



Doc#: 1011241062 Fee: \$64.00
Eugene "Gene" Moore RHSP Fee:\$10.00
Cook County Recorder of Deeds
Date: 04/22/2010 10:27 AM Pg: 1 of 10

RECORDATION REQUESTED BY:
Inland Bank and Trust
2805 Butterfield Road, Suite
200
Oak Brook, IL 60523

WHEN RECORDED MAIL TO:
Inland Bank and Trust
2805 Butterfield Road, Suite
200
Oak Brook, IL 60523

FOR RECORDER'S USE ONLY

This Modification of Mortgage prepared by:
Maria E Ramirez
Inland Bank and Trust
2805 Butterfield Road, Suite 200
Oak Brook, IL 60523

MODIFICATION OF MORTGAGE

THIS MODIFICATION OF MORTGAGE dated February 1, 2010, is made and executed between Monserrate Hernandez, whose address is 2530 W. Augusta Blvd., Chicago, IL 60622 (referred to below as "Grantor") and Inland Bank and Trust, whose address is 2805 Butterfield Road, Suite 200, Oak Brook, IL 60523 (referred to below as "Lender").

MORTGAGE. Lender and Grantor have entered into a Mortgage dated February 20, 2004 (the "Mortgage") which has been recorded in Cook County, State of Illinois, as follows:

Recorded March 4, 2004 as Document No. 0406411067, Modification of Mortgage dated April 1, 2009 and recorded June 4, 2009 as Document No. 0915557015 and a Modification of Mortgage dated August 1, 2009 and recorded December 8, 2009 as Document No. 0934257125.

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

LOT 25 IN BLOCK 4 IN WATEISS SUBDIVISION OF THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF THE SOUTH EAST 1/4 OF SECTION 1, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

The Real Property or its address is commonly known as 2652 W. Cortez St., Chicago, IL 60622. The Real Property tax identification number is 16-01-409-028-0000.

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

The principal amount of the existing Mortgage has been increased on the date of this Modification of Mortgage from \$200,000.00 to \$4,800,000.00.

The definition of the "Note" as described in the "Mortgage" shall be hereby deleted and substituted by the following:

SEE ATTACHED EXHIBIT "A" RIDER

HA 5485818

2010 APR 23 10 54 AM

10/8

UNOFFICIAL COPY**MODIFICATION OF MORTGAGE
(Continued)**

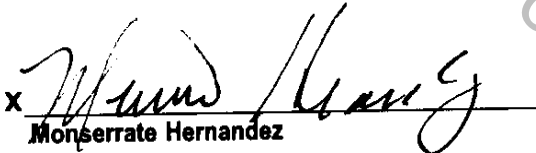
Loan No: 1604100

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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 FEBRUARY 1, 2010.

GRANTOR:

x 
Monserrate Hernandez

LENDER:

INLAND BANK AND TRUST

x 
Authorized Signer

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MODIFICATION OF MORTGAGE (Continued)

Loan No: 1604100

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INDIVIDUAL ACKNOWLEDGMENT

STATE OF Illinois)
) SS
 COUNTY OF DuPage)

On this day before me, the undersigned Notary Public, personally appeared **Monserate Hernandez**, 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 24th day of February, 2010.

By Claudia L. Earles Residing at _____

Notary Public in and for the State of Ill

My commission expires 8-4-11

LENDER ACKNOWLEDGMENT

STATE OF Illinois)
) SS
 COUNTY OF DuPage)

On this 24th day of February 2010 before me, the undersigned Notary Public, personally appeared BRIAND SPECHT and known to me to be the VP, authorized agent for **Inland Bank and Trust** that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of **Inland Bank and Trust**, duly authorized by **Inland Bank and Trust** 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 **Inland Bank and Trust**.

By Claudia L. Earles Residing at _____

Notary Public in and for the State of Ill

My commission expires 8-4-11

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MODIFICATION OF MORTGAGE (Continued)

Loan No: 1604100

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Property of _____
RECORDED BY _____
COOK COUNTY Clerk's Office
CLERK OF DEEDS

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EXHIBIT "A"

RIDER NO. 1 TO LOAN DOCUMENTS

This Rider No. 1 to Loan Documents (this "Rider") dated as of February 1, 2010, by and between Monserrate Hernandez, an individual (the "Borrower"), and Inland Bank and Trust, an Illinois banking corporation (the "Lender"), amends the Modification to Mortgage dated of even date herewith (the "Modification").

