

# UNOFFICIAL COPY

This instrument prepared by  
and please return to:  
Jennifer L. Worstell, Esq.  
100 West Monroe Street #1500  
Chicago, Illinois 60603



Doc#: 0423227043  
Eugene "Gene" Moore Fee: \$38.50  
Cook County Recorder of Deeds  
Date: 08/19/2004 12:20 PM Pg: 1 of 8

## SECOND MODIFICATION OF MORTGAGE NO. 1

This instrument is a Second Modification of a Real Estate Mortgage, Assignment of Rents, Security Agreement and UCC-2 Financing Statement ("Mortgage No. 1") among The PrivateBank and Trust Company, an Illinois banking corporation ("Mortgagee"), Allen Land Development Corporation ("Beneficiary"), U.S. Bank, N.A., formerly known as Firststar Bank Illinois, as Trustee ("Trustee") under Trust Agreement dated January 11, 1999 and known as Trust No. 7199 as to Parcel No. 1, Evelyn Allen, individually as to Parcel Nos. 2, 3 and 4, Evelyn Allen as Trustee of the Robert Samuel Allen Trust Agreement dated April 14, 2000 as to Parcel Nos. 5 and 6, and Robert P. Allen and Lisa C. Allen as to Parcel No. 7, which Mortgage No. 1 is dated June 3, 2002, and was recorded with the Recorder of Deeds of Cook County, Illinois on July 9, 2002 as Document No. 0020751238. Beneficiary, Trustee, Evelyn Allen (individually and as Trustee of the Robert Samuel Allen Trust Agreement dated April 14, 2000), Robert P. Allen and Lisa C. Allen are collectively referred to herein as "Mortgagor."

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## RECITALS:

- A. WHEREAS, Trustee holds fee simple title to Parcel No. 1;
- B. WHEREAS, Evelyn Allen, individually, holds fee simple title to Parcel No. 2, Parcel No. 3 and Parcel No. 4;
- C. WHEREAS, Evelyn Allen, as Trustee of the Robert Samuel Allen Trust dated April 14, 2000, holds fee simple title to Parcel No. 5 and Parcel No. 6;
- D. WHEREAS, Robert P. Allen and Lisa C. Allen, married to each other, hold fee simple title to Parcel No. 7;
- E. WHEREAS, on June 3, 2002, Mortgagor executed a document entitled "2002 Loan Agreement" ("Loan Agreement"), pursuant to which Trustee and Beneficiary executed and delivered to Mortgagee a Promissory Note Evidencing a Revolving Line of Credit in the amount of \$1,750,000 ("Note") which evidences a revolving loan in the amount of \$1,750,000 ("Loan"). The Loan is secured by Mortgage No. 1, among other instruments;
- F. WHEREAS, on August 26, 2003, Mortgagor and Mortgagee entered into a Loan Modification Agreement ("Modification") pursuant to which Mortgagee extended the maturity date of the Loan until July 1, 2004;
- G. WHEREAS, on even date herewith, Mortgagor and Mortgagee are entering into a Second Loan Modification Agreement ("Second Modification") pursuant to which Mortgagee agrees to increase the amount of the Loan from \$1,750,000 to \$2,000,000 and to extend the maturity date thereof until July 1, 2005. To evidence the increase in the Loan, Trustee and Beneficiary will execute and deliver to Mortgagee a Promissory Note Evidencing a Revolving Line of Credit in the amount of \$2,000,000 ("Revised Note").

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**NOW, THEREFORE:**

TO SECURE the payment and performance of Indebtedness Hereby Secured (as defined in Mortgage No. 1) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, it is agreed that Mortgage No. 1 is hereby modified and amended to replace the Note in its entirety with the Revised Note, and to further revise the terms of the Loan pursuant to the terms of the Second Modification. A copy of the Revised Note is attached hereto as Exhibit B.

This instrument is executed by U.S. Bank, N.A., formerly known as Firststar Bank Illinois, as Trustee, not individually or personally, but solely as Trustee as aforesaid, in the exercise of the power and authority conferred upon and vested in it as such Trustee, and it is expressly understood and agreed that nothing herein contained shall be construed as creating any liability on Trustee personally to pay any indebtedness arising or accruing under or pursuant to this instrument, or to perform any covenant, undertaking, representation or agreement, either express or implied, contained in this instrument, all such personal liability of Trustee, if any, being expressly waived by each and every person now or hereafter claiming any right under this instrument

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IN WITNESS WHEREOF, the parties hereto have executed this Second Modification of Mortgage No. 1 on August 2, 2004. *to be effective as of 8-1-04.*

**MORTGAGEE:**

The PrivateBank and Trust Company, an Illinois banking corporation

By: [Signature]  
Its MANAGING DIRECTOR

**MORTGAGOR:**

U.S. Bank, N.A., formerly known as Firststar Bank Illinois, as Trustee under Trust Agreement dated January 11, 1999 and known as Trust No. 7199

