

Chicago Title Insurance Company

# 620001135 2000 041874

**COLLATERAL ASSIGNMENT OF INTEREST  
IN REAL ESTATE LEASE**

For value received, Foy Family Limited Partnership, an Indiana limited partnership, with offices at 2610 Queens Lane, Dyer, IN 46311 (hereinafter "ASSIGNOR"), does hereby assign as collateral all of ASSIGNOR's right, title and interest and further does hereby grant and transfer a security interest to Mercantile National Bank of Indiana, with offices at 5243 Hohman Avenue, Hammond, IN 46320 (hereinafter "ASSIGNEE"), in the following lease of real estate as described below as security for a certain indebtedness by ASSIGNOR to ASSIGNEE in the principal sum of \$754,930.00 plus interest as evidenced by a certain note dated May 5, 2000.

This Assignment and security interest is also given to secure any and all other indebtedness or obligations of ASSIGNOR to ASSIGNEE, whether now existing or hereafter created, and any future advances, and whether said debt is primary or secondary, joint or several, fixed or contingent, of a different class or secured by other collateral, and any renewals, extensions, rewrites, refinances, modifications, consolidations and replacements thereof, or substitutions therefor.

The lease which is the collateral and in which the security interest is granted, are those certain leases dated November 11, 1999, May 30, 1997 and extended April, 1999, October 13, 1999 and February 27, 1989 and extended February 28, 1993, between ASSIGNOR, as lessor, and Rush Electric, Rush Electric, Kmart Corporation and Edward Sienkiewicz - Metal Doors, as individual lessees, for the lease of the following described real estate located in Lake County, Indiana, to-wit:

- Parcel 1: Lot 6, Block 2, in Brant's Business Center Addition to the Town of Griffith, as per plat thereof, recorded in Plat Book 50 page 61, in the Office of the Recorder of Lake County, Indiana,
- Parcel 2: Lot 7, Block 2, in Brant's Business Center Addition to the Town of Griffith, as per plat thereof, recorded in Plat Book 50 page 61, in the Office of the Recorder of Lake County, Indiana,

By accepting this collateral assignment, ASSIGNEE does not assume in any way the duties and obligations of the ASSIGNOR under said lease; and this collateral assignment does not release or discharge ASSIGNOR from any obligations to fulfill the terms and conditions thereof.

Dated: May 5, 2000.

ASSIGNOR:

Foy Family Limited Partnership, an Indiana limited partnership

*[Signature]*  
By: Linda Foy  
Its: partner



*[Signature]*  
By: Nancy Foy  
Its: partner

STATE OF INDIANA )  
                                  ) SS:  
COUNTY OF LAKE )

On this 5 day of May, 2000, before me the undersigned, a Notary Public for said State and County, personally appeared Linda Foy and Nancy Foy as partners of Foy Family Limited Partnership, an Indiana limited partnership, personally known to me, and acknowledged execution of the foregoing Collateral Assignment to be their free act and deed.

Witness my hand and official seal.  
*[Signature]*  
NOTARY PUBLIC



My Commission Expires: \_\_\_\_\_  
County of Residence: \_\_\_\_\_

This instrument prepared by May Logothetis as Vice President of Mercantile National Bank of Indiana

10/22/00  
C/C