

RECORDATION REQUESTED BY:

UNOFFICIAL COPY 00239950

COLE TAYLOR BANK
5501 W. 79th Street
Burbank, IL 60459

COOK COUNTY
RECORDER

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2000-04-06 11:24:39
Cook County Recorder 35.50

WHEN RECORDED MAIL TO:

EUGENE "GENE" MOORE
BRIDGEVIEW OFFICE



Cole Taylor Bank
5501 W. 79th Street-4th flr.
Burbank, Ill. 60459
Attn: Carole Dansky



FOR RECORDER'S USE ONLY

This Modification of Mortgage prepared by: Cole Taylor Bank (Loan Services - CL)
P.O. Box 909743
Chicago, IL. 60690-9743

MODIFICATION OF MORTGAGE

THIS MODIFICATION OF MORTGAGE IS DATED January 21, 2000, BETWEEN James McNaughton Builders, Inc. (Borrower), and Cole Taylor Bank, not personally, but as Trustee under the Trust Agreement dated May 3, 1979 and known as Trust Number 2756 (referred to below as "Grantor"), whose address is 5501 W. 79th Street, Burbank, IL 60459; and COLE TAYLOR BANK (referred to below as "Lender"), whose address is 5501 W. 79th Street, Burbank, IL 60459.

MORTGAGE. Grantor and Lender have entered into a mortgage dated December 31, 1993 (the "Mortgage") recorded Cook and DuPage Counties, State of Illinois as follows:

Recorded by the Cook County Recorder of Deeds on July 6, 1994 as document #94-584213, by the Will County Recorder of Deeds on July 5, 1994 as document #R94-066425, and by the DuPage County Recorder of Deeds on July 5, 1994 as document #R94-145466, and modified by Modification of Mortgage dated December 31, 1994 recorded by the Cook County Recorder of Deeds on February 27, 1995 as document #95-133849 and recorded by the Dupage County Recorder of Deeds on March 20, 1995 as document #R95-032117 and modified by Modification of Mortgage dated September 13, 1995 recorded by the Cook County Recorder of Deeds on September 29, 1995 as document #95-663024 and recorded by the DuPage County Recorder of Deeds on September 28, 1995 as document #R95-132768, and modified by Modification of Mortgage dated December 4, 1996 recorded by the Cook County Recorder of Deeds on January 21, 1997 as document #97-043133 and recorded by the DuPage County Recorder of Deeds on January 28, 1997 as document #R97-012603 and modified by Modification of Mortgage dated April 11, 1997 recorded by the Cook County Recorder of Deeds on May 22, 1997 as document #97-365745 and recorded by the DuPage County Recorder of Deeds on May 27, 1997 as document #R97-074140 and modified by Modification of Mortgage dated December 31, 1998 and recorded in the Cook County Recorder's Office on July 30, 1999 as Document Number 99726158 and recorded by the DuPage County Recorder's Office on October 29, 1999 as Document Number R1999-220348.

REAL PROPERTY DESCRIPTION. The Mortgage covers the following described real property (the "Real Property") located in Cook and DuPage Counties, State of Illinois:

Exhibit "A" on the original mortgage and Exhibit "A-6" on this Modification of Mortgage

The Real Property is commonly known as described on the attached Exhibit "A-6". The Real Property tax identification numbers are described on the attached Exhibit "A-6".

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

The Real Property Description attached as Exhibit "A" to the original mortgage and as modified by the Real Property Description attached as Exhibit "A-1" on 12/31/94, and as modified by the Real Property Description attached as Exhibit "A-2" on 9/13/95, and as modified by the Real Property Description attached as Exhibit "A-3" on 12/4/96, and as modified by the Real Property Description attached as Exhibit "A-4" on April 11, 1997 and as modified by the Real Property Description attached as Exhibit "A-5" on December 31, 1998, is hereby replaced and substituted by the Real Property Description attached as Exhibit "A-6" which is attached hereto and made a part hereof.

CONTINUING VALIDITY. Except as expressly modified above, the terms of the original Mortgage shall remain unchanged and in full force and effect. 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.

EACH GRANTOR ACKNOWLEDGES HAVING READ ALL THE PROVISIONS OF THIS MODIFICATION OF MORTGAGE, AND EACH GRANTOR AGREES TO ITS TERMS.

