

# UNOFFICIAL COPY

**RECORDATION REQUESTED BY:**

OAK BROOK BANK  
OAK BROOK OFFICE  
1400 Sixteenth Street  
Oak Brook, IL 60523

0021044480

1909/0030 30 001 Page 1 of 4  
2002-09-24 10:07:21  
Cook County Recorder 30.50



**WHEN RECORDED MAIL TO:**

OAK BROOK BANK  
OAK BROOK OFFICE  
1400 Sixteenth Street  
Oak Brook, IL 60523

**SEND TAX NOTICES TO:**

OAK BROOK BANK  
OAK BROOK OFFICE  
1400 Sixteenth Street  
Oak Brook, IL 60523



**FOR RECORDER'S USE ONLY**

This Modification of Mortgage prepared by:

## MODIFICATION OF MORTGAGE

THIS MODIFICATION OF MORTGAGE dated August 15, 2002, is made and executed between MONTALBANO BUILDERS, INC., whose address is 2208 MIDWEST ROAD, OAK BROOK, IL 60523 (referred to below as "Grantor") and OAK BROOK BANK, whose address is 1400 Sixteenth Street, Oak Brook, IL 60523 (referred to below as "Lender").

**MORTGAGE.** Lender and Grantor have entered into a Mortgage dated February 15, 2002 (the "Mortgage") which has been recorded in COOK County, State of Illinois, as follows:

**RECORDED ON MARCH 6, 2002 AS DOCUMENT NUMBER 0020256831 IN THE COOK COUNTY RECORDER OF DEEDS OFFICE.**

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

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF

The Real Property or its address is commonly known as 66 ACRES OF LAND LOCATED AT 131ST AND PARKER, WEST OF BELL ROAD, LEMONT, IL 60439-6185. The Real Property tax identification number is SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF

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

(I) THE PRINCIPAL AMOUNT AVAILABLE TO BORROWER UNDER THE NOTE SHALL BE DECREASED FROM \$2,148,250 TO \$1,950,000; AND (II) THE MATURITY DATE UNDER THE MORTGAGE IS HEREBY EXTENDED FROM AUGUST 15, 2002 TO NOVEMBER 15, 2002.

**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

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## MODIFICATION OF MORTGAGE (Continued)

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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 endorser 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 AUGUST 15, 2002.


GRANTOR:

MONTALBANO BUILDERS, INC.

By: 

ANTHONY MONTALBANO, President of MONTALBANO BUILDERS, INC.

LENDER:

x  vp  
Authorized Signer

21044380  
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## MODIFICATION OF MORTGAGE

(Continued)

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### CORPORATE ACKNOWLEDGMENT

STATE OF ILL )  
COUNTY OF DUPAGE ) SS 21044480

On this 15<sup>th</sup> day of September, before me, the undersigned Notary Public, personally appeared **ANTHONY MONTALBANO, President of MONTALBANO BUILDERS, INC.**, and known to me to be an authorized agent of the corporation that executed the Modification of Mortgage and acknowledged the Modification to be the free and voluntary act and deed of the corporation, by authority of its Bylaws or by resolution of its board of directors, for the uses and purposes therein mentioned, and on oath stated that he or she is authorized to execute this Modification and in fact executed the Modification on behalf of the corporation.

By *Kent A. Berkley* Residing at 2208 Midwest Rd  
Oak Brook IL  
Notary Public in and for the State of ILL

My commission expires 7/30/03



County Clerk's Office

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THAT PART OF THE SOUTH HALF OF SECTION 34, TOWNSHIP 37 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 34; THENCE NORTH 00 DEGREES 19 MINUTES 37 SECONDS WEST, BEING AN ASSUMED BEARING ON THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 34, A DISTANCE OF 2656.09 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 34; THENCE SOUTH 89 DEGREES 26 MINUTES 33 SECONDS WEST, ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 34, A DISTANCE OF 1053.0 FEET; THENCE SOUTH 00 DEGREES 19 MINUTES 37 SECONDS EAST, PARALLEL WITH THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 34, A DISTANCE OF 300.0 FEET; THENCE NORTH 89 DEGREES 26 MINUTES 33 SECONDS EAST, PARALLEL WITH THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 34, A DISTANCE OF 653.01 FEET; THENCE SOUTH 00 DEGREES 19 MINUTES 37 SECONDS EAST, PARALLEL WITH THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 34, A DISTANCE OF 1609.71 FEET; THENCE SOUTH 89 DEGREES 29 MINUTES 59 SECONDS WEST, PARALLEL WITH THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 34, A DISTANCE OF 290.01 FEET; THENCE SOUTH 00 DEGREES 19 MINUTES 37 SECONDS EAST, PARALLEL WITH THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 34, A DISTANCE OF 305.98 FEET; THENCE SOUTH 89 DEGREES 29 MINUTES 59 SECONDS WEST, PARALLEL WITH THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 34, A DISTANCE OF 2007.24 FEET; THENCE NORTH 00 DEGREES 19 MINUTES 39 SECONDS WEST, PARALLEL WITH THE WEST LINE OF THE EAST 5 ACRES OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 34, A DISTANCE OF 226.0 FEET; THENCE NORTH 89 DEGREES 29 MINUTES 59 SECONDS EAST, PARALLEL WITH THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 34, A DISTANCE OF 120.27 FEET; THENCE NORTH 16 DEGREES 40 MINUTES 06 SECONDS EAST, PARALLEL WITH THE EASTERLY LINE OF DERBY ROAD, A DISTANCE OF 691.68 FEET TO THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 34; THENCE SOUTH 89 DEGREES 28 MINUTES 16 SECONDS WEST, ON THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 34, SAID NORTH LINE ALSO BEING THE SOUTH LINE OF FOX HILLS UNIT TWO, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 22, 1978 AS DOCUMENT NO. 24372376, A DISTANCE OF 278.10 FEET TO THE NORTH-SOUTH CENTER LINE OF SAID SECTION 34; THENCE SOUTH 89 DEGREES 27 MINUTES 58 SECONDS WEST, ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 34, A DISTANCE OF 216.09 FEET TO THE EASTERLY LINE OF DERBY ROAD; THENCE SOUTH 16 DEGREES 40 MINUTES 06 SECONDS WEST, ON THE EASTERLY LINE OF DERBY ROAD, A DISTANCE OF 691.88 FEET; THENCE NORTH 89 DEGREES 18 MINUTES 13 SECONDS EAST, A DISTANCE OF 92.56 FEET TO THE WEST LINE OF THE EAST 5 ACRES OF THE SOUTH QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 34; THENCE SOUTH 00 DEGREES 19 MINUTES 39 SECONDS EAST, ON THE WEST LINE OF THE EAST 5 ACRES, A DISTANCE OF 664.0 FEET TO THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 34; THENCE NORTH 89 DEGREES 29 MINUTES 20 SECONDS EAST, ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 34, A DISTANCE OF 262.81 FEET TO THE NORTH QUARTER CORNER OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN; THENCE NORTH 89 DEGREES 30 MINUTES 00 SECONDS EAST, ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 34, A DISTANCE OF 65.55 FEET TO THE SOUTH QUARTER CORNER OF SAID SECTION 34; THENCE NORTH 89 DEGREES 29 MINUTES 59 SECONDS EAST, ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 34, A DISTANCE OF 2652.87 FEET, TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.