

# UNOFFICIAL COPY

R1192036  
CTIC-HE



Doc#: 0902008358 Fee: \$48.00  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 01/20/2009 09:40 AM Pg: 1 of 7

Prepared by and Mail to:  
Commercial Loan Dept.  
Republic Bank of Chicago  
2221 Camden Court  
Oak Brook, IL 60523

## CHICAGO TITLE LAND TRUST COMPANY AS SUCCESSOR TRUSTEE TO MODIFICATION AND EXTENSION AGREEMENT

CTLC  
W

THIS AGREEMENT made as of this 2nd day of January, 2009 between REPUBLIC BANK OF CHICAGO, an Illinois banking corporation, hereinafter called Bank, and LASALLE BANK, NATIONAL ASSOCIATION, SUCCESSOR TO AMERICAN NATIONAL BANK OF CHICAGO, NOT PERSONALLY, BUT SOLEY AS TRUSTEE UNDER TRUST AGREEMENT DATED OCTOBER 20, 1988 AND KNOWN AS TRUST NO. 106768-07318 the Owner of the property and/or the Obligor under the Note and NORMAN S. LYNN, the Guarantor all of which are hereinafter collectively called Second Party, WITNESSETH:

THAT WHEREAS, Bank is the owner of that certain Note in the amount of \$2,472,000.00 dated June 10, 2002, secured either in whole or in part by a Commercial Mortgage, Security Agreement and Assignment of Rents recorded as Document No. 0020671749 respectively, covering the real estate described in attached "Exhibit A".

Commonly known as: 22204 Governors Highway, Richton Park, Illinois 60471  
PIN: 31-27-401-018; 31-27-401-020; and 31-27-401-021

FURTHER secured either in whole or in part by the assignment of a certain Money Market deposited with the Bank.

WHEREAS, the parties hereto wish to modify the terms of said Note and Mortgages 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. As of the date hereof, the amount of the principal indebtedness due under the Note is TWO MILLION ONE HUNDRED EIGHTY EIGHT THOUSAND SIX HUNDRED SEVENTY FIVE and 11/100 Dollars (\$2,188,675.11).
2. The maturity date of the Note, Commercial Mortgage, Security Agreement and Assignment of Rents hereinbefore described is hereby extended from October 15, 2008 to April 15, 2009.

1

# UNOFFICIAL COPY

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, as is the lien of the Mortgage.

In all other respects, the Note hereinbefore described and all mortgages, 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 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.

**CHICAGO TITLE LAND TRUST COMPANY**  
**AS SUCCESSOR TRUSTEE TO**  
LASALLE BANK, NATIONAL  
ASSOCIATION, SUCCESSOR TO  
AMERICAN NATIONAL BANK OF  
CHICAGO, NOT PERSONALLY, BUT  
SOLEY AS TRUSTEE UNDER TRUST  
AGREEMENT DATED OCTOBER 20, 1988  
AND KNOWN AS TRUST NO. 106768-07318

BY: Marge Schiavone  
Marge Schiavone  
Senior Vice President



Norman S. Lynn  
NORMAN S. LYNN

**GUARANTOR (S):**  
Norman S. Lynn  
Norman S. Lynn, Individually

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 as warranties, indemnities, representations, covenants, undertakings and agreements by the Trustee for the purpose of binding only that portion of the trust property specifically described, used and intended, and is executed and delivered by said Trustee not in its own right, but solely in the capacity and for an assumed name as such Trustee; and that no personal liability or personal responsibility is assumed by, nor shall at any time be asserted or enforceable against the undersigned land trustee, 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.

# UNOFFICIAL COPY

STATE OF ILLINOIS ]  
] ss  
COUNTY OF Cook ]

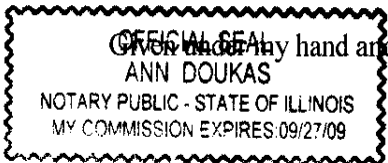
I, THE UNDERSIGNED, a Notary Public in and for the said County in the State aforesaid, DO HEREBY CERTIFY that MARGE SCHIAVONE personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that she signed, sealed and delivered the said instrument as such officer of said Bank and caused the seal of said Bank to be thereunto affixed as her free and voluntary act and as the free and voluntary act and deed of said Bank for the uses and purposes therein set forth.