By: [Signature]  
Its June Stout, Vice President

Attest: [Signature]  
Its Angela McClain, Land Trust Officer

Allen Land Development Corporation, an Illinois corporation

By: [Signature]  
Its [Signature]

Attest: [Signature]  
Its [Signature]

[Signature]  
Evelyn Allen as Trustee of the Robert Samuel Allen Trust dated April 14, 2000

[Signature]  
Evelyn Allen, individually

[Signature]  
Robert P. Allen

[Signature]  
Lisa C. Allen

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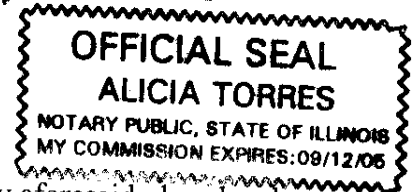
STATE OF ILLINOIS )  
 )  
COUNTY OF C O O K ) SS

The undersigned, a Notary Public in and for the State and County aforesaid, do hereby certify that David Wilson, Managing Director of The Private Bank and Trust Company, an Illinois banking corporation, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that s he signed and delivered the said instrument as her/his own free and voluntary act and as the free and voluntary act of said Bank, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal August 3, 2004.

Alicia Torres  
Notary Public

STATE OF ILLINOIS )  
 )  
COUNTY OF C O O K ) SS

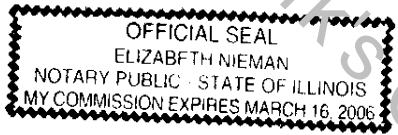


The undersigned, a Notary Public in and for the State and County aforesaid, does hereby certify that June Stout and Angela McClain, Vice President and Land Trust Officer Secretary, respectively, of U.S. Bank, N.A. formerly known as Firststar Bank Illinois, as Trustee as aforesaid, personally known to 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 and delivered the said instrument as their own free and voluntary act and as the free and voluntary act of said Trustee, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal August 2, 2004.

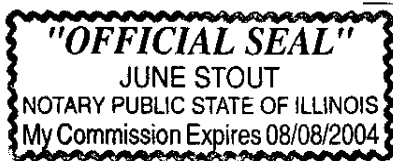
Elizabeth Nieman  
Notary Public

STATE OF ILLINOIS )  
 )  
COUNTY OF C O O K ) SS



The undersigned, a Notary Public in and for the State and County aforesaid, does hereby certify that Robert P Allen and Robert P. Allen Pres. and Secretary of Allen Land Development Corporation, an Illinois corporation, 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 and delivered the said instrument as their own free and voluntary act and as the free and voluntary act of said corporation, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal August 2, 2004.



June Stout

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Notary Public

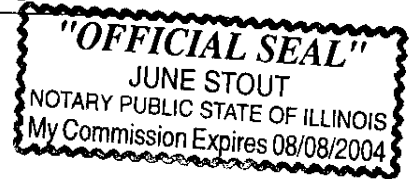
STATE OF ILLINOIS )  
 )  
 ) SS  
COUNTY OF C O O K )

The undersigned, a Notary Public in and for the State and County aforesaid, does hereby certify that Lisa C. Allen, known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that she signed and delivered this instrument as her own free and voluntary act for the purposes therein set forth.

GIVEN under my hand and Notarial Seal August 2, 2004.

  
Notary Public

STATE OF ILLINOIS )  
 )  
 ) SS  
COUNTY OF C O O K )

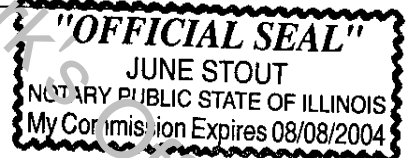


The undersigned, a Notary Public in and for the State and County aforesaid, does hereby certify that Evelyn Allen, individually and as Trustee of the Robert Samuel Allen Trust dated April 14, 2000 known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that she signed and delivered this instrument as her own free and voluntary act and as the free and voluntary act of said Trust, for the purposes therein set forth.

GIVEN under my hand and Notarial Seal August 2, 2004.

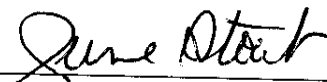
  
Notary Public

STATE OF ILLINOIS )  
 )  
 ) SS  
COUNTY OF C O O K )

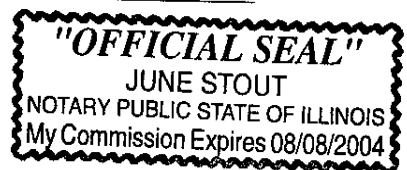


The undersigned, a Notary Public in and for the State and County aforesaid, does hereby certify that Robert P. Allen, known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed and delivered this instrument as his own free and voluntary act for the purposes therein set forth.

GIVEN under my hand and Notarial Seal August 2, 2004.

