

1.7. "FMI" means First Mortgage Investors, a Massachusetts Business Trust, its successors, legal representatives and assigns, including all subsequent assignees, either voluntary or by act of the parties or involuntary by operation of law.

1.8. "Title Company" means the title company issuing a mortgagee policy to FMI insuring the lien of its mortgage.

2. The Note set forth in the Preliminary Statement is amended to read:

"This Amended Note made this 22nd day of MAY, 1974, as of April 30, 1974, by FIRST NEWCO, INC., an Illinois corporation (hereinafter "Maker");

W I T N E S S E T H

"For value received, the undersigned, jointly and severally, promise to pay on July 31, 1975, to the order of Jack R. Courshon, as nominee of the Trustees of First Mortgage Investors, a Massachusetts Business Trust, with power to satisfy, discharge, release, foreclose, assign and/or transfer the within Amended Note (hereinafter called "Note"), and to execute deeds of conveyance and deed restrictions, and to designate a substitute nominee in his stead, the principal sum of \$ 598,321.15, or so much thereof as may be advanced, at its office in the City of Miami Beach, State of Florida, or at such other place as may be designated in writing by the Holder of the Note, together with interest thereon from date of advances on outstanding principal balance at the per annum rate of interest of three (3%) percent over prime rate, as hereinafter defined, payable monthly on the first day of each month thereafter; provided, however, that in no event shall the minimum interest rate be less than nine (9%) percent per annum nor the maximum interest rate exceed twelve and one half per cent (12-1/2%) per annum.

"The prime rate is herein defined as that rate of interest charged by the three largest New York City commercial banks to their best credit-rated commercial borrowers. In the event the prime rate charged for loans by the three largest New York City commercial banks