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Mortgagor's Name And Address

MERRILL POINT CENTER LLC 1000 East 80th Place Merriliville, IN 46410 ("Mortgagor" whether one or more) PEOPLES BANK SB 9204 COLUMBIA AVENUE MUNSTER, INDIANA 46321

("Mortgagee")

ORRIS W. CARTER
RECORDER
Return to:

PEOPLES BANK SB 9204 COLUMBIA AVENUE MUNSTER, INDIANA 46321

MORTGAGE MODIFICATION AGREEMENT

Mortgagor, for valuable consideration given by Mortgagee, the receipt and sufficiency of which is hereby acknowledged, does hereby agree that the certain Real Estate Mortgage, Security Agreement, Collateral Assignment of Rents and Leases, and Fixture Filing dated effective the 7th day of July, 2000, recorded the 21st day of 3uly, 2000, in the Office of the Recorder of Lake County, Indiana, as Document No. 2000051485 (herein the "Mortgage"), is hereby amended as follows:

1. Note Modification. The Commercial Promissory Note (Construction Line of Credit/Term) executed by Mortgagor in favor of Mortgagee referenced in paragraph A on page 2 of the Mortgage in the original principal amount of \$6,000,000.00 and dated effective the 7th day of July, 2000 (herein the "Note") has been modified pursuant to a Note \$5,900,000.00. The maturity date of the Note has been changed to August 10, 2011. The interest rate has been modified. The payment schedule has been modified. Mortgagor agrees that the Mortgage shall secure the payment of the Note as modified.

Miscellaneous. The Mortgagor further agrees as follows:

- A. All terms and conditions of the Mortgage not expressly deleted or amended by this Mortgage Amendment Agreement shall remain in full force and effect to the extent not expressly inconsistent herewith.
- B. This Mortgage Amendment Agreement shall in all respects be governed by and construed in accordance with the substantive laws of the State of Indiana.
- C. This Mortgage Amendment Agreement shall be binding upon the respective heirs, successors, administrators and assigns of the Mortgagor.



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EXECUTED and delivered in Lake County, Indiana effective the 6th day of June, 2001.

MERRILL POINT CENTER, LLC, an Indiana limited liability company Manager STATE OF INDIANA COUNTY OF LAKE Before me, a Notary Public in and for the above County and State, personally appeared <u>Donald J. Weiss</u> the of MERRILL POINT CENTER, LLC, an Indiana limited liability company, who as such acknowledged the execution of the foregoing Mortgage Modification Agreement for and on behalf of said limited liability company this 11th day of September WITNESS my hand and Notarial seal this My Commission Expires: the LA resident of porterecord County, Indiana December 10, 2006 Nancy S. Camp Printed Name of Notary Public This instrument was prepared by: Lewis C. Laderer, Jr. Laderer & Fischer, P.C. 112 West Jefferson Blvd., Suite 310 South Bend, Indiana 46601