

UNOFFICIAL COPY

Subject Property: One West Grand Avenue
Chicago, Illinois



Doc#: 0800218066 Fee: \$46.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 01/02/2008 02:55 PM Pg: 1 of 12

PIN: 17-09-248-008 & -009

Prepared by and after Recording
to Be Mailed to:
John J. Turner, Esq.
527 South Wells Street
Chicago, IL 60607
(312) 987-1900

MEMORANDUM OF SECOND LOAN MODIFICATION

The undersigned **Lender**, the undersigned **Loan Parties** and the undersigned **New Parties**, hereby acknowledge and agree as follows:

In accordance with and subject to the terms and conditions of that certain Second Loan Modification Agreement of even date herewith between the parties hereto, hereby incorporated herein by reference, (a) that certain business loan secured by and identified in the following described Mortgage (the "**Loan**"), having been heretofore modified by that certain First Loan Modification Agreement between Lender and the Loan Parties dated August 1, 2006, is hereby further modified to permit certain conveyances of certain portions of some of the ownership interests in the subject real estate by and between the Loan Parties and the New Parties, and (b) the Mortgage, together with the Note evidencing the Loan and the other documents securing the same, are accordingly further amended.

The Mortgage, dated December 26, 2002 and executed and delivered and by certain of the Loan Parties, or their predecessors in title, with respect to the subject real estate, was recorded with the Cook County Recorder of Deeds on January 10, 2003 as Document No. 003004871; the real estate pertaining thereto is legally described in the attached Exhibit A.

This Memorandum may be executed in any number of counterparts, each of which shall be deemed an original and all of which taken together shall constitute one and the same instrument.

Dated as of December 1, 2007

(THE FOLLOWING PAGE IS THE SIGNATURE PAGE)

LL

14 of 14
NCS-4092
LL
DEC

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Lakeside - Arizona 2nd Mod Memo

New Parties:

MATTHEW T. MYREN TRUST

By: _____
Matthew T. Myren, Trustee

By: Maquoketa State Bank, Trustee

By: _____
Name: _____
Title: _____

**MOLLY SUE FILLINGER
INDIVIDUAL TRUST**

By: _____
Molly Sue Fillinger, Trustee

By: _____
Matthew T. Myren, Trustee

By: Maquoketa State Bank, Trustee

By: _____
Name: _____
Title: _____

HALCYON MANAGEMENT, L.L.C.

By: _____
David E. Carpenter, Member

By: _____
Arthur Wong, Member

Lender:

LAKESIDE BANK

By: David V. Pinkerton
Name: DAVID V. PINKERTON
Title: EXECUTIVE VICE PRESIDENT

Loan Parties:

ARIZONA, L.L.C.

By: _____
David E. Carpenter, Member Manager

By: _____
David M. Wong, Member Manager

By: _____
Melissa W. Aagesen, Member Manager

JANUS INVESTMENTS, L.C.

By: _____
Name: _____
Title: _____

**ESTATE OF CAROL J. CARPENTER,
DECEASED**

By: Maquoketa State Bank, Co-executor

By: _____
Name: _____
Title: _____

By: _____
Mathew T. Myren, Co-executor

CONSTANCE S. FOSTER

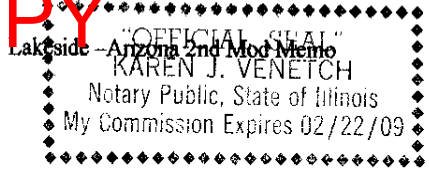
**MIRIAM WEISMAN, as Trustee
as aforesaid**

**EUGENE B. WEISMAN,
as Trustee as aforesaid**

ARTHUR WONG,

DAVID E. CARPENTER

UNOFFICIAL COPY



Acknowledgements

STATE OF ILLINOIS, COUNTY OF COOK

The foregoing Instrument was acknowledged before me on DECEMBER 11, 2007, by DAVID V. PINKERTON, the EXECUTIVE VICE PRESIDENT of **LAKESIDE BANK**, an Illinois banking corporation, on behalf of the corporation.

Karen J. Venetch
NOTARY PUBLIC

STATE OF _____, COUNTY OF _____

The foregoing Instrument was acknowledged before me on _____ by David E. Carpenter, individually, and as a Member of and for and on behalf of **ARIZONA, L.L.C.**, an Illinois limited liability company, and **HALCYON MANAGEMENT, L.L.C.**, an Illinois limited liability company.

