UNOFFICIAL COP \$385667

2000-10-25 14:42:41

RECORDATION REQUESTED BY:

**CIB Bank** 

Elk Grove Village Branch

900 E. Higgins Road

Elk Grove Village, IL 60007

Cook County Recorder

37.50

WHEN RECORDED MAIL TO:

Elk Grove Village Branch

900 E. Higgins Road

Elk Grove Village, IL 60007

CIB Bank

SEND TAX NOTICES TO:

CIB Bank

Elk Grove Village Branch

- 900 E. Higgins Ro≥€

Elk Grove Village, IL 30507

FOR RECORDER'S USE ONLY

This Modification of Mortgage prepared by

PIN#

## MODIFICATION OF MORTGAGE

THIS MODIFICATION OF MORTGAGE dated September 13, 2000, is made and executed between Triad Investors, LLC, an Illinois limited liability company (referred 13 below as "Grantor") and CIB Bank, whose address is Elk Grove Village Branch, 900 E. Higgins Road, Elk Grove Village, IL 60007 (referred to below as "Lender").

MORTGAGE. Lender and Grantor have entered into a Mortgage dated Ju'y 17, 1998 (the "Mortgage") which has been recorded in Cook County, State of Illinois, as follows:

Mortgage and Assignments of Leases and Rents and Security Agreement dated July 27, 1998 and recorded July 29, 1998 in the Office of the Cook County Recorder as Document Number 98660989.

**REAL PROPERTY DESCRIPTION.** The Mortgage covers the following described real property located in Cook County, State of Illinois:

See SEE ATTACHED EXHIBIT A LEGAL DESCRIPTION WHICH BECOMES AN INTEGRAL PART HEREOF, which is attached to this Modification and made a part of this Modification as if fully set forth berein

The Real Property or its address is commonly known as 630–648 N. State, Chicago, IL 60610. The Real Property tax identification number is 17–09–227–021, 17–09–227–015, 17–09–227–016, 17–09–227,022, 17–09–227,020.

MODIFICATION. Lender and Grantor hereby modify the Mortgage as follows:

Under (v) Note: Change to read: Promissory Note dated September 18, 2000 from Triad Investors, LLC (Mortgagor) to CIB Bank (Mortgagee) in the principal amount of Four Million One Hundred and No/100 Dollars (\$4,100,000.00).

The legal description of the property has been changed as per the attached EXHIBIT B LEGAL DESCRIPTION.

SH P-9 NUM ER

### (Confinued) MODIFICATION OF MORTGAGE

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subsequent actions not be released by it. This waiver applies not only to any initial extension or modification, but also to all such Lender that the non-signing person consents to the changes and provisions of this Modification or otherwise will persons signing below acknowledge that this Modification is given conditionally, based on the representation to this Modification. If any person who signed the original Mortgage does not sign this Modification, then all Lender in writing. Any maker or endorser, including accommodation makers, shall not be released by virtue of makers and endorsers to the Note, including accommodation parties, unless a party is expressly released by Mortgage (the "Note"). It is the intention of Lender to retain as liable all parties to the Mortgage and all parties, in this Modification shall constitute a satisfaction of the promissory note or other credit agreement secured by the performance of the Mortgage as changed above nor obligate Lender to make any future modifications. Nothing Consent by Lender to this Modification does not waive Lender's right to require strict unchanged and in full force and effect and are legally valid, binding, and enforceable in accordance with their CONTINUING VALIDITY. Except as expressly modified above, the terms of the original Mortgage shall remain

SEPTEMBER 18, 2000; MORTGAGE AND CRAND BENEES TO ITS TERMS. THIS MODIFICATION OF MORTGAGE IS DATED GRANTOR ACKNOWLEDGES HAVING READ ALL THE PROVISIONS OF THIS MODIFICATION OF

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Robert

Triad Investors, LLC Marovitz, Member of

Cataldo, Member of Triad

Cataldo, Manager of

Inveștoră, LLC

Triad Investors,

TRIAD INVESTORS

**LENDER** 

Authorized Signer

**UNOFFICIAL COPY** 

(Continued)

Page 3

### LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF ILLINOIS	)
	) SS
COUNTY OF COOK	)
Public, personally appeared Cons Member of Triad Investors, LLC; a to-be-members-or designated agen and acknowledged the Modification authority of statute, its articles of	Residing at
	MICHEL'E J.OSKI Notary Public, Stat. of Illinois My Commission Exp. 01/20/1004
	Clert's Office

## MODIFICATION OF MORTGAGE (Continued)

Page 4

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## ENDORSEMENT ISSUED BY FIRST AMERICAN TITLE INSURANCE COMPANY

Attached to Policy No.: LP3450091 File No. CC123586

#### THE POLICY IS HEREBY AMENDED AS FOLLOWS:

#### SCHEDULE A

The effective date is hereby extended to: August 23, 2000

The amount of insurance is hereby increased to: \$4,100,000.00.