Given under my hand and notarial seal this 2nd day of JANUARY, 2009.  
Ann Doukas  
Notary Public

STATE OF ILLINOIS ]  
] ss  
COUNTY OF COOK ]

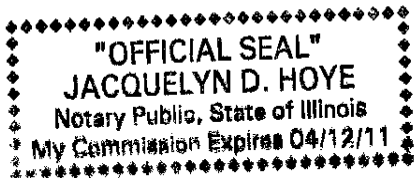
I, THE UNDERSIGNED, a Notary Public in and for the said County in the State aforesaid, DO HEREBY CERTIFY that NORMAN S. LYNN, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed, sealed and delivered the said instrument as \_\_\_\_\_ free and voluntary act, for the uses and purposes therein set forth.



Given under my hand and notarial seal this 2nd day of JANUARY, 2009.  
Ann Doukas  
Notary Public

STATE OF ILLINOIS ]  
] ss  
COUNTY OF COOK ]

I, THE UNDERSIGNED, a Notary Public in and for the said County in the State aforesaid, DO HEREBY CERTIFY that K. MICHEL, ASST VP 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 she signed, sealed and delivered the said instrument as \_\_\_\_\_ free and voluntary act, for the uses and purposes therein set forth.



Given under my hand and notarial seal this 9th day of JAN, 2009.  
Jacquelyn D. Hoye  
Notary Public

## UNOFFICIAL COPY

## EXHIBIT A

## SCHEDULE A CONTINUED

Legal Description:

## PARCEL 1:

ALL THAT PART OF THE SOUTH 435.00 FEET OF THE SOUTHEAST 1/4 OF SECTION 27, TOWNSHIP 35 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTHERLY LINE OF SAUK TRAIL AS HERETOFORE DEDICATED BY DOCUMENT 19498385, RECORDED JUNE 17, 1965, WITH THE WESTERLY LINE OF GOVERNORS HIGHWAY (U.S. ROUTE 54, FORMERLY S.B.I. ROUTE 49) AS HERETOFORE DEDICATED BY DOCUMENTS 11113017 AND 11113018, RECORDED JULY 8, 1932; THENCE NORTH 00 DEGREES 18 MINUTES 07 SECONDS WEST, ALONG THE WESTERLY LINE OF SAID GOVERNORS HIGHWAY, A DISTANCE OF 1323.89 FEET TO THE SOUTH LINE OF ARTHUR T. MCINTOSH AND COMPANY'S RICHTON PARK FARMS, BEING A SUBDIVISION OF THE NORTH 78 ACRES OF THE SOUTHEAST 1/4 OF SECTION 27, TOWNSHIP 35 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT THE NORTH 150.0 FEET THEREOF) IN COOK COUNTY, ILLINOIS, RECORDED SEPTEMBER 18, 1947 AS DOCUMENT 14147217; THENCE SOUTH 89 DEGREES 10 MINUTES 14 SECONDS WEST ALONG THE SOUTH LINE OF SAID SUBDIVISION, A DISTANCE OF 567.00 FEET TO THE NORTHEAST CORNER OF RICHTON HILLS, BEING A SUBDIVISION OF PART OF THE SOUTHEAST 1/4 (EXCEPT THE NORTH 78 ACRES THEREOF) OF SECTION 27, TOWNSHIP 35 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS RECORDED AS DOCUMENT 19498457; THENCE THE FOLLOWING TWO COURSES BEING ON THE EASTERLY LINE OF SAID RICHTON HILLS) SOUTH 00 DEGREES 48 MINUTES 25 SECONDS EAST, A DISTANCE OF 1065.78 FEET TO THE SOUTHEAST CORNER OF LOT 51, IN RICHTON HILLS APRESAID, THENCE SOUTH 00 DEGREES 59 MINUTES 30 SECONDS EAST, A DISTANCE OF 758.25 FEET TO THE SOUTHWEST CORNER OF LOT 55, IN RICHTON HILLS APRESAID; THENCE NORTH 09 DEGREES 49 MINUTES 30 SECONDS EAST ALONG THE NORTHERLY LINE OF SAUK TRAIL, A DISTANCE OF 66.51 FEET TO THE POINT BEGINNING (EXCEPTING THEREFROM THE NORTH 175.00 FEET OF THE SOUTH 225.00 FEET OF THE EAST 375.00 FEET LYING WEST OF THE WEST LINE OF HIGHWAY NO. 54, BY DOCUMENT 11113017, OF THE SOUTHEAST 1/4 OF SECTION 27, TOWNSHIP 35 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, THE ABOVE DESCRIBED EXCEPTION BEING THE PROPERTY CONVEYED TO THE HUMBLE OIL AND REFINING COMPANY, A DELAWARE CORPORATION, AS OWNED UNDER TRUSTEE'S DEED RECORDED DECEMBER 1, 1966 AS DOCUMENT 20010500) ALL IN COOK COUNTY, ILLINOIS.