NOTARY PUBLIC

STATE OF _____, COUNTY OF _____

The foregoing Instrument was acknowledged before me on _____ by Arthur Wong, individually, and as a Member of and for and on behalf of **ARIZONA, L.L.C.**, an Illinois limited liability company, and **HALCYON MANAGEMENT, L.L.C.**, an Illinois limited liability company.

NOTARY PUBLIC

STATE OF _____, COUNTY OF _____

The foregoing Instrument was acknowledged before me on _____ by Melissa W. Aagesen, as a Member of and on behalf of **ARIZONA, L.L.C.**, an Illinois limited liability company.

NOTARY PUBLIC

STATE OF IOWA, COUNTY OF JACKSON

The foregoing Instrument was acknowledged before me on _____ by _____, the _____ of Maquoketa State Bank, an Iowa state bank, on behalf of the bank as executor of the **ESTATE OF CAROL J. CARPENTER, DECEASED**, and as Trustee of the **MATTHEW T. MYREN TRUST**, and as Trustee of the **MOLLY SUE FILLINGER, INDIVIDUAL TRUST**.

NOTARY PUBLIC

Acknowledgements continues on the following page.

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Lakeside - Arizona 2nd Mod Memo

New Parties:

MATTHEW T. MYREN TRUST

By: *Matthew T. Myren*
Matthew T. Myren, Trustee

By: Maquoketa State Bank, Trustee

By: *Dean Engel*
Dean Engel, Sr. Vice President
& Sr. Trust Officer

**MOLLY SUE FILLINGER
INDIVIDUAL TRUST**

By: *Molly Sue Myren*
Molly Sue Myren, Trustee

By: *Matthew T. Myren*
Matthew T. Myren, Trustee

By: Maquoketa State Bank, Trustee

By: *Dean Engel*
Dean Engel, Sr. Vice President &
Sr. Trust Officer

HALCYON MANAGEMENT, L.L.C.

By: *David E. Carpenter*
David E. Carpenter, Member

By: *Arthur Wong*
Arthur Wong, Member

Lender:

LAKESIDE BANK

By: _____
Name: _____
Title: _____

Loan Parties:

ARIZONA, L.L.C.

By: *David E. Carpenter*
David E. Carpenter, Member Manager

By: *David M. Wong*
David M. Wong, Member Manager

By: _____
Melissa W. Agesen, Member Manager

JANUS INVESTMENTS, L.C.

By: _____
Gregory A. Claus, Manager

**ESTATE OF CAROL J. CARPENTER,
DECEASED**

By: Maquoketa State Bank, Co-executor

By: *Dean Engel*
Dean Engel, Sr. Vice President &
Sr. Trust Officer

By: *Matthew T. Myren*
Matthew T. Myren, Co-Executor

Constance S. Foster
CONSTANCE S. FOSTER

Miriam Weisman
MIRIAM WEISMAN, as Trustee
as aforesaid

Eugene B. Weisman
EUGENE B. WEISMAN,
as Trustee as aforesaid

Arthur Wong
ARTHUR WONG,

David E. Carpenter
DAVID E. CARPENTER

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Lakeside - Arizona 2nd Mod Memo

New Parties:

MATTHEW T. MYREN TRUST

By: _____
Matthew T. Myren, Trustee

By: Maquoketa State Bank, Trustee

By: _____
Name: _____
Title: _____

**MOLLY SUE FILLINGER
INDIVIDUAL TRUST**

By: _____
Molly Sue Fillinger, Trustee

By: _____
Matthew T. Myren, Trustee

By: Maquoketa State Bank, Trustee

By: _____
Name: _____
Title: _____

HALCYON MANAGEMENT, L.L.C.

By: _____
David E. Carpenter, Member

By: _____

Arthur Wong, Member

Lender:

LAKESIDE BANK

By: David V. Pinkerton
Name: DAVID V. PINKERTON
Title: EXECUTIVE VICE PRESIDENT

Loan Parties:

ARIZONA, L.L.C.

By: _____
David E. Carpenter, Member Manager

By: _____
David M. Wong, Member Manager

By: _____
Melissa W. Aagesen, Member Manager

JANUS INVESTMENTS, L.C.

