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Prepared by and Mail to: Commercial Loan Dept. Republic Bank of Chicago 2221 Camden Court, Floor 1 Oak Brook, IL 60523 Doc#: 0805308096 Fee: \$54.00 Eugene "Gene" Moore RHSP Fee: \$10.00 Cook County Recorder of Deeds
Date: 02/22/2008 10:35 AM Pg: 1 of 4

MODIFICATION AND EXTENSION AGREEMENT

THIS AGREEMENT made as of this 16th day of January, 2008 between REPUBLIC BANK OF CHICAGO, an Illinois banking corporation, hereinafter called Bank, and 5444 WINTHROF LLC, the Owner of the property and/or the Obligor under the Note, James Cartwright, King Johnson, Thomas J. Riley and William D. Cartwright Guarantors all which and hereinafter both called Second Party, WITNESSETH:

THAT WHEREAS, Bank is the owner of that certain Note in the amount of \$1,899,360.00 dated July 21, 2006 secured either in whole or in part by a Construction Mortgage and Assignment of Rents recorded as Document Nos. 0620642205, and 0620642206 respectively, covering the real estate described below.

LOT 3 IN BLOCK 4 IN JOHN LEVY'S COCHRAN'S SUBDIVISION OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF SECTION 8, TOWNSHIP 40 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERILIAN, IN COOK COUNTY, ILLINOIS.

Commonly known as: 5444-46 N. Winthrop Avenue, Chicago, IL 60640-1706 PIN: 14-08-204-015-0000

WHEREAS, the parties hereto wish to modify the terms of said Note as set forth herein;

NOW THEREFORE, in consideration of ONE DOLLAR (\$1.00) the covenants herein contained and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

- 1. The maturity date of the Note and Construction Mortgage hereinbefore described is hereby extended from January 21, 2008 to July 21, 2008.
- 2. This agreement is subject to Second Party paying Bank a Modification Fee of \$1,250.00, Documentation Fee of \$250.00 and interest in the amount of \$7,118.90 for the month of January.

Second Party warrants and certifies that the indebtedness evidenced by the Note is a valid and subsisting debt of the Obligor and in all respects free from all defenses, setoffs and counterclaims both in law and equity.

In all other respects, the Note hereinbefore described and all documents and/or instruments securing the same shall remain unchanged and in full force and effect.

Notwithstanding the foregoing, Second Party expressly waives any defenses, which it now has or may have or assert. Furthermore, in order to induce Bank to enter into this agreement, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Second Party does hereby release, remise and forever discharge Bank of and from

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any and all setoffs, claims, counterclaims, demands, causes, causes of action, suits and/or judgments which it now has or may have against Bank including but not limited to matter arising out of the Note and/or any document, instrument or agreement securing the same or arising out of any banking relationship existing between the parties.

IN WITNESS WHEREOF, this instrument is executed the date and year first above written.

BANK:

REPUBLIC BANK OF CHICAGO, an Illinois banking corp.

BY:

Michael P. Sperling, Assistant Vice President **SECOND PARTY:**

5444 Winthrop LLC

James Cartwright, Marager

BY:

Kirk Johnson, Manager

RV-

Thomas J. Riley, Manager

CONSENTED TO BY GUARANTOR(S):

James Cartwright, Individually

Kirk John son, Individually

Thomas J. Riley, Individually

William D. Cartwright, Individually

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STATE OF ILLINOIS]	
COUNTY OF Surage 1 ss	
aforesaid, DO HEREBY CERTIFY that MI be the same person whose name is subscribed day in person and acknowledged that he such officer of said Bank and caused the seal and voluntary act and as the free and voluntary therein set forth.	chary Public in and for the said County in the State CHAEL P. SPERLING, personally known to me to to the foregoing instrument, appeared before me this signed, sealed and delivered the said instrument as to find Bank to be thereunto affixed as free y act and deed of said Bank for the uses and purposes this day of Library, and
MY COMMISSION EXPIRES:01/04/11	Nopary Public
STATE OF ILLINOIS COUNTY OF Cook ss	ŕ _O
aforesaid, DO HEREBY CERTIFY that JA be the same person whose name is subscribed	Notary Prolic in and for the said County in the State AMES CAPA WRIGHT, personally known to me to to the foregoing instrument, appeared before me this signed, sealed and delivered the said instrument as d purposes therein set forth.
Given under my hand and notarial seal	this 9 TH day of February 2008
"OFFICIAL SEAL"	Arra M. Bush
Donna M Bush	Notary Public

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STATE OF ILLINOIS]	
COLDITIVOE (I V	
COUNTY OF COOK]	
aforesaid, DO HEREBY CERTIFY thatK same person whose name is subscribed to the person and acknowledged thathe signed free and voluntary act, for the uses and purpos	es therein set forth.
"OFFICIAL SEAL"	of this 9th day of Telerusy sool
"OFFICIAL SEAL"	7.500
Donna M Bush Notan Rublic, State of Illinois Commission Expires 8/19/2011	a Sur M. Buch
0.	Notary Public
70	
STATE OF ILLINOIS	
COUNTY OF <u>(lock</u>) ss	
I, THE UNDERSIGNED, a l	Notary Public in and for the said County in the State
aforesaid, DO HEREBY CERTIFY that TH	IOMAS J. RILEY, personally known to me to be the
	foregoing instrument, appeared before me this day in
person and acknowledged that he signer	
- free and valuatory act for the uses and numa (r thoron oof touth
free and voluntary act, for the uses and purpose	1
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Given under my hand and notarial sea. "OFFICIAL SEAL"	this <u>414</u> day of <u>Julyuny 208</u>
Given under my hand and notarial sea. "OFFICIAL SEAL" Donna M Bush	1
Given under my hand and notarial sea. "OFFICIAL SEAL"	1
Given under my hand and notarial sea: "OFFICIAL SEAL" Donna M Bush Notary Public, State of Illinois	1
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Given under my hand and notarial seal "OFFICIAL SEAL" Donna M Bush Notary Public, State of Illinois Commission Expires 8/19/2011 STATE OF ILLINOIS STATE OF ILLINOIS J ss COUNTY OF Cook I, THE UNDERSIGNED, a N	I this 4th day of July 108 Notary Public Notary Public in and for the said County in the State
Given under my hand and notarial seal "OFFICIAL SEAL" Donna M Bush Notary Public, State of Illinois Commission Expires 8/19/2011 STATE OF ILLINOIS STATE OF ILLINOIS I,	I this 4th day of July 108 Notary Public Notary Public in and for the said County in the State ILLIAM D. CARTWRIGHT, personally known to
Given under my hand and notarial sea. "OFFICIAL SEAL" Donna M Bush Notary Public, State of Illinois Commission Expires 8/19/2011 STATE OF ILLINOIS I,	Notary Public in and for the said County in the State ILLIAM D. CARTWRIGHT, personally known to ribed to the foregoing instrument, appeared before the signed, sealed and delivered the said instrument as
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