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Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 07/09/2009 02:22 PM Pg: 1 of 8

This document was prepared by,  
and after recording return to:  
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Above Space for Recorder's Use

## AMENDMENT TO MORTGAGE, SECURITY AGREEMENT, ASSIGNMENT OF RENTS AND LEASES AND FIXTURE FILING

THIS AMENDMENT TO MORTGAGE, SECURITY AGREEMENT, ASSIGNMENT OF RENTS AND LEASES AND FIXTURE FILING (this "Amendment") is made and entered into as of June 4, 2009, by BEVERLY CENTER, L.L.C., an Illinois limited liability company ("Mortgagor"), to and for the benefit of FIRST CHICAGO BANK AND TRUST, an Illinois banking corporation ("Lender").

### PRELIMINARY STATEMENTS:

A. Mortgagor has made and delivered to Lender, among other things, that certain Mortgage, Security Agreement, Assignment of Rents and Leases and Fixture Filing, dated as of August 31, 2007 (the "Mortgage"), pursuant to that certain Loan Agreement, dated as of August 31, 2007, by and between Mortgagor and Lender.

B. Capitalized terms used herein and not otherwise defined shall have the meanings assigned to them in the Loan Agreement.

C. Mortgagor has requested and Lender has agreed, as more fully documented in that certain Omnibus Modification to Loan Documents, by and among Mortgagor, each of the guarantors to the Loan, and Lender, and that certain Amendment to Note, made by Mortgagor, for the benefit of Lender, each dated as of the date of this Amendment, to extend the Maturity Date of the Loan.

**NOW, THEREFORE**, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Mortgagor and Lender now agree as follows:

*Amendment to Mortgage*

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## ARTICLE 1 AMENDMENTS TO LOAN DOCUMENTS

1.1. **Extension of the Maturity Date.** Recital A of the Mortgage is hereby modified so that the reference to “August 31, 2009” is deleted in its entirety and replaced with “June 30, 2014”.

## ARTICLE 2 MISCELLANEOUS

2.1. **Modification of Mortgage.** To the extent of any conflict between the Mortgage and this Amendment, this Amendment shall control. Unless specifically modified hereby, all terms of the Mortgage shall remain in full force and effect.

2.2. **Binding Effect.** This Amendment shall bind and benefit any party hereto and its successors and assigns.

2.3. **Governing Law.** Section 43(b) of the Mortgage is hereby incorporated by reference into this Amendment.

2.4. **Preliminary Statement.** The Preliminary Statements to this Amendment are an integral part of this Amendment and are incorporated into this Amendment by reference.

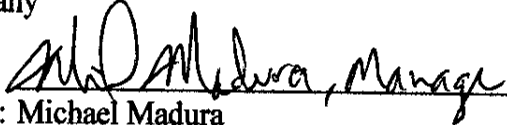
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IN WITNESS WHEREOF, Mortgagor has executed and delivered this Amendment to Mortgage, Security Agreement, Assignment of Rents and Leases and Fixture Filing as of the day and year first above written.

**MORTGAGOR:**

**BEVERLY CENTER, L.L.C.**, an Illinois limited liability company

By:   
Name: Michael Madura

Its: Manager

By:   
Name: Brett Walrod  
Its: Manager

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STATE OF ILLINOIS )  
 )SS  
COUNTY OF COOK )

I, Joseph Farrell, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY that Michael Madura and Brett Walrod, personally known to me to be the managers of BEVERLY CENTER, L.L.C., and personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that, as such managers, they signed and delivered such instrument, as their free and voluntary act and deed, and as the free and voluntary act and deed of such corporation, for the uses and purposes therein set forth.

Given under my hand and official seal this 4<sup>th</sup> day of June, 2009.

[Signature]  
Notary Public

My Commission Expires: 10/15/12



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EXHIBIT "A"

LEGAL DESCRIPTION OF REAL ESTATE

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## EXHIBIT "A" Legal Description

Parcel 1: Lots 15 to 21, both inclusive, in Block 2 in O. Reuter and Company's Beverly Hills Fourth Addition, being a subdivision of the North 8.25 acres of the West  $\frac{1}{2}$  of the Southwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 7, Township 37 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois.

Parcel 2: The East 126.81 feet of the West 176.81 feet of Lots 1 and 2 (taken as a tract) in Circuit Court Partition of that part of the Southwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 7, Township 37 North, Range 14, East of the Third Principal Meridian, described as follows:

Commencing at a point in the range lines between the Town of Calumet and North 37 rods North from the Southwest corner of the above described tract of land; running thence East on a line parallel with the South line of said land 40 rods; thence North 10 rods; thence West 40 rods; thence South 10 rods to the place of beginning, in Cook County, Illinois.

Parcel 3: That strip of land located in the West  $\frac{1}{2}$  of the Southwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 7, Township 37 North, Range 14, East of the Third Principal Meridian, described as follows:

Commencing at the Southwest corner of Lot 15 in Block 2 in O. Reuter and Company's Beverly Hills Fourth Addition, running thence East along the South line of said Lot 15 and said South line extended East a distance of 126.88 feet to the Southwest corner of Lot 14 in Block 2 in said O. Reuter and Company's Beverly Hills Fourth Addition; thence South along the West line of said Lot 14, extended South to the North line of Lot 2 in Circuit Court Partition of part of the Southwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of said

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Section 7; thence West on the North line of said Lot 2, and along the north line of Lot 1, in Circuit Court Partition aforesaid, a distance of 126.88 feet to the West line of said Lot 15, extended South; thence North to the place of beginning, in Cook County, Illinois.

Parcel 4: Lots 22 and 23 in Block 2 in O. Reuter and Company's Beverly Hills Fourth Addition, being a subdivision of the North 8.25 acres of the West ½ of the Southwest ¼ of the Northwest ¼ of Section 7, Township 37 North, Range 14 East of the Third Principal Meridian, in Cook County, Illinois.

Parcel 5: Lots 25 to 39, inclusive, (except of a portion of Lot 38, dedicated for public alley per document 3519190) in Block 2 in John Jensen and Sons' Beverly Highlands, being a subdivision of the South 9.25 acres of the Southwest ¼ of the Southwest ¼ of the Northwest ¼ of Section 7, Township 37 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois.

PINs: 25-07-116-180-0000  
25-07-116-170-0000  
25-07-116-200-0000  
25-07-116-012-0000  
25-07-116-013-0000  
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25-07-116-032-0000

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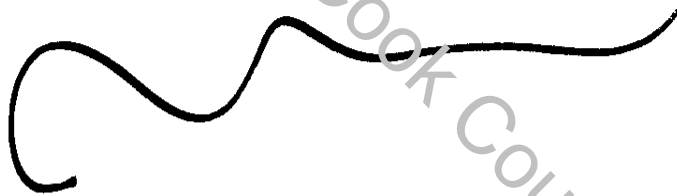
25-07-116-033-0000

25-07-116-034-0000

25-07-116-035-0000

25-07-116-036-0000

Property Address: 9831 South Western Avenue, Chicago, IL



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