By: _____
Name: _____
Title: _____

**ESTATE OF CAROL J. CARPENTER,
DECEASED**

By: Maquoketa State Bank, Co-executor

By: _____
Name: _____
Title: _____

By: _____
Mathew T. Myren, Co-executor

CONSTANCE S. FOSTER

MIRIAM WEISMAN, as Trustee
as aforesaid

EUGENE B. WEISMAN,
as Trustee as aforesaid

ARTHUR WONG,

DAVID E. CARPENTER

UNOFFICIAL COPY

Lakeside - Arizona 2nd Mod Memo

New Parties:

MATTHEW T. MYREN TRUST

By: _____
Matthew T. Myren, Trustee

By: Maquoketa State Bank, Trustee

By: _____
Dean Engel, Sr. Vice President
& Sr. Trust Officer

**MOLLY SUE FILLINGER
INDIVIDUAL TRUST**

By: _____
Molly Sue Myren, Trustee

By: _____
Matthew T. Myren, Trustee

By: Maquoketa State Bank, Trustee

By: _____
Dean Engel, Sr. Vice President &
Sr. Trust Officer

HALCYON MANAGEMENT, L.L.C.

By: _____
David E. Carpenter, Member

By: _____
Arthur Wong, Member

Lender:

LAKESIDE BANK

By: _____
Name: _____
Title: _____

Loan Parties:

ARIZONA, L.L.C.

By: _____
David E. Carpenter, Member Manager

By: _____
David M. Wong, Member Manager

By: Melissa W. Aagesen
Melissa W. Aagesen, Member Manager

JANUS INVESTMENTS, L.C.

By: _____
Gregory A. Claus, Manager

**ESTATE OF CAROL J. CARPENTER,
DECEASED**

By: Maquoketa State Bank, Co-executor

By: _____
Dean Engel, Sr. Vice President &
Sr. Trust Officer

By: _____
Matthew T. Myren, Co-Executor

CONSTANCE S. FOSTER

MIRIAM WEISMAN, as Trustee
as aforesaid

EUGENE B. WEISMAN,
as Trustee as aforesaid

ARTHUR WONG,

DAVID E. CARPENTER

UNOFFICIAL COPY

Lakeside - Arizona 2nd Mod Memo

New Parties:

MATTHEW T. MYREN TRUST

By: _____
Matthew T. Myren, Trustee

By: Maquoketa State Bank, Trustee

By: _____
Dean Engel, Sr. Vice President
& Sr. Trust Officer

**MOLLY SUE FILLINGER
INDIVIDUAL TRUST**

By: _____
Molly Sue Myren, Trustee

By: _____
Matthew T. Myren, Trustee

By: Maquoketa State Bank, Trustee

By: _____
Dean Engel, Sr. Vice President &
Sr. Trust Officer

HALCYON MANAGEMENT, L.L.C.

By: _____
David E. Carpenter, Member

By: _____
Arthur Wong, Member

Lender:

LAKESIDE BANK

By: _____
Name: _____
Title: _____

Loan Parties:

ARIZONA, L.L.C.

By: _____
David E. Carpenter, Member Manager

By: _____
David M. Wong, Member Manager

By: _____
Melissa W. Agesen, Member Manager

JANUS INVESTMENTS, L.C.

By: _____
Gregory A. Claus, Manager

**ESTATE OF CAROL J. CARPENTER,
DECEASED**

By: Maquoketa State Bank, Co-executor

By: _____
Dean Engel, Sr. Vice President &
Sr. Trust Officer

By: _____
Matthew T. Myren, Co-Executor

CONSTANCE S. FOSTER

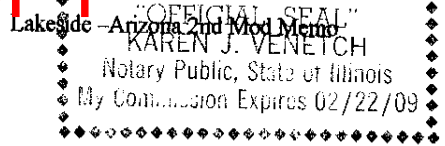
MIRIAM WEISMAN, as Trustee
as aforesaid

EUGENE B. WEISMAN,
as Trustee as aforesaid

ARTHUR WONG,

DAVID E. CARPENTER

UNOFFICIAL COPY



Acknowledgements

STATE OF ILLINOIS, COUNTY OF COOK

The foregoing Instrument was acknowledged before me on DECEMBER 11, 2007 by DAVID V. PINKERTON, the EXECUTIVE VICE PRESIDENT of **LAKESIDE BANK**, an Illinois banking corporation, on behalf of the corporation.

Karen J. Venetch
NOTARY PUBLIC

STATE OF _____, COUNTY OF _____

The foregoing Instrument was acknowledged before me on _____ by David E. Carpenter, individually, and as a Member of and for and on behalf of **ARIZONA, L.L.C.**, an Illinois limited liability company, and **HALCYON MANAGEMENT, L.L.C.**, an Illinois limited liability company

NOTARY PUBLIC

STATE OF _____, COUNTY OF _____

The foregoing Instrument was acknowledged before me on _____ by Arthur Wong, individually, and as a Member of and for and on behalf of **ARIZONA, L.L.C.**, an Illinois limited liability company, and **HALCYON MANAGEMENT, L.L.C.**, an Illinois limited liability company.