Paragraph 3 is hereby amended as follows:

3. The insured mortgage and assignments thereof, if any, are described as follows:

MORTGAGE AND ASSIGNMENT OF LEASES AND RENTS AND SECURITY AGREEMENT DATED JULY 27, 1998 AND RECORDED JULY 29, 1998 AS DOCUMENT NUMBER 98660989 MADE BY TRIAD INVESTORS, LLC. TO CIB BANK TO SECURE A NOTE FOR \$4,000,000.00, AS AMENDED BY AMENDMENT THERETO RECORDED AS DOCUMENT

#### SCHEDULE B

### The following items are hereby amended as 1cllows:

1. GENERAL TAXES FOR THE YEAR 1999 SECOND INSTALLMENT, 2000 AND SUBSEQUENT YEARS WHICH ARE NOT YET DUE AND PAYABLE

TAX NO.: 17-09-227-021 VOL. NO.: 500

(AFFECTS LOT 1 OF PARCEL 1)

2. GENERAL TAXES FOR THE YEAR 1999 SECOND INSTALLMENT, 2000 AND SUBSEQUENT YEARS WHICH ARE NOT YET DUE AND PAYABLE.

TAX NO.: 17-09-227-015 VOL. NO.: 500

(AFFECTS THE WEST 1/2 OF LOT 2 OF PARCEL 1)

3. GENERAL TAXES FOR THE YEAR 1999 SECOND INSTALLMENT, 2000 AND SUBSEQUENT YEARS WHICH ARE NOT YET DUE AND PAYABLE.

TAX NO.: 17-09-227-016 VOL. NO.: 500

(AFFECTS THE EAST 1/2 OF LOT 2 OF PARCEL 1)

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4. GENERAL TAXES FOR THE YEAR 1999 SECOND INSTALLMENT, 2000 AND SUBSEQUENT YEARS WHICH ARE NOT YET DUE AND PAYABLE.

TAX NO.: 17-09-227-022 VOL. NO.: 500

(AFFECTS THE SOUTH 65.6 FEET OF PARCEL 2)

5. GENERAL TAXES FOR THE YEAR 1999 SECOND INSTALLMENT, 2000 AND SUBSEQUENT YEARS WHICH ARE NOT YET DUE AND PAYABLE.

TAX NO.: 17-09-227-020 VOL. NO.: 500

(AFFECTS THE NORTH 43.25 FEET OF PARCEL 2 AND ALL OF PARCEL 3)

The following icoms are hereby added hereto:

- AGREEMENT AND DECLARATION OF EASEMENTS, RESERVATIONS, COVENANTS AND RESTRICTIONS MADE JUNE 23, 1999, BY AND BETWEEN TRIAD INVESTORS, LLC, AN ILLINOIS LIMITED LIASTLITY COMPANY AND 630 NORTH STATE PARKWAY, L.L.C., AN ILLINOIS LIMITED LIABILITY COMPANY, RECORDED JUNE 24, 1999 AS DOCUMENT 99608646.
- 13. ANY LIEN OR RIGHT TO A LIEN FOR SERVICES, LABOR, OR MATERIALS FURNISHED SUBSEQUENT TO JULY 29, 1998, IMPOSED BY LAW AND NOT SHOWN BY THE PUBLIC RECORDS.