  
Notary Public

STATE OF ILLINOIS )  
 )  
 ) SS  
COUNTY OF C O O K )



**UNOFFICIAL COPY****EXHIBIT A****PARCEL NO. 1:**

The North 32 Feet of Lot 11 in Block 5 in Timme's Subdivision of Blocks 3, 4 And 5 and part of Block 6 in Kettlestring's Addition to Harlem, being a Subdivision of the Northern part of North West 1/4 of Section 7, Township 39 North, Range 13 East of the Third Principal Meridian, in Cook County, Illinois

COMMONLY KNOWN AS: 403 N. Maple, River Forest, Illinois  
P.I.N.: 16-07-100-014

**PARCEL NO. 2:**

LOTS 34 AND 35 IN BLOCK 3 IN DUNLOP MAAS AND ANSTETT'S SUBDIVISION BEING A SUBDIVISION OF BLOCKS 3, 9, 14 AND 19 IN JOSEPH K. DUNLOP'S SUBDIVISION OF THE WEST HALF OF THE SOUTH EAST QUARTER AND THAT PART OF THE EAST THIRD OF THE EAST HALF OF THE SOUTH WEST QUARTER LYING SOUTH EAST OF CENTER OF DESPLAINES AVENUE, IN SECTION 13, TOWNSHIP 39 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

P.I.N.: 15-13-401-026 and 15-13-401-027, VOL. 164  
COMMONLY KNOWN AS: 835 BELOIT AVENUE, FOREST PARK, ILLINOIS

**PARCEL NO. 3:**

THE SOUTH ½ OF LOT 8 IN BLOCK 5 IN TIMME'S SUBDIVISION OF BLOCKS 3, 4 AND 5 AND PART OF BLOCK 6 IN KETTLESTRING'S ADDITION TO HARLEM IN THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

P.I.N.: 16-07-100-013, VOL. 141  
COMMONLY KNOWN AS: 407-09 N. MAPLE AVENUE, OAK PARK, ILLINOIS

**PARCEL NO. 4:**

LOT 7 AND 8 IN BLOCK 6 IN WOODBINE'S ADDITION IN PART OF SECTION 6, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

P.I.N. 16-06-311-018, VOL. 140  
COMMONLY KNOWN AS: 733 N. KENILWORTH AVENUE, OAK PARK, ILLINOIS

**UNOFFICIAL COPY**PARCEL NO. 5:

UNIT 404 AS DELINEATED IN SURVEY OF THE FOLLOWING DESCRIBED PARCEL OF REAL ESTATE (HEREINAFTER REFERRED TO AS "PARCEL"): THE EAST 60.0 FEET OF THE SOUTH 273.50 FEET OF THE WEST ½ OF LOT 15 (EXCEPT THAT PART TAKEN FOR STREET AND EXCEPT THE NORTH 30.0 FEET THEREOF) IN KETTLESTRING'S SUBDIVISION OF LAND IN THE SOUTHEAST CORNER OF THE NORTHWEST ¼ OF SECTION 7, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, WHICH SURVEY IS ATTACHED AS EXHIBIT "A" TO DECLARATION OF CONDOMINIUM MADE BY FIRST BANK OF OAK PARK, AN ILLINOIS CORPORATION, AS TRUSTEE UNDER TRUST AGREEMENT DATED JUNE 22, 1965, AND KNOWN AS TRUST NO. 7102, RECORDED IN THE OFFICE OF THE RECORDER OF COOK COUNTY, ILLINOIS AS DOCUMENT NO. 24264929, TOGETHER WITH AN UNDIVIDED 4.227 PERCENT INTEREST IN SAID PARCEL (EXCEPTING FROM SAID PARCEL ALL THE PROPERTY AND SPACE COMPRISING ALL THE UNITS THEREOF AS DEFINED AND SET FORTH IN SAID DECLARATION AND SURVEY) IN COOK COUNTY, ILLINOIS

COMMONLY KNOWN AS: 938 NORTH BOULEVARD, OAK PARK, ILLINOIS  
P.I.N.: 16-07-128-032-1021, VOL. 141

PARCEL NO. 6:

LOTS 29 AND 30 IN BLOCK 6 IN NORTH PARK ADDITION TO CHICAGO IN THE NORTHEAST ¼ OF THE SOUTHEAST ¼ OF SECTION 11, TOWNSHIP 40 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

COMMONLY KNOWN AS: 5312 SAWYER, CHICAGO, ILLINOIS  
P.I.N.: 13-11-216-029

PARCEL NO. 7:

LOT 31 IN BLOCK 3 IN ROSSELL'S BONNIE BRAE ADDITION TO RIVER FOREST, A SUBDIVISION OF THE NORTH ½ OF THE EAST ½ OF THE NORTHEAST ¼ OF SECTION 1, TOWNSHIP 39 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS: 1530 CLINTON PLACE, RIVER FOREST, ILLINOIS  
P.I.N.: 15-01-203-025-0000