NOTARY PUBLIC

STATE OF _____, COUNTY OF _____

The foregoing Instrument was acknowledged before me on _____ by Melissa W. Aagesen, as a Member of and on behalf of **ARIZONA, L.L.C.**, an Illinois limited liability company.

NOTARY PUBLIC

STATE OF IOWA, COUNTY OF JACKSON

The foregoing Instrument was acknowledged before me on _____ by _____, the _____ of Maquoketa State Bank, an Iowa state bank, on behalf of the bank as executor of the **ESTATE OF CAROL J. CARPENTER, DECEASED**, and as Trustee of the **MATTHEW T. MYREN TRUST**, and as Trustee of the **MOLLY SUE FILLINGER, INDIVIDUAL TRUST**.

NOTARY PUBLIC

Acknowledgements continues on the following page.

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Lakeside - Arizona 2nd Mod Memo

Acknowledgements

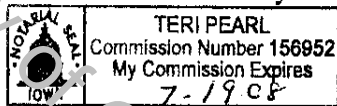
STATE OF ILLINOIS, COUNTY OF COOK

The foregoing Instrument was acknowledged before me on _____, by _____, the _____ of LAKESIDE BANK, an Illinois banking corporation, on behalf of the corporation.

NOTARY PUBLIC

STATE OF Iowa, COUNTY OF Muscatine

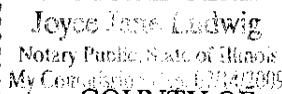
The foregoing Instrument was acknowledged before me on _____, by **David E. Carpenter**, individually, as a Member Manager of and for and on behalf of **ARIZONA, L.L.C.**, an Illinois limited liability company, and as a Member of and for and on behalf of **HALCYON MANAGEMENT, L.L.C.**, an Iowa limited liability company.



Teri Pearl
NOTARY PUBLIC

STATE OF IL, COUNTY OF COOK

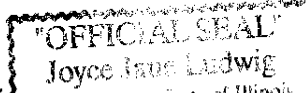
The foregoing Instrument was acknowledged before me on December 14, 2007, by **Arthur Wong**, individually, and as a Member of and for and on behalf of **HALCYON MANAGEMENT, L.L.C.**, an Iowa limited liability company.



Joyce Jane Ludwig
NOTARY PUBLIC

STATE OF IL, COUNTY OF COOK

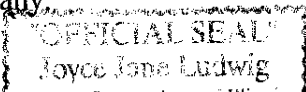
The foregoing Instrument was acknowledged before me on December 14, 2007, by **David M. Wong**, as a Member Manager of and on behalf of **ARIZONA, L.L.C.**, an Illinois limited liability company.



Joyce Jane Ludwig
NOTARY PUBLIC

STATE OF IL, COUNTY OF COOK

The foregoing Instrument was acknowledged before me on December 14, 2007, by **Melissa W. Aagesen**, as a Member Manager of and on behalf of **ARIZONA, L.L.C.**, an Illinois limited liability company.

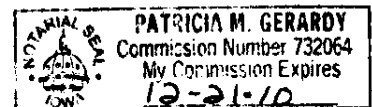


Joyce Jane Ludwig
NOTARY PUBLIC

STATE OF IOWA, COUNTY OF JACKSON

The foregoing Instrument was acknowledged before me on December 13, 2007, by **Dean Engel, Sr.** Vice President & Sr. Trust Officer of Maquoketa State Bank, an Iowa state bank, on behalf of the bank as executor of the **ESTATE OF CAROL J. CARPENTER, DECEASED**, and as Trustee of the **MATTHEW T. MYREN TRUST**, and as Trustee of the **MOLLY SUE FILLINGER INDIVIDUAL TRUST**.

Patricia M. Gerardy
NOTARY PUBLIC



Acknowledgements continues on the following page.

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Lakeside - Arizona 2nd Mod Memo

Acknowledgements -continued

STATE OF ILLINOIS, COUNTY OF COOK

The foregoing Instrument was acknowledged before me on 12-14-2007, by **Matthew T. Myren**, as executor of the **ESTATE OF CAROL J. CARPENTER, DECEASED**, and as Trustee of the **MATTHEW T. MYREN TRUST**, and as Trustee of the **MOLLY SUE FILLINGER INDIVIDUAL TRUST**.