ALSO EXCEPTING THE FOLLOWING DESCRIBED PARCEL:

ALL THAT PART OF THE SOUTH 435.00 FEET OF THE SOUTHEAST 1/4 OF SECTION 27, TOWNSHIP 35 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS:

## UNOFFICIAL COPY

## SCHEDULE A CONTINUED

COMMENCING AT THE INTERSECTION OF THE NORTHERLY LINE OF SAUK TRAIL AS HERETOFORE DEDICATED BY DOCUMENT 19498385, RECORDED JUNE 17, 1965, WITH THE WESTERLY LIEN OF GOVERNOR'S HIGHWAY [U.S. ROUTE 54] FORMERLY S.B.I. ROUTE 49] AS HERETOFORE DEDICATED BY DOCUMENTS 11113017 AND 11113018, RECORDED JULY 8, 1932; THENCE NORTH 00 DEGREES 18 MINUTES 07 SECONDS WEST, ALONG THE WESTERLY LINE OF SAID GOVERNOR'S HIGHWAY, A DISTANCE OF 385.04 FEET TO THE NORTH LINE OF THE SOUTH 435.00 FEET OF THE SAID SOUTHEAST 1/4; THENCE SOUTH 89 DEGREES 49 MINUTES 30 SECONDS WEST ALONG THE LAST DESCRIBED LINE, A DISTANCE OF 181.00 FEET; THENCE SOUTH 00 DEGREES 48 MINUTES 07 SECONDS EAST ALONG A LINE PARALLEL WITH THE WESTERLY LINE OF SAID GOVERNOR'S HIGHWAY, A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 00 DEGREES 48 MINUTES 07 SECONDS EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 150.00 FEET; THENCE NORTH 89 DEGREES 49 MINUTES 30 SECONDS EAST, A DISTANCE OF 281.00 FEET TO THE WESTERLY LINE OF SAID GOVERNOR'S HIGHWAY, THENCE NORTH 00 DEGREES 48 MINUTES 07 SECONDS WEST ALONG THE WESTERLY LINE OF SAID GOVERNOR'S HIGHWAY, A DISTANCE OF 150.00 FEET; THENCE SOUTH 89 DEGREES 49 MINUTES 30 SECONDS WEST A DISTANCE OF 71.00 FEET; THENCE NORTH 00 DEGREES 48 MINUTES 07 SECONDS WEST, ALONG A LINE PARALLEL WITH THE WESTERLY LINE OF SAID GOVERNOR'S HIGHWAY, A DISTANCE OF 10.00 FEET; THENCE SOUTH 89 DEGREES 49 MINUTES 30 SECONDS WEST, A DISTANCE OF 110.00 FEET TO THE POINT OF BEGINNING], ALL IN COOK COUNTY, ILLINOIS.

ALSO EXCEPTING THEREFROM THE PARCEL DESCRIBED BELOW AS PARCEL 3; TRACT 1.