A. Lender has made a loan (the "2652 Cortez Loan") to Borrower, evidenced by the following to which Borrower and Lender are parties (collectively referred to herein, and together with any and all amendments, modifications, extensions, renewals, restatements, substitutions or replacements thereof, as the "2652 Cortez Loan Documents"):

1. Promissory Note dated as of February 1, 2010, in the principal amount of \$180,534.67 (the "2652 Cortez Note");

2. Mortgage dated as of February 20, 2004, recorded in the recorded in the office of the Cook County Recorder of Deeds (the "Cook County Recorder's Office") on March 4, 2004, as document no. 0406411067, as amended by that certain Modification to Mortgage dated as of April 1, 2009, recorded in the Cook County Recorder's Office on June 4, 2009, as document no. 0915557015, that certain Modification to Mortgage dated as of August 1, 2009, recorded in the Cook County Recorder's Office on December 8, 2009, as document no. 0934257125, and that certain Modification to Mortgage dated of even date herewith to be recorded in the Cook County Recorder's Office, encumbering the property commonly known as 2652 W. Cortez, Chicago, IL 60622 (the "2652 Cortez Property"); and

3. Assignment of Rents dated as of February 20, 2004, recorded in the Cook County Recorder's Office on March 4, 2004, as document no. 0406411068, encumbering the 2652 Cortez Property.

B. In addition to the 2652 Cortez Loan, Lender has extended additional loans to Borrower (and such other parties as provided herein) evidenced by the following:

4. that certain Promissory Note dated of even date herewith made by Borrower payable to the order of Lender in the original principal amount of \$235,905.78 (the "2455-59 Division Note"); Mortgage dated as of October 27, 2003, recorded in the Cook County Recorder's Office on December 12, 2003, as document no. 0334633109, as amended by that certain Modification to Mortgage dated as of July 1, 2005, recorded in the Cook County Recorder's Office on August 22, 2005, as document no. 0523433151, and that certain Modification to Mortgage dated of even date herewith to be recorded in the Cook County Recorder's Office, encumbering the property commonly known as 2455-59 W. Division Street, Chicago, IL 60622 (the "2455-59 Division Property"); and Assignment of Rents dated as of October 27, 2003, recorded in the Cook County Recorder's Office on December 12, 2003, as document no. 033463310, encumbering the 2455-59 Division Property (collectively, the "2455-59 Division Loan Documents");

5. that certain Promissory Note dated as of March 23, 2006, made by Borrower, Israel Garcia, an individual, and Victor Garcia, an individual, payable to the order of Lender in the principal amount of \$275,000 (the "Diversey Note"); Mortgage dated as of March 23, 2006, recorded in the Cook County Recorder's Office on April 13, 2006, as document no. 0610347118, encumbering the property commonly known as 2820 W. Diversey Avenue, Chicago, IL 60647 (the "Diversey Property"); and Assignment of Rents dated as of March 23, 2006, recorded in the Cook County Recorder's Office on April 13, 2006, as document no.

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0610347119, encumbering the Diversey Property (collectively, the "Diversey Loan Documents");

6. that certain Promissory Note dated as of March 23, 2006, in the principal amount of \$360,000 (the "2609 Division Note"); Mortgage dated as of March 23, 2006, recorded in the Cook County Recorder's Office on April 13, 2006, as document no. 0610347121, encumbering the property commonly known as 2609 W. Division Street, Chicago, IL 60622 (the "2609 Division Property"); and Assignment of Rents dated as of March 23, 2006, recorded in the Cook County Recorder's Office on April 13, 2006, as document no. 0610347122, encumbering the 2609 Division Property (collectively, the "2609 Division Loan Documents");