Teresa Grabowski
NOTARY PUBLIC

STATE OF Iowa, COUNTY OF Muscatine

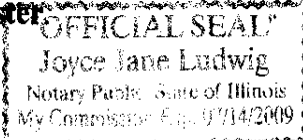
The foregoing instrument was acknowledged before me on 12-18-07, by **Molly Sue Myren**, formerly known as Molly Sue Fillinger, as Trustee of the **MOLLY SUE FILLINGER INDIVIDUAL TRUST**.

Teri Pearl
NOTARY PUBLIC



STATE OF ILLINOIS, COUNTY OF COOK

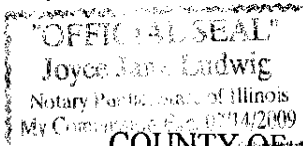
The foregoing instrument was acknowledged before me on December 14, 2007, by **Constance S. Foster**.



Joyce Jane Ludwig
NOTARY PUBLIC

STATE OF IL, COUNTY OF COOK

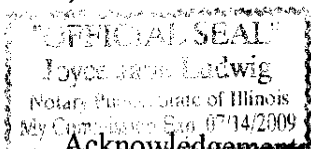
The foregoing Instrument was acknowledged before me on December 14, 2007, by **Miriam Weisman**, as Trustee of and on behalf of the **MIRIAM WEISMAN REVOCABLE TRUST** dated August 10, 1994.



Joyce Jane Ludwig
NOTARY PUBLIC

STATE OF IL, COUNTY OF COOK

The foregoing Instrument was acknowledged before me on December 14, 2007, by **Eugene B. Weisman**, as Trustee of and on behalf of the **EUGENE B. WEISMAN REVOCABLE TRUST** dated August 10, 1994.



Joyce Jane Ludwig
NOTARY PUBLIC

Acknowledgements continues on the following page

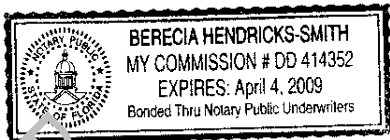
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Lakeside -Arizona 2nd Mod Memo

Acknowledgements -continued

STATE OF Florida, COUNTY OF Alachua

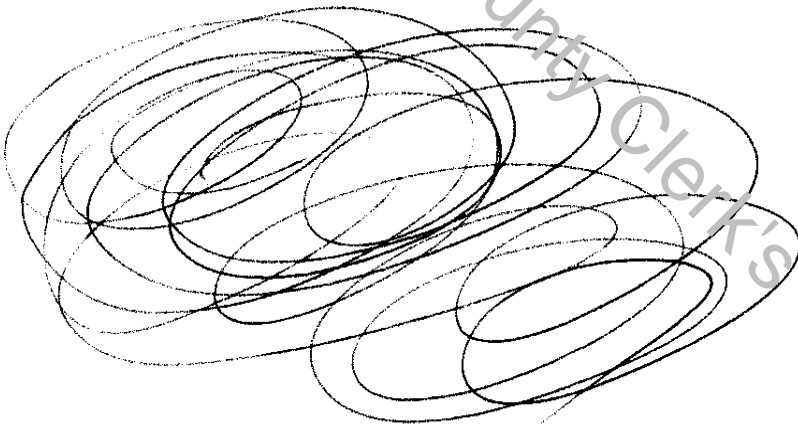
The foregoing Instrument was acknowledged before me on December 13th, 2007, by **Gregory A. Claus**, the Manager of **JANUS INVESTMENTS, L.C.**, an Iowa limited liability company, on behalf of the company.



Berecia M. Smith
NOTARY PUBLIC

S:\Arizona L.L.C. Word Docs\2nd Mod Memo - 12-10-07- dec changes1.rtf

Property of Cook County Clerk's Office



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Lakeside – Arizona 2nd Mod. Ex. A

EXHIBIT A

Legal Description

LOT 1 IN BLOCK 14 IN KINZIE'S ADDITION TO CHICAGO IN SECTION 10, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.

AND

LOTS 15 AND 16 IN BLOCK 9 IN WOLCOTT'S ADDITION TO CHICAGO IN SECTION 9, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.

PIN: 17-09-248-008 (Lots 15 & 16)
17-09-248-009 (Lot 1)

Commonly known as One West Grand Avenue,
Chicago, Illinois 60610

Property of Cook County Clerk's Office