SECOND AMENDMENT
TO
DEED OF TRUST



Amendment of Trust (Second This Second to Deed Amendment") made as of this 11th day of October, 1988, by and between VIENNA BEEF LTD., an Illinois corporation and VIENNA SAUSAGE MANUFACTURING CO., an Illinois corporation, each with its principal place of business at 2501 North 60647 (collectively the Damen Averue, Chicago, Illinois "Borrowers") and AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, a national banking association ("Trustee").

Borrowers made a Deed of Trust in favor of Trustee dated December 26, 1985, as amended by a First Amendment to Deed of Trust dated (Ctober 9, 1987 among Borrowers and Trustee ("Deed of Trust", on the Mortgaged Property to secure the indebtedness of Borrowers to American National Bank and Trust Company of Chicago, a national banking association, with its principal place of business in Chicago, Illinois ("Lender") in the principal sum of \$10,000,000. The Deed of Trust was recorded with the Recorder of Deeds of Cook County, Illinois on December 27, 1985 as Document No. 85-340211 and rerecorded with the Recorder of Deeds of Cook County, Illinois on February 10, 1986 as Document

DOCUMENT PREPARED BY AND SHOULD BE RETURNED TO:

Kathleen A. Finefrock Schwartz & Freeman 401 N. Michigan Ave. Chicago, Illinois 60611

BOX 332

Tax Numbers:

14-30-401-019	17-21-100-012
14-30-401-017	17-21-100-028
14-30-401-016	17-21-100-014
17-21-100-016	17-21-100-015
17-21-100-019	17-21-100-013
17-21-100-021	
17-21-100-022	

Street Address:

2501 N. Damen Avenue, Chicago, Illinois

egal description affects property on Certificate 89/048 and other property

205917

771C N24-17543-14

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UNOFFICIAL COPY
No. 86-058527 and filed with the Registrar of Title of
Cook County on December 30, 1985 as Document No. LR 3486638.
The First Amendment was recorded with the Recorder of Deeds
of Cook County, Illinois on November 20, 1987 as Document
No. 87623873.

This Second Amendment, and the Deed of Trust it amends, are a lien on the Land which is located in Chicago, Cook County, Illinois and more fully described in Exhibit A.

Borrowers and Lender have entered into a Second Modification Agreement of even date ("Borrowers' Second Modification Agreement") which, among other provisions, amends the Secured Revolving Promissory Note dated December 26, 1985 made by Borrowers in favor of Lender, as amended by the Modification Agreement dated October 9, 1987 among Borrowers and Lender, in the principal amount of \$12,000,000 to increase the principal amount of such Note to \$15,000,000 and to provide that the Secured Revolving Promissory Note, as amended, shall be restated as the Restated and Amended Secured Revolving Promissory Note dated Secured Revolving Promissory Note, as amended in the principal amount of \$15,000,000 made by Borrowers (the Secured Revolving Promissory Note, as amonded and restated, is referred to as the "Revolving Note").

The Borrowers and Lender wish to amend the Deed of Trust to reflect the terms and conditions of the Second Modification Agreement.

NOW, THEREFORE, Borrowers and Lender agree as follows:

1. Whenever the Deed of Trust shall refer to the Notes, such reference shall be deemed to be, and hereby

UNOFFICIAL, COPY, is, a reference to the "Revolving Note", as amended and restated by this Second Amendment.

2. The second and third unnumbered paragraphs of the Deed of Trust are deleted in their entirety and the following paragraphs are substituted therefor:

"Borrowers are indebted to AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, a national banking association, with its principal office in Chicago, Illinois ('Lender') in the principal sum of FIFTEEN MILLION NO/100 DOLLARS AND (\$15,000,000.00), or so much thereof as may be dishursed to or for one or both of the Borrowers from time to time, which indebtedness is evidenced by the Secured Revolving Promissory Note dated December 26, 1985 made by Borrowers in favor of Lender, as amended and restated by the Restated and Amended Secured Revolving Promissory Note dated October 11, 1988 made by Borrowers to increase the principal amount to \$15,000,000 (the Secured Revolving Promissory Note, as amended and restated, is referred to as the 'Revolving Note') which matures on September 30, 1990 and which bears interest at varying rates and which also contains provisions for acceleration in event of default and the terms of which are hereby incorporated by reference and made a part hereof;