7. that certain Promissory Note dated as of July 28, 2006, in the principal amount of \$220,000 (the "Ferdinand Note"); Mortgage dated as of July 28, 2006, recorded in the Cook County Recorder's Office on August 9, 2006, as document no. 0622147026, encumbering the property commonly known as 4935 W. Ferdinand Street, Chicago, IL 60644, (the "Ferdinand Property"); and Assignment of Rents dated as of July 28, 2006, recorded in the Cook County Recorder's Office on August 9, 2006, as document no. 0622147027, encumbering the Ferdinand Property (collectively, the "Ferdinand Loan Documents");

8. that certain Promissory Note dated as of October 19, 2006, in the principal amount of \$176,000 (the "W. 33rd Note"); Mortgage dated as of October 19, 2006, recorded in the Cook County Recorder's Office on November 7, 2006, as document no. 0631157066, encumbering the property commonly known as 1801 W. 33rd Street, Chicago, IL 60608 (the "W. 33rd Property"); and Assignment of Rents dated as of October 19, 2006, recorded in the Cook County Recorder's Office on November 7, 2006, as document no. 0631157067, encumbering the W. 33rd Property (collectively, the "W. 33rd Loan Documents");

9. that certain Promissory Note dated as of March 26, 2007, made by Borrower and Victor H. Garcia, an individual, payable to the order of Lender in the principal amount of \$195,000 (the "Central Park Note"); Mortgage dated as of March 26, 2007, recorded in the Cook County Recorder's Office on April 6, 2007, as document no. 0709647230, encumbering the property commonly known as 614 N. Central Park Ave, Chicago, IL 60624 (the "Central Park Property"); and Assignment of Rents dated as of March 26, 2007, recorded in the Cook County Recorder's Office on April 6, 2007, as document no. 0709647231, encumbering the Central Park Property (collectively, the "Central Park Loan Documents");

10. that certain Promissory Note dated as of March 28, 2007, in the principal amount of \$170,000 (the "Congress Note"); Mortgage dated as of March 28, 2007, recorded in the Cook County Recorder's Office on April 3, 2007, as document no. 0709331027, encumbering the property commonly known as 5239 W. Congress Parkway, Chicago, IL 60644 (the "Congress Property"); and Assignment of Rents dated as of March 28, 2007, recorded in the Cook County Recorder's Office on April 3, 2007, as document no. 0709331028, encumbering the Congress Property (collectively, the "Congress Loan Documents");

11. that certain Promissory Note dated as of March 29, 2007, in the principal amount of \$320,000 (the "North Ave. Note"); Mortgage dated as of March 29, 2007, recorded in the Cook County Recorder's Office on April 12, 2007, as document no. 0710257056, encumbering the property commonly known as 3454 W. North Ave, Chicago, IL 60647 (the "North Ave. Property"); and Assignment of Rents dated as of March 29, 2007, recorded in the Cook County Recorder's Office on April 12, 2007, as document no.

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0710257057, encumbering the North Ave. Property (collectively, the "North Ave. Loan Documents");

12. that certain Promissory Note dated as of March 29, 2007, in the principal amount of \$200,000 (the "Thomas/Harrison Note"); Mortgage dated as of March 29, 2007, recorded in the Cook County Recorder's Office on April 12, 2007, as document no. 0710257052, encumbering the property commonly known as 2706 W. Thomas St., Chicago, IL 60622 (the "2706 Thomas Property"); Mortgage dated as of March 29, 2007, recorded in the Cook County Recorder's Office on April 12, 2007, as document no. 0710257054, encumbering the property commonly known as 4918 W. Harrison St., Chicago, IL 60644 (the "Harrison Property"); Assignment of Rents dated as of March 29, 2007, recorded in the Cook County Recorder's Office on April 12, 2007, as document no. 0710257053, encumbering the 2706 Thomas Property; Assignment of Rents dated as of March 29, 2007, recorded in the Cook County Recorder's Office on April 12, 2007, as document no. 0710257055, encumbering the Harrison Property (collectively, the "Thomas/Harrison Loan Documents");