PARCEL 2:

ALL THAT PART OF THE SOUTH 435.00 FEET OF THE SOUTHEAST 1/4 OF SECTION 27 TOWNSHIP 35 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE NORTHERLY LINE OF SAUK TRAIL AS HERETOFORE DEDICATED BY DOCUMENT 19498385, RECORDED JUNE 17, 1965, WITH THE WESTERLY LINE OF GOVERNOR'S HIGHWAY [U.S. ROUTE 54] FORMERLY S.B.I. ROUTE 49] AS HERETOFORE DEDICATED BY DOCUMENTS 11113017 AND 11113018, RECORDED JULY 8, 1932; THENCE NORTH 00 DEGREES 48 MINUTES 07 SECONDS WEST, ALONG THE WESTERLY LINE OF SAID GOVERNOR'S HIGHWAY, A DISTANCE OF 385.04 FEET TO THE NORTH LINE OF THE SOUTH 435.00 FEET OF THE SAID SOUTHEAST 1/4; THENCE SOUTH 89 DEGREES 49 MINUTES 30 SECONDS WEST ALONG THE LAST DESCRIBED LINE, A DISTANCE OF 181.00 FEET; THENCE SOUTH 00 DEGREES 48 MINUTES 07 SECONDS EAST ALONG A LINE PARALLEL WITH THE WESTERLY LINE OF SAID GOVERNOR'S HIGHWAY, A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 00 DEGREES 48 MINUTES 07 SECONDS EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 150.00 FEET; THENCE NORTH 89 DEGREES 49 MINUTES 30 SECONDS EAST, A DISTANCE OF 281.00



## UNOFFICIAL COPY

## SCHEDULE A CONTINUED

PARCEL 3:

TRACT 1:

THE WEST 187 FEET MORE OR LESS OF THE EAST 593 FEET MORE OR LESS OF THE NORTH 72 FEET MORE OR LESS OF THE FOLLOWING DESCRIBED TRACT OF LAND;

ALL THAT PART OF THE SOUTH 435.00 FEET OF THE SAID SOUTHEAST 1/4 OF SECTION 27, TOWNSHIP 35 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE NORTHERLY LINE OF SAUX TRAIL AS HERETOFORE DEDICATED BY DOCUMENT 19498385, RECORDED JUNE 17, 1965, WITH THE WESTERLY LINE OF GOVERNORS HIGHWAY [U.S. ROUTE 54, FORMERLY S.B.I. ROUTE 49] AS HERETOFORE DEDICATED BY DOCUMENTS 11113017 AND 11113018, RECORDED JULY 8, 1932; THENCE NORTH 00 DEGREES 18 MINUTES 07 SECONDS WEST, ALONG THE WESTERLY LINE OF SAID GOVERNOR'S HIGHWAY, A DISTANCE OF 1323.89 FEET TO THE SOUTH LINE OF ARTHUR T. MCINTOSH AND COMPANY'S RICHTON PARK FARMS, BEING A SUBDIVISION OF THE NORTH 78 ACRES OF THE SOUTHEAST 1/4 OF SECTION 27, TOWNSHIP 35 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, [EXCEPT THE NORTH 150.0 FEET THEREOF] IN COOK COUNTY, ILLINOIS, RECORDED SEPTEMBER 18, 1947 AS DOCUMENT 14147217; THENCE SOUTH 89 DEGREES 50 MINUTES 14 SECONDS WEST ALONG THE SOUTH LINE OF SAID SUBDIVISION, A DISTANCE OF 667.00 FEET TO THE NORTHEAST CORNER OF RICHTON HILLS, BEING A SUBDIVISION OF PART OF THE SOUTHEAST 1/4 [EXCEPT THE NORTH 78 ACRES THEREOF] OF SECTION 27, TOWNSHIP 35 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS RECORDED AS DOCUMENT 19498457; THENCE THE FOLLOWING TWO COURSES BEING ON THE EASTERLY LINE OF SAID RICHTON HILLS] SOUTH 00 DEGREES 48 MINUTES 26 SECONDS EAST, A DISTANCE OF 1065.78 FEET TO THE SOUTHEAST CORNER OF LOT 51 IN RICHTON HILLS AFORESAID, THENCE SOUTH 00 DEGREES 53 MINUTES 30 SECONDS EAST, A DISTANCE OF 258.26 FEET TO THE SOUTHWEST CORNER OF LOT 55 IN RICHTON HILLS AFORESAID; THENCE NORTH 89 DEGREES 49 MINUTES 30 SECONDS EAST ALONG THE NORTHERLY LINE OF SAUX TRAIL, A DISTANCE OF 66.51 FEET TO THE POINT BEGINNING.

