

UNOFFICIAL COPY 0021206152

2887/0129 26 001 Page 1 of 6
2002-10-31 16:45:37
Cook County Recorder 34.50



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This instrument was prepared by Loan Operations, Lakeside Bank, 1112 South Wabash Avenue, Chicago, Illinois 60605
When recorded return to Loan Operations, Lakeside Bank, 1112 South Wabash Avenue, Chicago, Illinois 60605

MODIFICATION OF MORTGAGE

DATE AND PARTIES. The date of this Real Estate Modification (Modification) is September 22, 2002. The parties and their addresses are:

MORTGAGOR:

SUBURBAN BANK & TRUST COMPANY, AS TRUSTEE UNDER TRUST AGREEMENT DATED DECEMBER 1, 1998 AND KNOWN AS TRUST NO. 1133
a Trust
9901 South Western Avenue
Chicago, Illinois 60643

LENDER:

LAKESIDE BANK
Organized and existing under the laws of Illinois
55 W. WACKER DRIVE
CHICAGO, Illinois 60601

1. BACKGROUND. Mortgagor and Lender entered into a Security Instrument dated March 15, 2001 and recorded on March 22, 2001. The Security Instrument was recorded in the records of Cook County, Illinois at the Recorder of Deeds as Document Number 0010229644 and covered the following described Property:

SEE ATTACHED EXHIBIT A

The property is located in Cook County at 816 North Spaulding and 3341 West Walton, Chicago, Illinois .

2. MODIFICATION. For value received, Mortgagor and Lender agree to modify the original Security Instrument. Mortgagor and Lender agree that this Modification continues the effectiveness of the original Security Instrument. The Security Instrument was given to secure the original Secured Debts which have now been modified.

3. SECURED DEBTS. This Modification will secure the following Secured Debts:

A. Specific Debts. The modified Secured Debts include the following debts and all extensions, renewals, refinancings, modifications and replacements. A promissory note, No. 6042369-01, dated March 15, 2001, from Mohammed F. Gheith, William H. Cooper Co., Inc., Lakeside Bank, as trustee, under Trust Agreement dated March 13, 2001 and known as Trust No. 10-2261 and Suburban Bank & Trust Company, as trustee under Trust Agreement dated December 1, 1998 and known as Trust No. 1133 (Borrower) to Lender, with a loan amount of \$279,437.02 with an interest rate of 10.0 percent per year and maturing on March 22, 2004.

B. All Debts. All present and future debts from Mortgagor to Lender, even if this Modification is not specifically referenced, or if the future debt is unrelated to or of a different type than this debt. If more than one person signs this Modification, each agrees that it will secure debts incurred either individually or with others who may not sign this Modification. Nothing in this Modification constitutes a commitment to make additional or future loans or advances. Any such commitment must be in writing. In the event that Lender fails to provide notice of the right of rescission, Lender waives any subsequent security interest in the Mortgagor's principal dwelling that is created by this Modification. This Modification will not secure any debt for which a non-possessory, non-purchase money security interest is created in "household goods" in connection with a "consumer loan," as those terms are defined by federal law governing unfair and deceptive credit practices. This Modification will not secure any debt for which a security interest is created in "margin stock" and Lender does not obtain a "statement of purpose," as defined and required by federal law governing securities.

C. Sums Advanced. All sums advanced and expenses incurred by Lender under the terms of this Modification.

4. MAXIMUM OBLIGATION LIMIT. The total principal amount secured by this Modification at any one time will not exceed \$279,437.02. This limitation of amount does not include interest, attorneys' fees and other fees and charges validly made pursuant to this Modification. Also, this limitation does not apply to advances made under the terms of this Modification to protect Lender's security and to perform any of the covenants contained in this Modification.

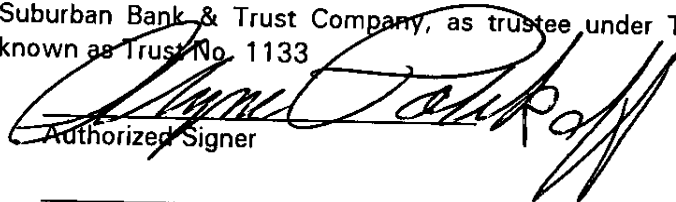
5. WARRANTY OF TITLE. Mortgagor warrants that Mortgagor continues to be lawfully seized of the estate conveyed by this Security Instrument and has the right to grant, bargain, convey, sell and mortgage the Property. Mortgagor also warrants that the Property is unencumbered, except for encumbrances of record.

6. CONTINUATION OF TERMS. Except as specifically amended in this Modification, all terms of the Security Instrument remain in effect.