SCHEDULE C

The legal description is hereby amended to read as follows: PARCEL A:

#### FIRST FLOOR:

THAT PART OF LOTS 1 AND 2 IN BLOCK 24 IN WOLCOTT'S ADDITION TO CHICAGO, SUBDIVISION IN THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN AND THAT PART OF THE SOUTH 1/2 OF BLOCK 37 IN KINZIE'S ADDITION TO CHICAGO, A SUBDIVISION OF THE NORTH FRACTION OF SECTION 10, TOWNSHIP 39 NORTH, RANGE 12 FAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF BLOCK 37 AFORESAID; THENCE NORTH DEGREES 00 MINUTES 00 SECONDS EAST, ALONG THE EAST LINE OF SAID FLOCK 37, A DISTANCE OF 29.47 FEET; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, PERPENDICULAR TO THE LAST DESCRIBED LINE, 17.00 FEET TO THE POINT BEGINNING OF THE FOLLOWING DESCRIBED PART OF SAID PARCEL; THENCE CONTINUING SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, 10.67 FEET; THENCE SOUTH 0 DEGREES 00 MINUTES 00 SECONDS WEST, ALONG A LINE DRAWN PARALLEL WITH THE EAST LINE OF BLOCK 37 AFORESAID, 20.00 FEET; THENCE NORTH 90 DEGREES, 00 MINUTES 00 SECONDS EAST, PERPENDICULAR TO THE LAST DESCRIBED LINE, 1.00 FEET; THENCE SOUTH 0 DEGREES 00 MINUTES 00 SECONDS WEST, PERPENDICULAR TO THE LAST DESCRIBED LINE, 9.52 FEET TO A POINT ON THE SOUTH LINE OF BLOCK 57 AFORESAID, SAID POINT BEING 26.67 FEET (AS MEASURED ALONG SAID SOUTH LINE) WEST OF THE SOUTHEAST CORNER THEREOF; THENCE SOUTH 89 DEGREES 55 MINUTES 00 SECONDS WEST, ALONG THE SOUTH LINE OF SAID BLOCK 37 AND ALONG THE SOUTH LINE OF LOT 1 AFORESAID, 52.50 FEET; THENCE NORTH 0 DEGREES, 00 MINUTES, 00

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SECONDS EAST, ALONG A LINE DRAWN PARALLEL WITH THE EAST LINE OF BLOCK 37 AFORESAID, 8.66 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, PERPENDICULAR TO THE LAST DESCRIBED LINE, 3.32 FEET; THENCE NORTH 0 DEGREES, 00 MINUTES 00 SECONDS EAST, ALONG A LINE DRAWN PARALLEL WITH THE EAST LINE OF BLOCK 37 AFORESAID, 4.53 FEET; THENCE SOUTH 90 DEGREES, 00 MINUTES 00 SECONDS WEST, PERPENDICULAR TO THE LAST DESCRIBED LINE, 1.22 FEET; THENCE NORTH 45 DEGREES, 00 MINUTES, 00 SECONDS WEST, 4.68 FEET; THENCE NORTH 0 DEGREES 00 MINUTES 00 SECONDS EAST, ALONG A LINE DRAWN PARALLEL WITH THE EAST LINE OF BLOCK 37 AFORESAID, 15.50 FEET; THENCE NORTH 90 DEGREES, 00 MINUTES, 00 SECONDS EAST, PERPENDICULAR TO THE LAST DESCRIBED LINE, 7.37 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, 11.92 FEET; THENCE NORTH 90 DEGREES, 00 MINUTES 00 SECONDS EAST, PERPENDICULAR TO THE LAST DESCRIBED LINE, 4.00 FEET; THENCE NORTH 0 DEGREES, 00 MINUTES 00 SECONDS EAST, 3.95 FEET; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, PERPENDICULAR TO THE LAST DESCRIBED LINE, 7.67 FEET; THENCE SOUTH O DEGREES OO MINUTES, OO SECONDS WEST, 7.83 FEET; THENCE SOUTH 90 DEGREES, 00 MINUTES 00 SECONDS WEST, PERPENDICULAR TO THE LAST DESCRIBED LINE, 2.71 FEET; THENCE NORTH 0 DEGREES, 00 MINUTES, 00 SECONDS EAST, ALONG A LINE DEAVIN PARALLEL WITH THE EAST LINE OF BLOCK 37 AFORESAID, 34.71 FEET; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS PERPENDICULAR TO THE LAST DESCRIBED LINE, 4.17 FEET; THENCE NORTH 0 DEGREES 00 MINUTES, 00 SECONDS EAST, 1.75 FEET; THENCE SOUTH 90 DEGREES, 00 MINUTES, 00 SECONDS WEST PERPENDICULAR TO THE LAST DESCRIBED LINE, 14.86 FEET; THENCE SOUTH 0 DEGREES 00 NINUTES 00 SECONDS WEST, ALONG A LINE DRAWN 99.40 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF BLOCK 37 AFORESAID, 48.41 FEET; THENCE SOUTH 90 DEGREES, 00 MINUTES, 00 SECONDS WEST, 19.94 FEET TO A POINT ON THE WEST LINE OF 10T 2 AFORESAID, SAID POINT BEING 28.15 FEET (AS MEASURED ALONG SAID WEST LINE), NORTH OF THE SOUTHWEST CORNER THEREOF; THENCE NORTH 0 DEGREES, 03 MINUTES 30 SECONDS WEST, ALONG THE WEST LINE OF LOT 2 AFORESAID, 80.85 FEET TO TYL NORTHEAST CORNER THEREOF; THENCE NORTH 89 DEGREES 55 MINUTES 00 SECONDS EAST, ALONG THE NORTH LINE OF LOT 2 AND ALONG THE NORTH LINE OF LOT 1 AFORESAID, 12.76 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 1, SAID POINT BEING 2 75 EAST (AS MEASURED ALONG SAID NORTH LINE) OF THE NORTHWEST CORNER THEREOF THENCE SOUTH 0 DEGREES 00 MINUTES 00 SECONDS WEST, ALONG A LINE DRAWN PARALLEL WITH THE EAST LINE OF BLOCK 37 AFORESAID, 22.25 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, PERPENDICULAR TO THE LAST DESCRIBED LINE, 59.67 FEET; THENCE SOUTH 0 DEGREES 00 MINUTES 00 SECONDS WEST, ALONG A LINE DRAWN 17.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF BLOCK 37 AFORESAID, 57.17 FEET TO THE HEREINABOVE DESIGNATED POINT OF BEGINNING;

