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Doc#: 0634141042 Fee: \$32.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 12/07/2006 12:04 PM Pg: 1 of 5

TCF NATIONAL BANK

First Amendment to
Commercial Mortgage, Assignment
of Rents, Security Agreement and
Financing Statement

PREPARED BY AND AFTER RECORDING

MAIL TO:
TCF NATIONAL BANK
800 Burr Ridge Parkway 380-04-0
Burr Ridge, Illinois 60527
Attn: Commercial Lending Department

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This First Amendment to Commercial Mortgage, Assignment of Rents, Security Agreement and Financing Statement ("First Amendment") is dated as of November 10, 2006, and is made between Chicago Title Land Trust Company as Successor Trustee to LaSalle Bank National Association, as Successor Trustee to American National Bank and Trust Company of Chicago, not personally but as Trustee under Trust Agreement dated July 29, 1993 and known as Trust Number 117245-07 having an address at 171 N. Clark Street, Chicago, Illinois 60601, as to PARCEL I, and Chicago Title Land Trust Company as Successor to LaSalle Bank National Association, as Successor Trustee to American National Bank and Trust Company of Chicago, not personally but as Trustee under Trust Agreement dated November 14, 1983 and known as Trust Number 59622 having an address at 171 N. Clark Street, Chicago, Illinois 60601 as to PARCEL II, ("Mortgagor") and TCF National Bank, a national banking association ("Mortgagee"), with an office located at 800 Burr Ridge Parkway, Burr Ridge, Illinois 60527.

UNDERSTANDINGS

1. The Mortgagor executed a Commercial Mortgage, Assignment of Rents, Security Agreement and Financing Statement in favor of the Mortgagee dated as of May 6, 2005 and recorded May 27, 2005, as document number 0514711182 in the office of the County Recorder in and for Cook County, Illinois ("Mortgage") encumbering the real estate described on Exhibit A, attached hereto and made a part hereof.
2. The Mortgage secures the indebtedness, obligations and liabilities of Mortgagor pursuant to a promissory note in the original principal amount of Two Million Two Hundred Fifty Thousand and 00/100 Dollars (\$2,250,000.00), payable to Mortgagee and executed jointly and severally by Mortgagor ("Note").
3. The principal balance of the Note is due and payable on November 10, 2006. As of the date hereof, the outstanding principal balance due is \$52,502.11.
4. Mortgagor wishes to amend the terms of the Note and the Mortgage, and Mortgagee is willing to do so.

NOW, THEREFORE, in consideration of the Understandings as set forth above and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Mortgagor and the Mortgagee agree as follows:

Box 400-CTCC

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- A. That the Maturity Date shall be changed from November 10, 2006 to February 10, 2007. All references in the Note and Mortgage to the phrase "November 10, 2006" are hereby deleted in their entirety and replaced with the phrase "February 10, 2007", and the phrase "Maturity Date" shall be amended to be defined as February 10, 2007.
- B. In all other respects, unless specifically modified hereby, the Mortgage shall remain unchanged and in full force and effect.

SIGNED AND DELIVERED IN Burr Ridge, Illinois by the parties hereto as of the day and year written above.

MORTGAGOR:

MORTGAGEE

AS TO PARCEL I:

Chicago Title Land Trust Company as Successor Trustee to LaSalle Bank National Association, Successor Trustee to American National Bank and Trust Company of Chicago, not personally but as Trustee under Trust Agreement dated July 29, 1993 and known as Trust Number 11'245-07

By: [Signature]
Joseph E. Milimore

Its: Senior Vice President

By: [Signature]
Norene Medows

Its: Loan Closing Officer

By: _____

Its: **SEE ATTACHED EXCULPATORY**

By: **CLAUDE FOR SIGNATURE**

Its:

AS TO PARCEL II:

Chicago Title Land Trust Company as Successor Trustee to LaSalle Bank National Association, Successor Trustee to American National Bank and Trust Company of Chicago, not personally but as Trustee under Trust Agreement dated November 14, 1983 and known as Trust Number 59622

By: _____

Its: **SEE ATTACHED EXCULPATORY**

By: **CLAUDE FOR SIGNATURE**

Its:

Property of Cook County Clerk's Office

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STATE OF ILLINOIS

COUNTY OF _____

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, do hereby certify that _____ and _____ of CHICAGO TITLE LAND TRUST AS SUCCESSOR TRUSTEE TO LASALLE BANK NATIONAL ASSOCIATION, an association and of said association personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such _____ and _____, respectively, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their own free and voluntary acts, and as the free and voluntary act of said association, as Trustee, for the uses and purposes therein set forth; and the said _____ and _____ did also then and there acknowledge that he/she/they, as custodian(s) of the corporate seal of said association, affixed the said corporate seal of said association, to said instrument as his own free and voluntary act, and as the free and voluntary act of said association, as Trustee, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this _____ day of November, 2006

