIC MISSIL personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed, sealed, and delivered said instrument as his free and voluntary act for the uses and purposes therein set forth.

Given under my hand and Official Seal this 23rd day of January, 1998

Michelle S. O'Brien
Notary Public



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