SAID PARCEL HAVING AS A LOWER LIMIT A HORIZONTAL PLANE OF ELEVATION +13.55 FEET, CHICAGO CITY DATUM, AND HAVING AS AN UPPER LIMIT, A HORIZONIAL PLANE OF ELEVATION +28.22 FEET, CHICAGO CITY DATUM, IN COOK COUNTY, ILLINOIS:

AREA = 7,373.8 SQUARE FEET OR 0.1693 ACRES

ALSO:

RETAIL LOADING AT FIRST FLOOR:

THAT PART OF LOTS 1 AND 2 IN BLOCK 24 IN WOLCOTT'S ADDITION TO CHICAGO, A SUBDIVISION IN THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN AND THAT PART OF THE SOUTH 1/2 OF BLOCK 37 IN KINZIE'S ADDITION TO CHICAGO, A SUBDIVISION OF THE NORTH FRACTION OF SECTION 10, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD

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PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 2 AFORESAID; THENCE NORTH 0 DEGREES 03 MINUTES 30 SECONDS WEST, ALONG THE WEST LINE OF SAID LOT, A DISTANCE OF 28.15 FEET; THENCE NORTH 90 DEGREES 0 MINUTES 00 SECONDS EAST, 19.94 FEET; THENCE SOUTH 0 DEGREES, 00 MINUTES, 00 SECONDS WEST, ALONG A LINE DRAWN 99.40 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF BLOCK 37 AFORESAID, 19.59 FEET; THENCE NORTH 90 DEGREES, 00 MINUTES, 00 SECONDS EAST, PERPENDICULAR TO THE LAST DESCRIBED LINE, 0.49 FEET; THENCE SOUTH 0 DEGREES 00 MINUTES 00 SECONDS WEST, ALONG A LINE DRAWN PARALLEL WITH THE EAST LINE OF BLOCK 37 AFORESAID, 8.52 FEET TO A POINT ON THE SOUTH LINE OF LOT 2 AFORESAID; THENCE SOUTH 89 DEGREES, 55 MINUTES 00 SECONDS WEST, ALONG SAID SOUTH LINE, 20.40 FEET TO THE HEREINABOVE DESIGNATED POINT OF BEGINNING;

SAID PARCEL HAVING AS A LOWER LIMIT A HORIZONTAL PLANE OF ELEVATION +13.00 FEET, CHICAGO CITY DATUM, AND HAVING AS AN UPPER LIMIT, A HORIZONTAL PLANE OF ELEVATION +28.22 FEET, CHICAGO CITY DATUM, IN COOK COUNTY, ILLINOIS;

