

# UNOFFICIAL COPY



Doc#: 0706546001 Fee: \$34.00  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 03/06/2007 09:08 AM Pg: 1 of 6

**WHEN RECORDED MAIL TO:**

BankFinancial, F.S.B.  
15W060 North Frontage Road  
Burr Ridge, IL 60527

FOR RECORDER'S USE ONLY

This Modification of Mortgage prepared by:  
Commercial - 1900018380 (JM)  
BankFinancial, F.S.B.  
15W060 North Frontage Road  
Burr Ridge, IL 60527

**FINANCIAL TITLE SERVICES  
15W060 N FRONTAGE RD  
BURR RIDGE, IL 60527**

## MODIFICATION OF MORTGAGE

THIS MODIFICATION OF MORTGAGE dated January 1, 2007, is made and executed between Cub Terminal LLC, formerly known as 5300 Joliet Road LLC, an Illinois limited liability company, whose address is 557 W. Polk St., Ste. 201, Chicago, IL 60607 (referred to below as "Grantor") and BankFinancial, F.S.B., whose address is 15W060 North Frontage Road, Burr Ridge, IL 60527 (referred to below as "Lender").

**MORTGAGE.** Lender and Grantor have entered into a Mortgage dated September 5, 2003 (the "Mortgage") which has been recorded in Cook County, State of Illinois, as follows:

**MORTGAGE AND ASSIGNMENT OF RENTS DATED SEPTEMBER 5, 2003 AND RECORDED ON OCTOBER 21, 2003 AS DOCUMENT NUMBERS 0329408261 AND 0329408262 RESPECTIVELY AND MODIFIED BY MODIFICATION OF MORTGAGE DATED JULY 15, 2006 AND RECORDED SEPTEMBER 18, 2006 AS DOCUMENT NUMBER 0626108138.**

**REAL PROPERTY DESCRIPTION.** The Mortgage covers the following described real property located in Cook County, State of Illinois:

See EXHIBIT A, which is attached to this Modification and made a part of this Modification as if fully set forth herein.

The Real Property or its address is commonly known as 5300 Joliet Road, McCook, IL 60525. The Real Property tax identification number is 18-10-201-006-0000, 18-11-300-016-0000, 18-11-300-017-0000 AND 18-10-402-001-0000.

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

**MATURITY DATE:** The maturity date of the Note is hereby changed from September 5, 2007, to May 15, 2007. All principal and accrued interest not yet paid is payable on the Maturity Date.

**INCREASE IN LOAN AMOUNT:** The principal amount of the Note is increased from \$500,000.00 to \$1,000,000.00.

**INTEREST RATE:** Effective January 1, 2007, the interest rate to be applied to the unpaid principal

701112 Cook PD

FINANCIAL TITLE SERVICES

Property of Cook County Clerk's Office

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balance of the Note will be at a rate of 0.500 percentage points under the Index.

**MAXIMUM LIEN AMOUNT ADDENDUM:** It is expressly agreed and understood that the Maximum Lien amount as set forth in this Mortgage is \$2,000,000.00 plus all items referenced in 735 ILCS 5/15-1302(b)(1-5) which statutory provision is incorporated by reference and made a part hereof.

**PARCEL IDENTIFICATION NUMBERS:** The parcel identification numbers are corrected as set forth<sub>x</sub>

**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 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.

**GRANTOR ACKNOWLEDGES HAVING READ ALL THE PROVISIONS OF THIS MODIFICATION OF MORTGAGE AND GRANTOR AGREES TO ITS TERMS. THIS MODIFICATION OF MORTGAGE IS DATED JANUARY 1, 2007.**

**GRANTOR:**


**CUB TERMINAL LLC, AN ILLINOIS LIMITED LIABILITY COMPANY**

**KILPATRICK CORPORATION, AN ILLINOIS CORPORATION, Manager of  
Cub Terminal LLC, an Illinois limited liability company**

By:   
Vahooman Mirkhaef, President/Secretary of Kilpatrick  
Corporation, an Illinois Corporation