13. that certain Promissory Note dated as of April 27, 2007, in the principal amount of \$290,000 (the "2651 Augusta Note"); Mortgage dated as of April 27, 2007, recorded in the Cook County Recorder's Office on May 15, 2007, as document no. 0713547006, encumbering the property commonly known as 2651 W. Augusta Blvd., Chicago, IL 60622 (the "2651 Augusta Property"); and Assignment of Rents dated as of April 27, 2007, recorded in the Cook County Recorder's Office on May 15, 2007, as document no. 0713547007, encumbering the 2651 Augusta Property (collectively, the "2651 Augusta Loan Documents");

14. that certain Promissory Note dated as of March 15, 2008, in the principal amount of \$375,000 (the "1809 Augusta Note"); Mortgage dated as of March 15, 2008, recorded in the Cook County Recorder's Office on March 24, 2008, as document no. 0808447015, encumbering the property commonly known 1809 W. Augusta Blvd., Chicago, IL 60622 (the "1809 Augusta Property"); and Assignment of Rents dated as of March 15, 2008, recorded in the Cook County Recorder's Office on March 24, 2008, as document no. 0808447016, encumbering the 1809 Augusta Property (collectively, the "1809 Augusta Loan Documents").

15. that certain Promissory Note dated as of March 27, 2008, in the principal amount of \$400,000 (the "2530 Augusta Note"); Mortgage dated as of March 27, 2008, recorded in the Cook County Recorder's Office on April 9, 2008, as document no. 0810047049, encumbering the property commonly known as 2530 W. Augusta Blvd, Chicago, IL 60622 (the "2530 Augusta Property"); and Assignment of Rents dated as of March 27, 2008, recorded in the Cook County Recorder's Office on April 9, 2008, as document no. 0810047050, encumbering the 2530 Augusta Property (collectively, the "2530 Augusta Loan Documents");

16. that certain Promissory Note dated as of August 1, 2009, in the principal amount of \$254,490.23 (the "California Note"); Mortgage dated as of September 26, 2003, recorded in the Cook County Recorder's Office on December 18, 2003, as document no. 0335242284, as amended by that certain Modification to Mortgage dated as of October 1, 2007, recorded in the Cook County Recorder's Office on November 5, 2007, as document no. 0730957036, that certain Modification to Mortgage dated as of April 1, 2008, recorded in the Cook County Recorder's Office on May 8, 2008, as document no. 0812957001, that certain Modification to Mortgage dated as of April 1, 2009, recorded in the Cook County Recorder's Office on July 23, 2009, as document no. 0920457135, and that certain Modification to Mortgage dated of even date herewith to be recorded in the Cook County Recorder's Office, encumbering the property commonly known as 1016 N. California

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Avenue, Chicago, IL 60622-3408 (the "California Property"); and Assignment of Rents dated as of September 26, 2003, recorded in the Cook County Recorder's Office on December 18, 2003, as document no. 0335242285 (collectively, the "California Loan Documents");

17. that certain Promissory Note dated as of August 1, 2009, in the principal amount of \$720,804.38 (the "Ravenswood Note"); Mortgage dated as of October 27, 2003, recorded in the Cook County Recorder's Office on December 15, 2003, as document no. 0334933017, as amended by that certain Modification to Mortgage dated as of February 20, 2004, recorded in the Cook County Recorder's Office on March 11, 2004, as document no. 0407135122, that certain Modification to Mortgage dated as of April 1, 2009, recorded in the Cook County Recorder's Office on June 4, 2009, as document no. 0915557014, and that certain Modification to Mortgage dated of even date herewith to be recorded in the Cook County Recorder's Office, encumbering the property commonly known as 6203-09 N. Ravenswood, Chicago, IL 60660 (the "Ravenswood Property"); and Assignment of Rents dated as of October 27, 2003, recorded in the Cook County Recorder's Office on December 15, 2003, as document no. 0334933018 (collectively, the "Ravenswood Loan Documents");