GRANTOR:

James McNaughton Builders, Inc. (Borrower)

By: [Signature]
James McNaughton, President

Cole Taylor Bank, not personally, but as Trustee under the Trust Agreement dated May 3, 1979 and known as Trust Number 2756 (Grantor)

By: [Signature]
MARCO GOTANCO, its authorized signer(s)

By: [Signature]
Colleen Danaher, its authorized signer(s)

LENDER:
COLE TAYLOR BANK

By: [Signature]
Authorized Officer

County Clerk's Office

STATE OF Illinois
) ss
COUNTY OF DuPage

On this 11th day of February, 2000, before me, the undersigned Notary Public, personally appeared **James McNaughton, President of James McNaughton 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 Carol Bielick

Residing at 7217 Richard Rd., Danier IL 60561

Notary Public in and for the State of Illinois

My commission expires _____



CORPORATE ACKNOWLEDGMENT

STATE OF ILLINOIS
) ss
COUNTY OF COOK

On this 24th day of February, 2000, before me, the undersigned Notary Public, personally appeared **MARIO V. GOTANCO**, an authorized signer of **Cole Taylor Bank**, not personally, but as **Trustee under the Trust Agreement dated May 3, 1979 and known as Trust Number 2756**, 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 Sherris Smith

Residing at 111 W. WASHINGTON

Notary Public in and for the State of ILLINOIS

My commission expires 2/19/02



STATE OF _____)
) ss
COUNTY OF _____)

On this _____ day of _____, 19 _____, before me, the undersigned Notary Public, personally appeared _____, an Authorized Signer of Cole Taylor Bank, not personally, but as Trustee under the Trust Agreement dated May 3, 1979 and known as Trust Number 2756, 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 _____
Residing at _____
Notary Public in and for the State of _____
My commission expires _____

LENDER ACKNOWLEDGMENT

STATE OF Illinois)
) ss
COUNTY OF Cook)

On this 15th day of February, ~~19~~ 2000, before me, the undersigned Notary Public, personally appeared David Livingtson and known to me to be the 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 Carole Dansky
Residing at 5501 W. 79th Street, Burbank, Ill. 60459
Notary Public in and for the State of Illinois
My commission expires 1-3-2004



Exhibit "A-6"
Legal Description

Lot 7 in A.F. King's resubdivision, being a resubdivision in the Northwest $\frac{1}{4}$ of Section 3, Township 38 North, range 11, east of the Third Principal Meridian, according to the plat thereof recorded April 30, 1952 as document 650452, and Certificate of Correction filed October 2, 1952 as document 663782, in DuPage County, Illinois.

Property address: 420 Warren Terrace
Hinsdale, Illinois
PIN: 09-01-115-002

The West 137 feet of the South 420.06 feet of Lot 23 in Branigar Bros. Fifty-fifth Street Farms, being a resubdivision in the West $\frac{1}{2}$ of Section 15, Township 38 North, Range 11, east of the Third Principal Meridian, according to the plat thereof recorded March 22, 1920 as Document 141091, in DuPage, County, Illinois.

Property Address: 5821 59th Street
Westmont, Illinois
PIN: 09-15-110-098

Lot 4 in Chas. W. Harris resubdivision of that part of the Southeast $\frac{1}{4}$ of section 1, Township 38 North, Range 11, east of the Third Principal Meridian, according to the plat thereof recorded March 30, 1950 as document 589425, in DuPage County, Illinois.

Property Address: 318 N. Oak
Hinsdale, Illinois
IN: 09-01-408-022

Lot 29 and 30 in Block 16 in resubdivision of block 9 to 20 in Stough's 2nd addition to the Town of Hinsdale, being a subdivision in the East $\frac{1}{2}$ of section 11, township 38 North, Range 11, East of the Third Principal Meridian, according to the plat of said resubdivision recorded September 12, 1874 as document 18723, in DuPage County, Illinois