ALSO;

#### SECOND FLOOR:

THAT PART OF LOTS 1 AND 2 IN BLOCK 24 IN WOLCOTT'S ADDITION TO CHICAGO, A SUBDIVISION IN THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN AND THAT PART OF THE SOUTH 1/2 OF BLOCK 37 IN KINZIE'S ADDITION TO CHICAGO, A SUBDIVISION OF THE NORTH FRACTION OF SECTION 10, TOWNSHIP 30 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF BLOCK 27 AFORESAID; THENCE NORTH 0 DEGREES, 00 MINUTES 00 SECONDS EAST ALONG THE LAST LINE OF SAID BLOCK 37, A DISTANCE OF 6.47 FEET; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, PERPENDICULAR TO THE LAST DESCRIBED LINE, 17.00 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PART OF SAID PARCEL; THENCE CONTINUING SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, 9.66 FF.T. THENCE SOUTH 0 DEGREES 00 MINUTES 00 SECONDS WEST, ALONG A LINE DRAWN PARALLEL WITH THE EAST LINE OF BLOCK 37 AFORESAID, 6.51 FEET TO A POINT ON THE SOUTH LINE OF BLOCK 37 AFORESAID, SAID POINT BEING 26.67 FEET (AS MEASIRED ALONG SAID SOUTH LINE) WEST OF THE SOUTHEAST CORNER THEREOF; THENCE SOUTH 89 DEGREES 55 MINUTES 00 SECONDS WEST, ALONG THE SOUTH LINE OF SAID BLOCK 37 AND ALONG THE SOUTH LINE OF LOT 1 AFORESAID, 32.93 FEET; THENCE NORTH 0 LEGREES MINUTES 00 SECONDS EAST, ALONG A LINE DRAWN PARALLEL WITH THE EAST LINE BLOCK 37 AFORESAID, 22.81 FEET; THENCE SOUTH 90 DEGREES 00 MINUTES SECONDS WEST, PERPENDICULAR TO THE LAST DESCRIBED LINE, 40.08 FEET; THENCE NORTH 0 DEGREES 00 MINUTES 00 SECONDS EAST, ALONG A LINE DRAWN PARALLEL WITH THE EAST LINE OF BLOCK 37 AFORESAID, 56.25 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY 12.57 FEET ALONG THE ARC OF A CIRCLE CONVEX TO THE NORTHWEST, HAVING A RADIUS OF 8.00 FEET AND WHOSE CHORD BEARS NORTH 45 DEGREES 00 MINUTES 00 SECONDS EAST, 11.31 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, ALONG A LINE TANGENT TO THE LAST DESCRIBED COURSE, 32.35 FEET; THENCE NORTH 0 DEGREES 00 MINUTES 00 SECONDS EAST, PERPENDICULAR TO THE LAST DESCRIBED LINE, 21.50 FEET; THENCE NORTH DEGREES 00 MINUTES 00 SECONDS EAST, PERPENDICULAR TO THE LAST DESCRIBED LINE, 42.32 FEET; THENCE SOUTH 0 DEGREES 00 MINUTES 00 SECONDS WEST, ALONG UNOFFICIAL COPY 38667 Page 9 of

LINE DRAWN 17.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF BLOCK AFORESAID, 102.00 FEET TO THE HEREINABOVE DESIGNATED POINT OF BEGINNING;

SAID PARCEL HAVING AS A LOWER LIMIT A HORIZONTAL PLANE OF ELEVATION +28.22 FEET, CHICAGO CITY DATUM, AND HAVING AS AN UPPER LIMIT, A HORIZONTAL PLANE OF ELEVATION +40.89 FEET, CHICAGO CITY DATUM, IN COOK COUNTY, ILLINOIS;

This endorsement is made a part of the policy and is subject to all of the terms and provisions thereof and of any prior endorsements thereto. Except to the extent expressly stated, it neither modifies any of the terms and provisions of the policy and any prior endorsements, nor does it extend the AUGUST 23, 2000

By:

Control

Control effective date of the policy and any prior endorsements, nor does it increase the face amount thereof.

First American Title Insurance Company

Dated:

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