The Lien of this Deed of Trust secures, as of the date hereof, without further act, any and all future advances of Lender to Borrowers. The Borrowers and Trustee contemplate that the outstanding principal balance of the Revolving Note may be reduced and increased from time to time by repayments of principal and future advances. Principal amounts repaid by Borrovers shall be available to Borrowers to borrow again. This Deed of Trust shall secure the payment of all advances under the Revolving Note at the time of such advance. The amount secured by this Deed of Trust shall not exceed Seventeen Million Dollars (\$17,000,000)."

3. Except as specifically amended by this Second Amendment, all terms and conditions contained in the Deed of Trust shall remain in full force and effect. Any terms used in this Second Amendment and not otherwise defined herein shall have the same definition as in the Deed of

provision of this Second Amendment shall conflict with the Deed of Trust, this Second Amendment shall govern. In all other respects, this Second Amendment confirms, ratifies and restates the Deed of Trust.

IN WITNESS WHEREOF, the Borrowers have executed this Second Amendment to Deed of Trust as of the date first above written.

ATTEST Its: VIENNA SAUSAGE MANUFACTURING ATTEST: AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO Its: resident C/orx's Organica

AME ATTEST:

TRUST

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Property of Cook County Clerk's Office

STATE OF ILLINOIS ) ss ) COUNTY OF C O O K

I, the state aforesaid, do hereby certify that James Bodman, personally known to me to be the President of VIENNA BEEF LTD., James Eisenberg, personally known to me to be the Chairman of the Board of VIENNA BEEF LTD. and personally known to me to be the Chairman of the Board of VIENNA BEEF LTD. and secretary of said corporation whose names are subscribed to the within instrument, appeared before me this day in person and severally acknowledged that as such President, Chairman of the Board and secretary, they signed and delivered the said instrument of writing and executed the same as their free and voluntary act and deed of said corporation for the uses and purposes therein set forth.

ander Section Column Colors Office GI'E' under my hand and notorial seal this // day October, 1988.

# 3754608

### UNOFFICIAL COPY 3

STATE OF ILLINOIS )

COUNTY OF C O O K )

a Notary Public in and for the state aforesaid, do hereby certify that James Bodman, personally known to me to be the President VIENNA SAUSAGE MANUFACTURING CO., James personally known to me to be the Chairman of the Board VIENNA SAUSAGE MANUFACTURING CO. personally known to me to be the Salman Secretary of said corporation whose names are de word subscribed to the within instrument, appeared before me this day in person and severally acknowledged that as such President Chairman of the Board and Cinutary, they signed and delivered the said instrument of writing and executed the same as their free and voluntary act and deed and as the free and voluntary act and deed of said corporation for the uses and purposes therein set forth.

of October, 1988.

Notary Public

My Commission Expires:

"OFFICIAL SEAL"

Josephine Casablanca

Notary Public, State of Illinois
My Commission Expires Nov. 22, 1991

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### EXHIBIT A

### LEGAL DESCRIPTION

### PARCEL 1:

That part of the South West 1/4 of the South East 1/4 of Section 30, Township 40 North, Range 14 East of the Third Principal Meridian, lying West and South of the North Branch of the Chicago River, North of Fullerton Avenue, North East of Elston Avenue and East of the East line of Robey Street, now known as Damen Avenue, as now located, except the following:

Lots 15 to 32 both inclusive, in Block 8 of Fullerton's Addition to Chicago in said South West 1/4 of the South East 1/4 and also excepting the street and alley adjoining said Lots on the East and North; also excepting that part thereof lying East of the following described line:

Commencing at the North East corner of Fullerton and Wolcott Avenues, being also the South West corner of vacated Block 10, in said Fullerton's Addition; thence North 0 Degrees 24 Minutes West in the East line of said Wolcott Avenue, a distance of 141 feet to a point in the North line of the East and West 16 feet alley in said Block 8 extended to the East line of said Wolcott Avenue; thence West, in the North line of said alley extended East, a distance of 37.80 feet; thence North 17 Degrees 30 Minutes East, a distance of 277.17 feet; thence North 3 Degrees 07 Minutes East, a distance of 117.64 feet to the South East corner of 1 brick building; thence North 4 Degrees 51 minutes West along the Easterly face of said prick building and the same extended Northerly, a distance of 47.83 feet; thence North 3 Degrees 03 Minutes 36 Seconds West, to the Thread of the North Branch of the Chicago River, in Cook County, Illinois.

ALSO

### PARCEL 2:

Lot 15, in Block 8 in Fullerton's Addition to Chicago, said Fullerton Addition being a Subdivision of part of the South East 1/4 of Section 30, Township 40 North, Range 14 Fast of the Third Principal Meridian, lying West of the North Branch of Chicago River and that part of the North 1/2 of the North East 1/4 of Section 31, Township 40 North, Range 14 Fast of the Third Principal Meridian, lying West of Chicago River and West of Chicago and Northwestern Railroad, in Cook County, Illinois.

ALSO

PARCEL 3:

Lot 16 in Block 8 in Fullerton's Addition to Chicago, being a Subdivision of the South East 1/4 of Section 30, and of the North East 1/4 of Section 31, Township 40 North, Range 14 East of the Third Principal Meridian, in Cook County, Illinois.

ALSO

PARCEL 4:

Lots 9, 12, 14 and 15 in Bincroft and Walkers Subdivision of Lots 1 and 2 in Block 68 in Canal Trustees' New Subdivision of Blocks in the North West 1/4 of Section 21, Township 39 North, Range 14 East of the Third Principal Meridian, in Cook County, Illinois.

ALSO

PARCEL 5:

The East 40 feet of Lot 6, all of Lot 7 and 8 in Clark's Subdivision of Lot 4 in Block 68 in Canal Trustees' New Subdivision of Blocks in the North West 1/4 of Section 21, Township 39 North, Range 14 East of the Third Principal Meridian, in Cook County, Illinois.

ALSO

PARCEL 6:

Lots 5, 6, 7, 8 and 9 in Assessor's Division of Lot 3 of Block 63 of Canal Trustees' New Subdivision of Blocks in North West 1/4 of Section 21, Township 39 North, Range 14 East of the Third Principal Meridian, all in Cook County, Illinois.

A Portion of Parcel 6 being also described as: West Twenty (20) feet of the South Seventy-Three (73) feet of Lot Three (3) in Block Sixty-Eight (68) in The Canal Trustees' New Subdivision of Blocks in the North West Quarter (1/4) of Section 21, Town 39 North, Range 14, East of the Third Principal Meridian.

The title to the subject property has been registered under "An Act Concerning Land Titles", commonly known as the Torrens Act.

Affects: Part of Parcel 6

STATE OF ILLINOIS )

COUNTY OF C O O K )

I, Nancy P. Crohan , a Notary Public in and for said County, in the State aforesaid, do hereby certify that David P. Bolger , personally known to me to be the vice president of AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO and Gerald L. Jacobson personally known to me to be the 2nd vice president of said bank whise names are subscribed to the within instrument, appeared before me this day in person and severally acknowledged that as such vice president and 2nd vice president, they signed and delivered the said instrument of writing as vice President and 2nd vice president and executed the same as their free and voluntary act and deed and the free and voluntary act and deed of said bank for the uses and purposes therein set forth.

Given under my hand and Notorial seal this 7th day of November , 1988.

Wotary Public

My Commission Expires:

4/11/91

" OFFICIAL SEAL "
NANCY P. CROHAN S
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 4/11/91

Property of Cook County Clerk's Office

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