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0928608523

RECORDATION REQUESTED BY:
MIDWEST BANK AND TRUST
COMPANY
Bloomingdale Banking Center
236 W. Lake Street, Suite 102
Bloomingdale, IL 60108

Doc#: 0928608523 Fee: \$46.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 10/13/2009 01:22 PM Pg: 1 of 6

WHEN RECORDED MAIL TO:
MIDWEST BANK AND TRUST
COMPANY
Bloomingdale Banking Center
236 W. Lake Street, Suite 102
Bloomingdale, IL 60108

SEND TAX NOTICES TO:
MIDWEST BANK AND TRUST
COMPANY
Bloomingdale Banking Center
236 W. Lake Street, Suite 102
Bloomingdale, IL 60108

FOR RECORDER'S USE ONLY

6

Handwritten: H25212139

This Modification of Mortgage prepared by:
Thomas/Kowalski
MIDWEST BANK AND TRUST COMPANY
236 W. Lake Street, Suite 102
Bloomingdale, IL 60108

CTIC-HE

MODIFICATION OF MORTGAGE

THIS MODIFICATION OF MORTGAGE dated July 16, 2009, is made and executed between Chicago Title Land Trust Company, a Corporation of Illinois, Successor Trustee to LaSalle Bank National Association, Successor to the Bank of Wheaton, a Corporation of Illinois as Trustee Under Trust Agreement dated March 18, 1986 and known as Trust Number 4800 as to Parcel 1, whose address is 171 N. Clark Street Suite 575, Chicago, IL 60601; and George Gatto, as to Parcel 2, whose address is 3009 Meyers Road, Oak Brook, IL 60523 (referred to below as "Grantor") and MIDWEST BANK AND TRUST COMPANY, whose address is 236 W. Lake Street, Suite 102, Bloomingdale, IL 60108 (referred to below as "Lender").

MORTGAGE. Lender and Grantor have entered into a Mortgage dated June 20, 2008 (the "Mortgage") which has been recorded in Cook County, State of Illinois, as follows:

Recorded on August 22, 2008 as Document No. 0823508004 in the Recorder's Office of Cook County, Illinois.

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

See "Exhibit A" attached hereto and made a part thereof, 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 4620 W. Roosevelt Road, Chicago, IL 60650. The Real Property tax identification number is 16-15-323-012-0000 and 16-15-323-015-0000.

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

This Modification of Mortgage reflects that the above referenced Mortgage now secures (1) a Promissory

UNOFFICIAL COPY**MODIFICATION OF MORTGAGE**

Loan No: 702972100003

(Continued)

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Note dated June 20, 2008 in the original principal amount of \$1,164,000.00 to Lender and a Promissory Note dated July 16, 2009 in the original principal amount of \$1,499,999.96 to Lender together with all renewals of, extensions of, modifications of, refinancings of, consolidations of, and substitutions for the Promissory Notes; (2) at no time shall the principal amount of indebtedness secured by the Mortgage, not including sums advanced to protect the security of the mortgage, exceed the amount of \$2,663,999.96.

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 JULY 16, 2009.

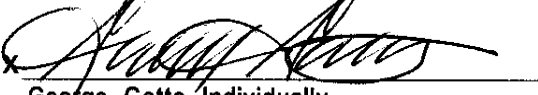
GRANTOR:

CHICAGO TITLE LAND TRUST COMPANY, A CORPORATION OF ILLINOIS
SUCCESSOR TRUSTEE TO LASALLE BANK NATIONAL ASSOCIATION,
SUCCESSOR TO THE BANK OF WHEATON, A CORPORATION OF ILLINOIS
TRUST NUMBER 4800 AS TO PARCEL 1

By:



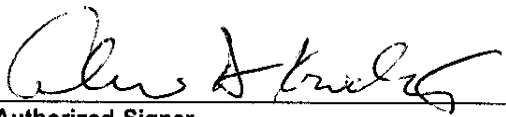
Chicago Title Land Trust Company, a Corporation of Illinois
Successor Trustee to LaSalle Bank National Association,
Successor to the Bank of Wheaton, a Corporation of Illinois



George Gatto, Individually

LENDER:

MIDWEST BANK AND TRUST COMPANY

x 

Authorized Signer

This instrument is executed by the undersigned Land Trustee not personally but solely as Trustee in the exercise of the power and authority conferred upon and vested in it as such Trustee. It is expressly understood and agreed that all the warranties, indemnities, representations, covenants, undertakings and agreements herein made on the part of the Trustee are undertaken by it solely in its capacity as Trustee and are not personally assumed by or shall at any time be asserted or enforceable against the Trustee on account of any warranty, indemnity, representation, covenant, undertaking or agreement of the Trustee in this instrument.