**LENDER:**

**BANKFINANCIAL, F.S.B.**

X   
Authorized Signer

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## MODIFICATION OF MORTGAGE

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### LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

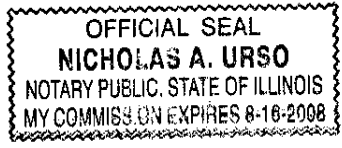
STATE OF \_\_\_\_\_ )  
 ) SS  
 COUNTY OF \_\_\_\_\_ )

On this 31<sup>st</sup> day of JAN, 2007 before me, the undersigned Notary Public, personally appeared **Vahoman Mirkhaef, President/Secretary of Kilpatrick Corporation, an Illinois Corporation**, and known to me to be a member or designated agent of the limited liability company that executed the Modification of Mortgage and acknowledged the Modification to be the free and voluntary act and deed of the limited liability company, by authority of statute, its articles of organization or its operating agreement, 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 limited liability company.

By Nicholas A Urso Residing at LA GRANGE, IL

Notary Public in and for the State of ILLINOIS

My commission expires 8/16/2008



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## MODIFICATION OF MORTGAGE

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### LENDER ACKNOWLEDGMENT

STATE OF ILLINOIS )  
 ) SS  
 COUNTY OF COOK )

On this 27<sup>th</sup> day of February, 2007 before me, the undersigned Notary Public, personally appeared Don Marcos and known to me to be the 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 Miguel A Hernandez Residing at Burr Ridge  
 Notary Public in and for the State of Ill

My commission expires \_\_\_\_\_



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## EXHIBIT "A"

Property: 5300 Joliet Rd., a/k/a 9500 W. 55<sup>TH</sup> St., McCook, IL 60525

PIN: 18-10-201-006-0000, 18-11-300-016-0000, 18-11-300-017-0000, AND

18-10-402-001-0000

### PARCEL A

#### PARCEL 1:

THAT PART OF THE SOUTHWEST 1/4 OF SECTION 11, TOWNSHIP 38 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE WEST LINE OF SAID SOUTHWEST 1/4 WHICH IS 250 FEET SOUTH OF THE NORTHWEST CORNER THEREOF AND RUNNING THENCE EAST PARALLEL WITH THE NORTH LINE OF SAID SOUTHWEST 1/4 AND 250 FEET DISTANT THEREFROM, FOR A DISTANCE OF 432.86 FEET, MORE OR LESS TO THE POINT OF INTERSECTION OF SAID LAST DESCRIBED LINE, WITH A LINE WHICH IS 1162.50 FEET WEST OF AND PARALLEL TO FIRST AVENUE (SAID WEST LINE OF FIRST AVENUE BEING A LINE 50 FEET WEST OF AND PARALLEL WITH THE CENTER LINE OF HINSDALE AVENUE AS SHOWN ON THE PLAT OF PHILLIPS SUBDIVISION, RECORDED IN THE RECORDERS'S OFFICE OF COOK COUNTY, ILLINOIS AS DOCUMENT 4631789); THENCE SOUTH ON SAID LAST DESCRIBED PARALLEL LINE A DISTANCE OF 888.23 FEET TO A POINT; THENCE SOUTHWESTERLY ALONG A LINE FORMING AN ANGLE OF 134 DEGREES 30 MINUTES, AS MEASURED FROM NORTH TO SOUTHWEST, A DISTANCE OF 599.95 FEET MORE OR LESS, TO THE WEST LINE OF SAID SOUTHWEST 1/4; THENCE NORTH ALONG THE WEST LINE OF SAID SOUTHWEST 1/4 A DISTANCE OF 1306.55 FEET MORE OR LESS, TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

#### PARCEL 2:

EASEMENT FOR THE BENEFIT OF PARCEL 1 AS RESERVED IN THE DEED FROM AMERICAN HAIR AND FELT COMPANY, CORPORATION OF DELAWARE, TO THE DEPARTMENT OF PUBLIC WORKS AND BUILDINGS OF THE STATE OF ILLINOIS, DATED NOVEMBER 7, 1949 AND FILED DECEMBER 1, 1949 AS DOCUMENT LR1272967 FOR THE PURPOSE OF ALLOWING DIRECT ACCESS TO THE LOCAL OR SERVICE DRIVE TO BE CONSTRUCTED BY THE STATE OVER AND ACROSS THE PREMISES DESCRIBED AS FOLLOWS:

THAT PART OF THE SOUTHWEST 1/4 OF SECTION 11, TOWNSHIP 38 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: BEGINNING ON A LINE DRAWN THROUGH THE INTERSECTION OF THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION WITH THE NORTHEASTERLY LINE OF THE RIGHT OF WAY OF THE BALTIMORE, OHIO, CHICAGO TERMINAL RAILROAD COMPANY AT AN ANGLE OF 46 DEGREES 37 MINUTES FROM NORTH TO EAST WITH THE WEST LINE OF SAID SOUTHWEST 1/4 AT A POINT ON SAID LOT, 80 FEET NORTHEASTERLY BY RECTANGULAR MEASUREMENTS FROM THE NORTHEASTERLY LINE OF SAID RIGHT OF WAY; RUNNING THENCE NORTHEASTERLY ALONG THE ABOVE DESCRIBED LINE TO A POINT THEREON DISTANT ALONG SAID LINE 115.1 FEET FROM THE WEST LINE OF SAID SOUTHWEST 1/4 OF SAID SECTION; THENCE NORTHEASTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 1 DEGREE 38 MINUTES TO THE RIGHT WITH A PROLONGATION OF SAID LAST DESCRIBED LINE A DISTANCE OF 513.76 FEET TO A POINT; THENCE NORTHWESTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 77 DEGREES 12 MINUTES 56 SECONDS TO THE LEFT WITH A PROLONGATION OF THE LAST DESCRIBED COURSE FOR A DISTANCE OF 76.24 FEET TO A POINT ON A LINE WHICH IS PARALLEL WITH AND 1162.50 FEET WEST OF THE WEST LINE OF FIRST AVENUE (SAID WEST LINE OF FIRST AVENUE BEING A LINE 50 FEET WEST OF AND PARALLEL WITH THE CENTER LINE OF HINSDALE AVENUE AS SHOWN ON PLAT OF PHILLIPS SUBDIVISION RECORDED IN THE RECORDER'S OFFICE OF COOK COUNTY, ILLINOIS AS DOCUMENT 4031789); THENCE NORTH ALONG SAID PARALLEL LINE 195.26 FEET TO A POINT; THENCE SOUTHWESTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 134 DEGREES 30

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EXHIBIT "A"  
(Continued)

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PIN: 18-10-201-006-0000, 18-11-300-016-0000, 18-11-300-017-0000, AND

18-10-402-001-0000

MINUTES TO THE LEFT WITH A PROLONGATION OF THE LAST DESCRIBED COURSE A DISTANCE OF 599.7 FEET MORE OR LESS TO A POINT IN THE WEST LINE OF SAID SOUTHWEST 1/4 OF SECTION; THENCE SOUTH ALONG SAID WEST LINE TO A POINT THEREOF A DISTANCE OF 80 FEET NORTHEASTERLY BY RECTANGULAR MEASUREMENTS FROM SAID NORTHEASTERLY LINE OF THE RIGHT OF WAY OF SAID RAILROAD; THENCE SOUTHEASTERLY ALONG A LINE PARALLEL TO SAID RAILROAD RIGHT OF WAY LINE TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

**PARCEL 3:**

THE EAST 15 FEET SOUTH OF THE NORTH 250 FET OF THAT PART LYING NORTHEAST OF RAILROAD IN THE SOUTHEAST 1/4 OF SECTION 10, TOWNSHIP 38 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

**PARCEL B**

LOT 2 IN REYNOLDS METALS FIRST SUBDIVISION OF PART OF LOT 72 AND ALL OF LOT 77 TO 275 INCLUDING VACATED STREETS ADJACENT TO SAID LOTS IN PHILLIPS SUBDIVISION OF PART OF THE NORTHWEST 1/4 OF SECTION 10, TOWNSHIP 38 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Cook County Clerk's Office