SEE ATTACHED EXCULPATORY CLAUSE FOR SIGNATURE

Notary Public

STATE OF ILLINOIS

COUNTY OF COOK

I, the undersigned, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY that Joseph E. Miltimore and Norene Medows, as Senior Vice President and Loan Closing Officer of TCF National Bank, a national banking association subscribed to the foregoing instrument, appeared before me this day in person and acknowledged to me that they being duly authorized, signed and delivered said instruments as their free and voluntary act and as the free and voluntary act of said national association, for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 10th day of November, 2006



Paulette Brouwer
Notary Public

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EXCULPATORY CLAUSE FOR CHICAGO TITLE LAND TRUST COMPANY, SUCCESSOR TRUSTEE TO LASALLE BANK, AS TRUSTEE UNDER TRUST # 117245-07 AND 59622 ATTACHED TO AND MADE A PART OF THE FIRST MODIFICATION OF COMMERCIAL MORTGAGE DATED 11/10/06, WITH TCF NATIONAL BANK

It is expressly understood and agreed by and between the parties hereto, anything to the contrary notwithstanding, that each and all of the warranties, indemnities, representations, covenants, undertakings and agreements herein made on the part of the Trustee while in form purporting to be the warranties, indemnities, representations, covenants, undertakings and agreements of said Trustee are nevertheless each and every one of them, made and intended not as personal warranties, indemnities, representations, covenants, undertakings and agreements by the Trustee or for the purpose or with the intention of binding said Trustee personally but are made and intended for the purpose of binding only that portion of the trust property specifically described herein, and this instrument is executed and delivered by said Trustee not in its own right, but solely in the exercise of the powers conferred upon it as such Trustee; and that no personal liability or personal responsibility is assumed by nor shall at any time be asserted or enforceable against CHICAGO TITLE LAND TRUST COMPANY, on account of this instrument or on account of any warranty, indemnity, representation, covenant or agreement of the said Trustee in this instrument contained, either expressed or implied, all such personal liability, if any, being expressly waived and released.

Date: 11/28/06

CHICAGO TITLE LAND TRUST COMPANY, as Trustee
Under Trust No. 117245-07 AND 59622

By: _____

Assistant Vice President

State of Illinois
County of Cook SS.

I, the undersigned, a Notary Public in and for the County and State aforesaid, do hereby certify that the above named Assistant Vice President of **CHICAGO TITLE LAND TRUST COMPANY**, personally known to me to be the same persons whose name is subscribed to the foregoing instrument as such Assistant Vice President appeared before me this day in person and acknowledged that he/she signed and delivered the said instrument as his/her own free and voluntary act and as the free and voluntary act of the Company; and the said Assistant Vice President then and there caused the corporate seal of said Company to be affixed to said instrument as his/her own free and voluntary act and as the free and voluntary act of the Company.

Given under my hand and Notarial Seal this 11/28/06.



NOTARY PUBLIC

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EXHIBIT A

To

COMMERCIAL MORTGAGE, ASSIGNMENT OF RENTS, SECURITY AGREEMENT

AND

FINANCING STATEMENT

DATED AS OF NOVEMBER 10, 2006 BETWEEN

Chicago Title Land Trust Company as Successor Trustee to LaSalle Bank National Association, as Successor Trustee to American National Bank and Trust Company of Chicago, not personally but as Trustee under Trust Agreement dated July 29, 1993 and known as Trust Number 117245-07, AS TO PARCEL I, AND Chicago Title Land Trust Company as Successor trustee to LaSalle Bank National Association, as Successor Trustee to American National Bank and Trust Company of Chicago, not personally but as Trustee under Trust Agreement dated November 14, 1983 and known as Trust Number 59622, AS TO PARCEL II,

AND

TCF NATIONAL BANK**LEGAL DESCRIPTION****PARCEL I:**

LOTS 7, 8 AND 9 IN BLOCK 2 IN WAITE'S SUBDIVISION OF LOTS 4 TO 15, INCLUSIVE IN BLOCK 20 OF THE ORIGINAL PLAT OF HYDE PARK, BEING A SUBDIVISION OF THE EAST HALF OF THE SOUTHEAST QUARTER AND THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

P.I.N. 20-11-412-017-0000

COMMONLY KNOWN AS: 1500-06 EAST 53RD STREET, 5241 SOUTH HARPER AVENUE, CHICAGO, ILLINOIS 60615

PARCEL II:

LOT 3 IN MEISWINKEL'S SUBDIVISION OF THE WEST 768.37 FEET OF THAT PART OF THE NORTH QUARTER OF BLOCK 1, WEST OF GREEN BAY ROAD, IN THE CANAL TRUSTEES' SUBDIVISION OF THE EAST HALF OF SECTION 29, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

P.I.N. 14-29-204-011-0000

COMMONLY KNOWN AS: 855-57 WEST BELMONT AVENUE, CHICAGO, ILLINOIS

PREPARED BY AND AFTER RECORDING MAIL TO:

TCF NATIONAL BANK

800 BURR RIDGE PARKWAY

BURR RIDGE, ILLINOIS 60527

ATTN: COMML LENDING DEPT 380-04-0