

Walter J. Kassuba on behalf of all the persons and entities which are petitioning Debtors in Proceedings for Arrangements pending in the U.S. District Court for the Northern District of Illinois, Eastern Division, Nos. 73B6938 through 73B6979, made and entered the 5th day of February, 1974, and the Agreement attached thereto as Exhibit "B".

1.2. "Order" means the Order entered by the Bankruptcy Judge in the Proceedings recited in section 1.1., which was entered and docketed on March 26, 1974 and approved the Master Loan Agreement.

1.3. "Mortgage" means the documents now owned and held by FMI which encumbers any Property set forth in Exhibit "A" or Exhibit "B" and secures any indebtedness owed to FMI and includes a Mortgage, Security Deed or Deed of Trust to FMI and the Note or Notes which it secures, and includes the original Note and Mortgage recited in the Preliminary Statement hereof.

1.4. "Loan Documents" means any document executed in connection with or pertaining to any Mortgage now owned and held by FMI referred to in this Agreement and includes, but is not limited to (i) Promissory Note or Notes, (ii) Mortgage or Deed of Trust, (iii) Commitment, (iv) Construction Loan Agreement, (v) Construction Fund Disbursing Agreement, all of as may have been amended from time to time, (vi) the Master Loan Agreement, (vii) the Order and (viii) this Agreement.

1.5. "Property" means the real property set forth on Exhibit "A" and Exhibit "B" and all personal, tangible, intangible or mixed property encumbered by a Mortgage.

1.6. "Net Income" means all income and gain from any source from the operation or sale of any Property, less, where applicable, (i) maintenance and operation of the Property, which shall be limited to utilities, janitorial services, reasonable landscaping, reasonable routine maintenance, reasonable direct advertising, reasonable resident manager's salary, and (ii) in respect to completed operating Properties, a management fee equal to five percent (5%) of the gross rents collected as to each completed operating Property, which management fee shall be payable on a monthly basis but only out of rents collected.