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MODIFICATION OF MORTGAGE (Continued)

Loan No: 702972100003

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TRUST ACKNOWLEDGMENT

STATE OF ILLINOIS)
) SS
 COUNTY OF DUPAGE)

On this 10th day of September, 2009 before me, the undersigned Notary Public, personally appeared Chicago Title Land Trust Company, a Corporation of Illinois Successor Trustee to LaSalle Bank National Association, Successor to the Bank of Wheaton, a Corporation of Illinois, Maureen Paige, Trust Officer of Chicago Title Land Trust Company, a Corporation of Illinois Successor Trustee to LaSalle Bank National Association, Successor to the Bank of Wheaton, a Corporation of Illinois Trust Number 4800 as to Parcel 1, and known to me to be an authorized trustee or agent of the trust that executed the Modification of Mortgage and acknowledged the Modification to be the free and voluntary act and deed of the trust, by authority set forth in the trust documents or, by authority of statute, 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 trust.

By Colleen Klein Residing at _____

Notary Public in and for the State of ILLINOIS

My commission expires _____



Cook County Clerk's Office

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MODIFICATION OF MORTGAGE

Loan No: 702972100003

(Continued)

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INDIVIDUAL ACKNOWLEDGMENT

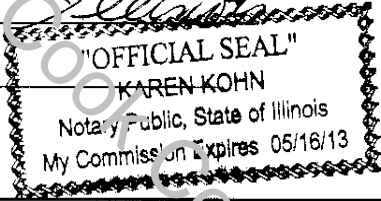
STATE OF Illinois)
) SS
 COUNTY OF DePue)

On this day before me, the undersigned Notary Public, personally appeared **George Gatto**, to me known to be the individual described in and who executed the Modification of Mortgage, and acknowledged that he or she signed the Modification as his or her free and voluntary act and deed, for the uses and purposes therein mentioned.

Given under my hand and official seal this 16th day of July, 2009.

By Karen Kohn Residing at _____

Notary Public in and for the State of Illinois
 My commission expires _____




LENDER ACKNOWLEDGMENT

STATE OF Illinois)
) SS
 COUNTY OF DePue)

On this 16th day of July, 2009 before me the undersigned Notary Public, personally appeared Andrew J. Kowalski and known to me to be the _____, authorized agent for **MIDWEST BANK AND TRUST COMPANY** that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of **MIDWEST BANK AND TRUST COMPANY**, duly authorized by **MIDWEST BANK AND TRUST COMPANY** 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 in fact executed this said instrument on behalf of **MIDWEST BANK AND TRUST COMPANY**.

By Karen Kohn Residing at _____

Notary Public in and for the State of Illinois
 My commission expires _____



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STREET ADDRESS: 4620 W. ROOSEVELT

CITY: CHICAGO

COUNTY: COOK

TAX NUMBER: 16-15-323-012-0000

LEGAL DESCRIPTION:**PARCEL 1:**

THAT PART OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 15, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF SAID SOUTHWEST 1/4, SAID POINT BEING 612.41 FEET EAST OF THE WEST LINE OF SAID SOUTHWEST 1/4; THENCE NORTH TO A POINT, SAID POINT BEING 551.31 FEET NORTH OF THE SOUTH LINE OF SAID SOUTHWEST 1/4 AND 611.98 FEET EAST OF THE WEST LINE OF SAID SOUTHWEST 1/4; THENCE NORTHERLY ALONG A CURVED LINE CONVEX EASTERLY HAVING A RADIUS OF 269.87 FEET TO A POINT, SAID POINT BEING 641.90 FEET NORTH OF THE SOUTH LINE OF SAID SOUTHWEST 1/4 AND 589.75 FEET EAST OF THE WEST LINE OF SAID SOUTHWEST 1/4; THENCE EASTERLY IN A STRAIGHT LINE TO A POINT, SAID POINT BEING 601.51 FEET NORTH OF THE SOUTH LINE OF SAID SOUTHWEST 1/4 AND 440.51 FEET WEST OF THE EAST LINE OF THE WEST 1/2 OF SAID SOUTHWEST 1/4; THENCE SOUTHEASTERLY ALONG A CURVED LINE CONVEX EASTERLY HAVING A RADIUS OF 359.30 FEET, TO A POINT, SAID POINT BEING 247.75 FEET NORTH OF THE SOUTH LINE OF SAID SOUTHWEST 1/4 AND 131.0 FEET WEST OF THE EAST LINE OF THE WEST 1/2 OF SAID SOUTHWEST 1/4; THENCE SOUTH ALONG A LINE PARALLEL WITH SAID EAST LINE TO THE SOUTH LINE OF SAID SOUTHWEST 1/4; THENCE WEST ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING (EXCEPTING THEREFROM THE SOUTH 33 FEET THEREOF), IN COOK COUNTY, ILLINOIS.