TRACT 2:

ALL THAT PART OF THE SOUTH 535.00 FEET OF THE SAID SOUTHEAST 1/4 OF SECTION 27, TOWNSHIP 35 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF GOVERNOR'S HIGHWAY [U.S. ROUTE 54, FORMERLY S.B.I. ROUTE 49] AS HERETOFORE DEDICATED BY DOCUMENTS 11113017 AND 11113018, RECORDED JULY 8, 1932 AND THE NORTH LINE OF THE SOUTH 435 FEET OF THE SOUTHEAST 1/4 OF SAID SECTION 27, THENCE NORTH 00 DEGREES 48 MINUTES 7 SECONDS WEST ALONG THE SAID WESTERLY RIGHT-OF-WAY LINE OF GOVERNORS HIGHWAY FOR A DISTANCE OF 101 FEET TO THE NORTH LINE OF THE SOUTH 535 FEET OF THE SOUTHEAST 1/4 OF SAID SECTION 27; THENCE SOUTH 89 DEGREES 49 MINUTES 30 SECONDS WEST ALONG THE SAID NORTH LINE OF THE SOUTH 535 FEET OF THE SOUTHEAST 1/4 OF SECTION 27, FOR A DISTANCE OF 666.94 FEET TO THE EASTERLY LINE OF RICHTON HILLS SUBDIVISION.

## UNOFFICIAL COPY

## SCHEDULE A CONTINUED

## TRACT 2:

ALL THAT PART OF THE SOUTH 535.00 FEET OF THE SAID SOUTHEAST 1/4 OF SECTION 27, TOWNSHIP 35 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF GOVERNOR'S HIGHWAY (U.S. ROUTE 54, FORMERLY S.B.I. ROUTE 49) AS HERETOFORE DEDICATED BY DOCUMENTS 11113017 AND 11113018, RECORDED JULY 8, 1972 AND THE NORTH LINE OF THE SOUTH 435 FEET OF THE SOUTHEAST 1/4 OF SAID SECTION 27, THENCE NORTH 00 DEGREES 48 MINUTES 7 SECONDS WEST ALONG THE SAID WESTERLY RIGHT-OF-WAY LINE OF GOVERNOR'S HIGHWAY FOR A DISTANCE OF 100 FEET TO THE NORTH LINE OF THE SOUTH 535 FEET OF THE SOUTHEAST 1/4 OF SAID SECTION 27; THENCE SOUTH 89 DEGREES 49 MINUTES 30 SECONDS WEST ALONG THE SAID NORTH LINE OF THE SOUTH 535 FEET OF THE SOUTHEAST 1/4 OF SECTION 27, FOR A DISTANCE OF 666.94 FEET TO THE EASTERLY LINE OF RICHTON HILLS SUBDIVISION, THENCE SOUTH 00 DEGREES 48 MINUTES 26 SECONDS EAST ALONG THE SAID EASTERLY LINE OF RICHTON HILLS SUBDIVISION FOR A DISTANCE OF 100 FEET TO THE SAID NORTH LINE OF THE SOUTH 435 FEET OF THE SOUTHEAST 1/4 OF SECTION 27, THENCE NORTH 89 DEGREES 49 MINUTES 30 SECONDS EAST ALONG THE SAID NORTH LINE OF THE SOUTH 435 FEET OF THE SOUTHEAST 1/4 OF SECTION 27 FOR A DISTANCE OF 666.93 FEET TO THE POINT OF BEGINNING, [EXCEPT THE EAST 181 FEET THEREOF], IN COOK COUNTY, ILLINOIS.

## PARCEL 4:

EASEMENT APPURTENANT TO AND FOR THE BENEFIT OF PARCELS 1 AND 3 FOR INGRESS AND EGRESS OVER A "COMMON AREA", AS SET FORTH IN AND CREATED BY AN INSTRUMENT ENTITLED "INDENTURE OF ESTABLISHMENT OF PROTECTIVE COVENANTS, CONDITIONS AND RESTRICTIONS AND GRANT OF EASEMENTS" AND AS DELINEATED ON EXHIBIT "C" ATTACHED HERETO, RECORDED JANUARY 21, 1982 AS DOCUMENT 26119410.

Commonly known as : 22204 Governor's Hwy.  
Richton Park, Illinois

FIN: 31-27-401-018; 31-27-401-020; 31-27-401-022