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5/13/0209 07 001 Page 1 of 7

2003-03-11 15:46:16

Cook County Recorder 36.50



0030338125

RECORDATION REQUESTED BY:

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

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:

DC 497054
398 Y AK/140

MODIFICATION OF MORTGAGE

THIS MODIFICATION OF MORTGAGE dated February 15, 2003, 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 0020256864 IN THE COOK COUNTY RECORDER'S OFFICE; AS AMENDED BY A MODIFICATION OF MORTGAGE DATED AUGUST 15, 2002 AND RECORDED ON SEPTEMBER 24, 2002 AS DOCUMENT NUMBER 002104430 IN THE COOK COUNTY RECORDER'S OFFICE; AS FURTHER AMENDED BY A MODIFICATION OF MORTGAGE DATED NOVEMBER 15, 2002 AND RECORDED ON DECEMBER 30, 2002 AS DOCUMENT NUMBER 0021457043 IN THE COOK COUNTY RECORDER'S OFFICE (COLLECTIVELY, THE MORTGAGE).

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 132 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 AMOUNT SECURED BY THIS MORTGAGE SHALL INCREASE FROM \$1,950,000 TO \$5,800,000;
- (II) GRANTOR HAS INCLUDED 66 ACRES OF ADDITIONAL LAND AS SECURITY FOR THE NOTE UNDER THIS MORTGAGE; FOR A TOTAL OF 132 ACRES PLEDGED IN FAVOR OF LENDER; AND
- (III) THE MATURITY DATE UNDER THE MORTGAGE IS HEREBY EXTENDED FROM FEBRUARY 15, 2003 UNTIL

MODIFICATION OF MORTGAGE

(Continued)

SUCH TIME AS LENDER DEMANDS REPAYMENT OF ALL SUMS DUE UNDER THE NOTE.

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 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 FEBRUARY 15, 2003.

GRANTOR:

MONTALBANO BUILDERS, INC.

By: Anthony Montalban
ANTHONY MONTALBANO, President of MONTALBANO BUILDERS, INC.

LENDER:

x Mindy S. [Signature] vp.
Authorized Signer

Property of Cook County Clerk's Office

MODIFICATION OF MORTGAGE

(Continued)

CORPORATE ACKNOWLEDGMENT

STATE OF ILLINOIS

)

) SS

COUNTY OF DuPage

)

On this 18th day of February, 2003 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 Brenda Szczypkowski

Residing at _____

Notary Public in and for the State of ILLINOIS

My commission expires 7-24-2005



County Clerk's Office

LENDER ACKNOWLEDGMENT

STATE OF ILLINOIS

)

COUNTY OF DUKE

) SS

)

On this 18th day of FEBRUARY, 2003 before me, the undersigned Notary Public, personally appeared MOLLY S. OZDENICH 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 [Signature]

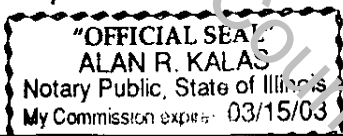
Residing at 30 N. LABAREE STREET

Notary Public in and for the State of ILLINOIS

SUITE 370

My commission expires 3/15/2003

CHICAGO, IL 60602



Clerk's Office

FIRST AMERICAN TITLE INSURANCE COMPANY
COMMERCIAL ADVANTAGE
ALTA LOAN POLICY FORM (1992)
SCHEDULE C

File No.: DC997054

LEGAL DESCRIPTION:

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 218.09 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 693.88 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

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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.

Property of Cook County Clerk's Office

EXHIBIT "A"

File No.: 303199

Legal Description:

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: Commencing 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 to the Point of Beginning; 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 North 89 degrees 28 minutes 16 seconds East, 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. 243732376, a distance of 1048.35 feet to the Southeast corner of Lot 22 in said Fox Hills Unit Two; thence North 00 degrees 19 minutes 38 seconds West, on the East line of said Fox Hills Unit Two, a distance of 1327.38 feet to the North line of the Southeast Quarter of said Section 34; thence North 89 degrees 26 minutes 33 seconds East, on the North line of the Southeast Quarter of said Section 34, a distance of 273.46 feet to the Point of Beginning, all in Cook County, Illinois.

22-34-401-001, 22-34-400-010, 22-34-400-14, and

22-34-400-013

13400 S. PARKER Road.
Lemont, IL 60439