SIGNATURES. By signing, Mortgagor agrees to the terms and covenants contained in this Modification. Mortgagor also acknowledges receipt of a copy of this Modification.

MORTGAGOR:

Suburban Bank & Trust Company, as trustee under Trust Agreement dated December 1, 1998 and known as Trust No. 1133


Authorized Signer

Authorized Signer

LENDER:

LAKESIDE BANK

Stan J. Bochnowski, Senior Vice President

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Page 3 of 6

STATE OF ILLINOIS)

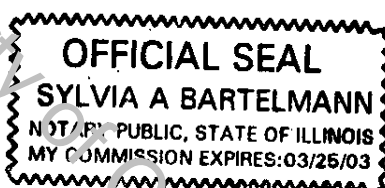
) SS

COUNTY OF COOK)

I, SYLVIA A. BARTELMANN, a Notary Public in and for said County, in the State aforesaid, do hereby certify that ALYNE POLIKOFF VICE PRESIDENT and _____

_____ for _____ as Trustee, and not personally, under Trust Agreement dated December 1, 1998 and known as Trust # 1133 are personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed, sealed and the said instrument as their own free and voluntary act, for the uses and purposes therein set forth on this 22nd day of

October 2002



Commission Expires:

3-25-03

Sylvia A. Bartelmann
NOTARY PUBLIC

Cook County Clerk's Office

EXHIBIT ALEGAL DESCRIPTION

PARCEL 1:

Lots 5 through 42, Lot 52, Lots 60 and 61, the East 40 feet of the North 20 feet of the Lot 69 and the East 40 feet of the South 15 feet of Lot 70, the North 10 feet of Lot 70 all in "Christiana", being a subdivision of the East Half of Lot 5 in the Superior Court Partition of the East Half of Section 2, Township 39 North, Range 13, East of the Third Principal Meridian, in Cook County, Illinois, as recorded April 7, 1882 as Document 1640592.

PARCEL 2:

That part of Lots 12, 13, 14, 15 and 16 in Block 3 of N.T. Wright's Subdivision of Lot 4 of the Superior Court Partition of the East Half of Section 2, Township 39 North, Range 13, East of the Third Principal Meridian, in Cook County, Illinois, as recorded October 9, 1892 as Document Number 61043, bounded and described as follows, to wit:

Commencing at the Southeast corner of Lot 16 and running thence North along the West line of North Spaulding Avenue, 24 feet and 8-3/4 inches more or less, to the Southwesterly line of a strip of land conveyed to Chicago Milwaukee and St. Paul Railway Company, by Deed from Andrew O. Butler and wife, dated April 5, 1899 and recorded April 5, 1899, as Document Number 2829285; thence Northwesterly along the Southwesterly line of said strip of land to a point in the North line of Lot 12 which is 5 feet and 3 inches more or less, East of the Northwest corner of said Lot 12; thence West along the North line of Lot 12, to the Northwest corner of said Lot, being a point in the East line of an alley; thence South along the East line of said alley to the Southwest corner of Lot 16 aforesaid; thence East along the South line of Lot 16 to the place of beginning.

PARCEL 3:

Lots 17 through 50 in Block 3 in N.T. Wright's Subdivision of Lot 4 of the Superior Court Partition of the East Half of Section 2, Township 39 North, Range 13, East of the Third Principal Meridian, in Cook County, Illinois as recorded October 9, 1892 as Document Number 61046.

PARCEL 4:

East Half of vacated alley lying West and adjoining that part of Lots 12, 13, 14, 15 and 16 in Block 3 in N.T. Wright's Subdivision of Lot 4 of the Superior Court Partition of the East Half of Section 2, Township 39 North, Range 13, East of the Third Principal Meridian, in Cook County, Illinois, as recorded October 9, 1892 as Document Number 61043, bounded and described as follows, to wit:

Commencing at the Southeast corner of Lot 16 and running thence North along the West line of North Spaulding Avenue, 24 feet and 8-3/4 inches more or less, to the Southwesterly line of a strip of land conveyed to Chicago Milwaukee and St. Paul Railway Company, by Deed from Andrew O. Butler and wife, dated April 5, 1899 and recorded April 5, 1899 as Document Number 2829285; thence Northwesterly along the Southwesterly line of said strip of land to a point in the North line of Lot 12 which is 5 feet and 3 inches, more or less, East of the Northwest corner of said Lot 12; thence West along the North line of Lot 12, to the Northwest corner of said Lot, being a point in the East line of an alley; thence South along the East line of said alley to the Southwest corner of Lot 16 aforesaid; thence East along the South line of Lot 16 to the place of beginning, and all of Lots 17 through 24, both inclusive, in Block 3 in N.T. Wright's Subdivision aforesaid, in Cook County, Illinois.

