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2001-06-29 10:07:24

Cook County Recorder 27.50



0010576054

**RECORDATION REQUESTED BY:**

Labe Bank  
4343 N. Elston Ave.  
Chicago, IL 60641

**WHEN RECORDED MAIL TO:**

Labe Bank  
4343 N. Elston Ave.  
Chicago, IL 60641

**FOR RECORDER'S USE ONLY**

**This Modification of Mortgage prepared by:**

Mary Makhoulf      Note#220  
Labe Bank  
4343 N. Elston  
Chicago, IL 60641

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**MODIFICATION OF MORTGAGE**

THIS MODIFICATION OF MORTGAGE dated February 5, 2001, is made and executed between WEINER / WHITMAN DEVELOPMENT, L.L.C. (referred to below as "Grantor") and Labe Bank, whose address is 4343 N. Elston Ave., Chicago, IL 60641 (referred to below as "Lender").

**MORTGAGE.** Lender and Grantor have entered into a Mortgage dated June 5, 2000 (the "Mortgage") which has been recorded in COOK County, State of Illinois, as follows:

**MORTGAGE AND ASSIGNMENT OF RENT RECORDED IN THE COOK COUNTY RECORDER OF DEED AS DOCUMENT NUMBER 00523608 & 00523609.**

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

PARCEL 1:

LOT 4 (EXCEPT THAT PART OF SAID LOT LYING WEST OF A LINE DRAWN THROUGH A POINT IN THE NORTH LINE OF CORNELL STREET 37.11 FEET WEST OF THE WEST LINES OF NORTH SANGAMON STREET AND THROUGH A POINT IN NORTH LINE OF FRY STREET 43.04 FEET EAST OF THE EAST LINE OF NORTH CARPENTER STREET) IN JACOB HAGEMANN'S OF THE SOUTH 100 FEET OF THE EAST 100 FEET OF BLOCK 3 IN ELSTON ADDITION TO CHICAGO, SECTION 5, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 2:

LOT 3 AND THE WEST 8 FEET OF LOT 2 IN JACOB HAGEMANN'S SUBDIVISION OF PART OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 5, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 3:

THE EAST 40 FEET OF THE WEST 120 FEET OF THE SOUTH 100 FEET OF BLOCK 3 IN ELSTON ADDITION TO CHICAGO IN THE SOUTHEAST 1/4 OF SECTION 5, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPT THAT PART THEREOF TAKEN AND USED FOR EXTENDING AND OPENING OGDEN AVENUE), IN COOK COUNTY, ILLINOIS.

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MODIFICATION OF MORTGAGE

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PARCEL 4:

THE WEST 21 3/4 FEET OF THE EAST 99 FEET OF LOT 12 (EXCEPT THAT PART LYING WEST OF A LINE DRAWN THROUGH A POINT IN THE NORTH LINE OF CORNELL STREET 37.11 FEET WEST OF WEST LINE OF NORTH SANGAMON STREET AND THROUGH A POINT IN THE NORTH LINE OF FRY STREET 43.04 FEET EAST OF EAST LINE OF NORTH CARPENTER STREET) IN THE CHICAGO LAND COMPANY'S SUBDIVISION OF LOTS 7, 10 AND 11 AND THAT PART OF LOT 3 AND 6 LYING SOUTH OF THE RAILROAD IN BLOCK 8 IN WIGHTS ADDITION TO CHICAGO, IN COOK COUNTY, ILLINOIS.

PARCEL 5:

THE EAST 19.25 FEET OF THE WEST 41.00 FEET OF THE EAST 99 FEET OF LOT 12 MEASURED ALONG THE SOUTH LINE OF LOT 12) IN CHICAGO LAND COMPANY'S SUBDIVISION OF LOTS 7, 10 AND 11 AND THAT PART OF LOTS 3 AND 6 LYING SOUTH OF THE RAILROAD IN BLOCK 8 IN WIGHT'S ADDITION TO CHICAGO AND THAT PART OF BLOCK 3 IN ELSTON ADDITION AFORESAID LYING NORTH OF SOUTH 100 FEET THEREOF AND SOUTH OF THE RAILROAD, IN THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 5, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

The Real Property or its address is commonly known as 1026 W. FRY ST, CHICAGO, IL 60622. The Real Property tax identification number is 17-05-419-001 & 17-05-419-007 & 17-05-419-008 & 17-05-419-009 & 17-05-419-002.

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

**INCREASE LOAN AMOUNT TO \$564,000.00 FROM \$420,000.00**

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

**GRANTOR ACKNOWLEDGES HAVING READ ALL THE PROVISIONS OF THIS MODIFICATION OF MORTGAGE AND GRANTOR AGREES TO ITS TERMS. THIS MODIFICATION OF MORTGAGE IS DATED FEBRUARY 5, 2001.**

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GRANTOR:

WEINER / WHITMAN DEVELOPMENT, L.L.C.

By: DANIEL WHITMAN, Member of WEINER / WHITMAN DEVELOPMENT, L.L.C.

By: STEVEN EVANS, Member of WEINER / WHITMAN DEVELOPMENT, L.L.C.

LENDER:

X WILLIAM D. BOLSEN VICE-PRESIDENT COMM. LENDING

LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

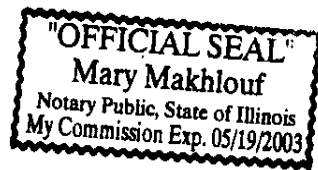
STATE OF ILLINOIS ) ) SS ) COUNTY OF COOK )

On this 5th day of February, 2001 before me, the undersigned Notary Public, personally appeared DANIEL WHITMAN, Member; STEVEN EVANS, Member of WEINER / WHITMAN DEVELOPMENT, L.L.C., and known to me to be members or designated agents of the limited liability company that executed the Modification of Mortgage and acknowledged the Modification to be the free and voluntary act and deed of the limited liability company, by authority of statute, its articles of organization or its operating agreement, for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute this Modification and in fact executed the Modification on behalf of the limited liability company.

By Mary Makhlof Residing at COOK

Notary Public in and for the State of ILLINOIS

My commission expires 5/19/2003



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Loan No: NOTE#220

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LENDER ACKNOWLEDGMENT

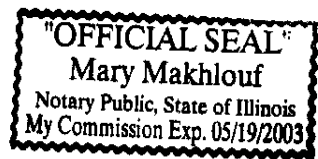
STATE OF ILLINOIS )
) SS
COUNTY OF COOK )

On this 5TH day of FEBRUARY, 2001 before me, the undersigned Notary Public, personally appeared WILLIAM D. BOLSEN and known to me to be the VICE-PRESIDENT, authorized agent for the Lender that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of the said Lender, duly authorized by the Lender through its board of directors or otherwise, for the uses and purposes therein mentioned, and on oath stated that he or she is authorized to execute this said instrument and that the seal affixed is the corporate seal of said Lender.

By Mary Makhlof Residing at COOK

Notary Public in and for the State of ILLINOIS

My commission expires 5/19/2003



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