Property Address: 437 S. Thurlow
Hinsdale, Illinois
PIN: 09-11-234-008

Exhibit "A-6"
Legal Description

The East 314.45 feet of the South 70 Feet of Lot 38 in Clarendon Hills Farms, being a subdivision of the West ½ of the Northeast ¼ of Section 15, township 38 North, Range 11, East the Third Principal Meridian, according to the plat thereof recorded February 8, 1922 as document 153727, in Du Page County, Illinois

Property Address: 5824 S. Western
Clarendon Hills, Illinois
PIN: 09-15-206-020

The South 420.06 feet of Lot 23 (except the West 137 feet thereof) in Branigar Bros. Fifty-fifth Street Farms, being a subdivision in the West ½ of Section 15, Township 38 North Range 11, East of the Third Principal Meridian, according to the plat thereof recorded March 22, 1920 as document 141091, in Du Page County, Illinois.

Property Address: 416 E. 59th Street
Westmont, Illinois
PIN: 09-15-110-010

That part of Lot 23 in Branigar Bros. Fifty-fifth Street Farms, Described as follows: Beginning at the Northeast corner of said Lot, running, thence south on the East Line of said Lot 23, a distance of 180 feet to a point; thence running due West, 330.48 feet to a point on the West Line of said Lot, a Distance of 180 feet south of the Northwest corner thereof; thence North along the West Line of said Lot, a distance of 180 feet to said Northwest corner thereof; thence running due East on the North Line of said Lot 330.84 feet to the point of beginning being a subdivision in the West ½ of Section 15, Township 38 North, Range 11, East of the Third Principal Meridian according to the plat thereof recorded March 22, 1920 as document 141091, in Du Page County, Illinois.

Property Address: 5819 Private Drive
Westmont, Illinois
PIN: 09-15-110-001

Exhibit "A-6"
Legal Description

Tract 20 in Galusha Farm, being a part of Section 26, Township 39 North, Range 9, East of the Third Principal Meridian and a part of Section 1, Township 38 North, Range 9, East of the Third Principal Meridian, according to the plat thereof recorded May 11, 1944 as document 462197, in Du Page County, Illinois.

Property Address: 27 West 240 Galusha
Warrenville, Illinois
PIN: 04-36-200-020

Lot 9 in Block 2 in South Park Terrace, being a subdivision of the Northwest ¼ of the Northeast ¼ of Section 13, Township 38 North, Range 11, East of the Third Principal Meridian according to the plat thereof recorded May 7, 1927 as document 235094, in Du Page County, Illinois.

Street Address: 5514 S. Elm
Hinsdale, Illinois
PIN: 09-13-201-012

Lot 7 in Owner's Subdivision of the East 183 feet (Measured from the Center Line of Elm Street) of the North ½ of Block 3 and the East 208 feet (Measured from the Center Line of Elm Street) of the South ½ of said Block 3 all in William Robbins' 1st addition to Hinsdale, in the Northeast ¼ of Section 12, Township 38th North, Range 11, East of the Third Principal Meridian, according to the plat of said owner's subdivision recorded March 17, 1930 as document 294696, in Du Page County, Illinois.

Property Address: 30 S. Elm
Hinsdale, Illinois
PIN: 09-12-203-023

Exhibit "A-6"
Legal Description

Lot 14 in Block 10 in the Woodlands, Hinsdale, Illinois, being a subdivision of the Southwest $\frac{1}{4}$ of Section 7, Township 38 North, range 12, East of the Third Principal Meridian except there from the West 1312.4 feet of the North 718.2 feet of the said Southwest $\frac{1}{4}$ in Cook County, Illinois.

Property Address: 970 Taft Road
Hinsdale, Illinois
PIN: 18-07-310-023

Lot 38 (except the East 150 feet of the South 85.49 feet of the North 95.49 Feet) (and except the East 314.45 feet of the South 70 feet) in Clarendon Hills Farms, being a subdivision of the West $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of Section 15, Township 38 North, Range 11, east of the Third Principal, according to the plat thereof recorded February 8, 1922 as document 153727, together with Lot 4 in Jereb's Resubdivision, being a subdivision of the West half of the Northeast $\frac{1}{4}$ of Section 15, Township 38 North, Range 11, East of the Third Principal Meridian, in Du Page County, Illinois.

Property Address: 404 E. 59th Street
Westmont, Illinois
PIN: 09-15-206-017

Property of Cook County Clerk's Office