PARCEL 5:

West Half of vacated alley lying East and adjoining Lots 5 through 16, both inclusive, in Christiana Subdivision of the East Half of the Lot 5 in Superior Court Partition of the East Half of Section 2, Township 39 North, Range 13, East of the Third Principal Meridian, in Cook County, Illinois.

PARCEL 6:

All that part of the North and South 16 foot vacated public alley lying West of and adjoining the West line of Lots 38 to 45 all in Block 3 in N.T. Wright's Subdivision of Lot 4 aforesaid and lying East of and adjoining the East line of Lots 29 to 36, both inclusive, and South of the South line of the North 16 feet of Lot 29, projected East 16 feet and lying North of the South line of Lot 36 projected East 16 feet; in Christiana Subdivision aforesaid.

PARCEL 7:

All that part of the North and South vacated public alley lying Westerly of and Southwesterly of the West line and the Southwesterly line respectively of Lot 45 in Block 3 of N.T. Wright's Subdivision aforesaid and lying East of and adjoining the East line of Lot 37 in Christiana Subdivision aforesaid and lying South of and adjoining the North line of Lot 37 in Christiana Subdivision aforesaid, projected East 16 feet and lying Northerly of and adjoining a line drawn from the intersection of the East line and Southeasterly line of said Lot 37 in Christiana Subdivision aforesaid to the intersection of the South line and Southwesterly line of said Lot 45, all in Cook County, Illinois.

PARCEL 8:

All of the East-West 16 foot public alley lying south of the South line of Lot 45 in Block 3 in N.T. Wright's Subdivision of Lot 4 of the Superior Court Partition of the East half of Section 2, Township 39 North, Range 13 East of the Third Principal Meridian, lying South and Southeasterly of the Southeasterly lines of Lot 37 in "Christiana" being a subdivision of the East half of Lot 5 of the Superior Court Partition, aforementioned, and lying Southerly of a line drawn from the intersection of the South and Southwesterly lines of Lot 45 in N.T. Wright's Subdivision, aforementioned, to the intersection of the East and Southeasterly lines of Lot 37 in "Christiana" Subdivision, aforementioned, lying North of the North line of Lots 46 to 50, both inclusive in Block 3 in N.T. Wright's Subdivision, aforementioned, lying Northwesterly of the Northwesterly Line of Lot 38 in "Christiana" Subdivision, aforementioned, and lying North of the North line of Lots 39 to 42, both inclusive, in "Christiana" Subdivision, aforementioned; lying East of a line drawn from the Southwest corner of Lot 37 to the Northwest corner of Lot 42 in "Christiana" Subdivision, aforementioned; lying West of a line drawn from the Southeast corner of Lot 45 to the Northeast corner of Lot 50 in Block 3 in N.T. Wright's Subdivision, aforementioned in Cook County, Illinois.

PARCEL 9:

The East half of the vacated alley lying West and adjoining Lots 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36 and 37 in Block 3 in N.T. Wright's Subdivision of the Superior Court Partition of the East half of Section 2, Township 39 North, Range 13, East of the Third Principal Meridian, in Cook County, Illinois, lying South of the North line of Lot 25 extended Westerly and North of the South line of Lot 37 extended Westerly.

PARCEL 10:

The West half of the vacated alley lying East and adjoining Lots 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28 and part of Lot 29 in Christiana Subdivision of the East half of Lot 5 in Superior Court Partition of the East half of Section 2, Township 39 North, Range 13, East of the Third Principal Meridian, in Cook County, Illinois, lying South of the North line of Lot 17 extended Easterly and North of the North line of the South 16 feet of Lot 29 extended Easterly.

Permanent Index Numbers:

16-02-428-044
16-02-428-045
16-02-428-046
16-02-428-047
16-02-428-048
16-02-428-064
16-02-428-066
16-02-428-051
16-02-428-073
16-02-428-054
16-02-428-067
16-02-428-063

16-02-428-062
16-02-428-061
16-02-428-060
16-02-428-075
16-02-428-074
16-02-428-040
16-02-428-068
16-02-428-032
16-02-428-031
16-02-428-072
16-02-428-020
16-02-428-019

16-02-428-018
16-02-428-017
16-02-428-016
16-02-428-015
16-02-428-014
16-02-428-013
16-02-428-036
16-02-428-021
16-02-428-022
16-02-428-029
16-02-428-059
16-02-428-035

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