PARCEL 2:

THAT PART OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 15, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT A POINT ON THE SOUTH LINE OF SAID SOUTHWEST QUARTER, SAID POINT BEING 612.41 FEET EAST OF THE WEST LINE OF SAID SOUTHWEST QUARTER; THENCE NORTH TO A POINT, SAID POINT BEING 551.31 FEET NORTH OF THE SOUTH LINE OF SAID SOUTHWEST QUARTER AND 611.98 FEET EAST OF THE WEST LINE OF SAID SOUTHWEST QUARTER; THENCE NORTHERLY ALONG A CURVED LINE CONVEX EASTERLY HAVING A RADIUS OF 269.87 FEET TO A POINT, SAID POINT BEING 641.90 FEET NORTH OF THE SOUTH LINE OF SAID SOUTHWEST QUARTER AND 589.75 FEET EAST OF THE WEST LINE OF SAID SOUTHWEST QUARTER; THENCE SOUTH 82 DEGREES, 17 MINUTE5, 12 SECONDS EAST BEING AN ASSUMED BEARING ON A LINE TO A POINT, (SAID POINT BEING 601.51 FEET NORTH OF THE SOUTH LINE OF SAID SOUTHWEST QUARTER AND 440.51 FEET WEST OF THE EAST LINE OF THE WEST HALF OF SAID SOUTHWEST QUARTER) A DISTANCE OF 32.15 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 82 DEGREES 17 MINUTES 12 SECONDS EAST ON LAST DESCRIBED LINE A DISTANCE OF 275.0 FEET TO A POINT 601.51 FEET NORTH OF THE SOUTH LINE AND 440.51 FEET WEST OF THE EAST LINE OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 15, BEING A POINT OF CURVE; THENCE SOUTHEASTERLY ALONG A CURVED LINE CONVEX EASTERLY, HAVING A RADIUS OF 359.3 FEET AND A CHORD BEARING OF SOUTH 41 DEGREES, 06 MINUTE5, 22 SECONDS EAST WITH A CHORD DISTANCE OF 473.28 FEET AND ARC DISTANCE OF 516.66 FEET TO A POINT BEING 247.75 FEET NORTH OF THE SOUTH LINE OF SAID SOUTHWEST QUARTER AND 131.0 FEET WEST OF THE EAST LINE OF THE WEST HALF OF SOUTHWEST QUARTER; THENCE SOUTH 0 DEGREES, 15 MINUTES, 54 SECONDS EAST ALONG A LINE 131.0 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 15, A DISTANCE OF 212.76 FEET TO THE NORTH LINE OF ROOSEVELT ROAD, BEING A LINE 33.0 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 15; THENCE SOUTH 89 DEGREES, 50 MINUTES 34 SECONDS EAST ON THE NORTH LINE OF SAID ROOSEVELT ROAD, A DISTANCE OF 36.01 FEET; THENCE NORTH 0 DEGREES, 07 MINUTES, 47 SECONDS WEST A DISTANCE OF 134.64 FEET; THENCE NORTH 2 DEGREES, 17 MINUTE5, 17 SECONDS WEST A DISTANCE OF 179.86 FEET TO A POINT OF CURVE; THENCE NORTHWESTERLY ALONG A CURVED LINE CONVEX NORTHEASTERLY HAVING A RADIUS OF 398.95 FEET AND A CHORD BEARING OF NORTH 40 DEGREES, 38 MINUTES, 53 SECONDS WEST WITH A CHORD DISTANCE OF 495.18 FEET AND AN ARC DISTANCE OF 534.21 FEET; THENCE NORTH 79 DEGREES, 00 MINUTE5, 30 SECONDS WEST A DISTANCE OF 4.29 FEET TO A POINT OF CURVE; THENCE WESTERLY ALONG A CURVED LINE CONVEX NORTHEASTERLY HAVING A RADIUS OF 347.59 FEET AND A CHORD BEARING OF NORTH 83 DEGREES, 05 MINUTES, 38 SECONDS WEST WITH A CHORD DISTANCE OF 49.52 FEET AND ARC DISTANCE OF 49.57 FEET; THENCE NORTH 87 DEGREES, 10 MINUTES, 46 SECONDS WEST A DISTANCE OF 19.12 FEET TO A POINT OF CURVE; THENCE WESTERLY ALONG A CURVED LINE CONVEX SOUTHERLY HAVING A RADIUS OF 748.77 FEET AND A CHORD BEARING OF NORTH 83 DEGREES, 04 MINUTES, 05 SECONDS WEST WITH A CHORD DISTANCE OF 107.37 FEET

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AND AN ARC DISTANCE OF 107.46 FEET TO A POINT OF REVERSE CURVE; THENCE WESTERLY ALONG A CURVED LINE CONVEX NORTHERLY HAVING A RADIUS OF 347.59 FEET AND A CHORD BEARING OF SOUTH 88 DEGREES, 50 MINUTES, 52 SECONDS WEST WITH A CHORD DISTANCE OF 146.86 FEET AND AN ARC DISTANCE OF 147.97 FEET; THENCE SOUTH 57 DEGREES, 18 MINUTES, 53 SECONDS EAST, A DISTANCE OF 84.44 FEET; THENCE SOUTH 32 DEGREES, 41 MINUTES, 07 SECONDS WEST, 66.3 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

Property of Cook County Clerk's Office