18. that certain Promissory Note dated as of March 15, 2008, in the principal amount of \$250,000 (the "Cortez/Augusta Note"); Mortgage dated as of March 15, 2008, made by Borrower and Chicago Title Land Trust Company not personally but as Trustee on behalf of Chicago Title Land Trust Company, as Successor Trustee to American National Bank and Trust Company of Chicago under Trust Agreement Number 116237-09 dated November 3, 1992, and recorded in the Cook County Recorder's Office on March 24, 2008, as document no. 0808447012, encumbering the property commonly known as 2612 W. Cortez Street and 2646 W. Augusta Boulevard, Chicago, IL 60622 (the "Cortez/Augusta Property"); and Assignment of Rents dated as of March 15, 2008, made by Borrower and Chicago Title Land Trust Company not personally but as Trustee on behalf of Chicago Title Land Trust Company, as Successor Trustee to American National Bank and Trust Company of Chicago under Trust Agreement Number 116237-09 dated November 3, 1992, and recorded in the Cook County Recorder's Office on March 24, 2008, as document no. 0808447013 (collectively, the "Cortez/Augusta Loan Documents"); and

19. that certain Promissory Note dated as of October 1, 2007, in the principal amount of \$320,806.69 (the "2500 Thomas Note"); Mortgage dated as of September 26, 2003, made by LaSalle Bank National Association, successor trustee to American National Bank and Trust Company of Chicago, not personally but as Trustee on behalf of LaSalle Bank formerly known as American National Bank and Trust Co. of Chicago Trust #116366-02, dated December 9, 1992, and recorded in the Cook County Recorder's Office on November 25, 2003, as document no. 0332942257, as amended by that certain Modification to Mortgage dated as of October 1, 2007, made by Chicago Title Land Trust Company as Successor Trustee to LaSalle Bank National Association, not personally but as Trustee on behalf of LaSalle Bank National Association as successor trustee to American National Bank and Trust Company Trust Number 116366-02 dated December 9, 1992, and recorded in the Cook County Recorder's Office on November 8, 2007, as document no. 0731247088, encumbering the property commonly known as 2500 W. Thomas Street, Chicago, IL 60622 (the "2500 Thomas Property"); and Assignment of Rents dated as of September 26, 2003, made by LaSalle Bank National Association, successor trustee to American National Bank and Trust Company of Chicago, not personally but as Trustee on behalf of LaSalle Bank formerly known as American National Bank and Trust Co. of Chicago Trust #116366-02, dated December 9, 1992, and recorded in the Cook County Recorder's Office on November 25, 2003, as document no. 0332942258 (collectively, the "2500 Thomas Loan Documents").

C. The 2455-59 Division Note, Diversey Note, 2609 Division Note, Ferdinand Note, W. 33rd Note, Central Park Note, Congress Note, North Ave. Note, Thomas/Harrison Note, 2651 Augusta Note, 1809 Augusta Note, 2530 Augusta Note, California Note, Ravenswood Note,

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Cortez/Augusta Note, and 2500 Thomas Note are, collectively, referred to herein as the "Other Notes".

D. The 2455-59 Division Loan Documents, Diversey Loan Documents, 2609 Division Loan Documents, Ferdinand Loan Documents, W. 33rd Loan Documents, Central Park Loan Documents, Congress Loan Documents, North Ave. Loan Documents, Thomas/Harrison Loan Documents, 2651 Augusta Loan Documents, 1809 Augusta Loan Documents, 2530 Augusta Loan Documents, California Loan Documents, Ravenswood Loan Documents, Cortez/Augusta Loan Documents, and 2500 Thomas Loan Documents are, collectively, referred to herein, and together with any and all amendments, modifications, extensions, renewals, restatements, substitutions or replacements thereof, as the "Other Loan Documents".

AMENDMENT TO LOAN DOCUMENTS

1.1 Defined Terms. All capitalized terms which are not defined hereunder shall have the same meanings as set forth in each of the respective 2652 Cortez Loan Documents to the extent not inconsistent with this Rider. To the extent any terms and provisions of the 2652 Cortez Loan Documents are inconsistent with the amendments set forth herein, such terms and provisions shall be deemed superseded hereby.

1.2 Cross Collateralization / Cross Default. Borrower acknowledges and agrees that (A) the 2652 Cortez Property and any other collateral pledged pursuant to the 2652 Cortez Loan Documents secures (i) all of Borrower's liabilities and indebtedness to Lender ("Borrower's Liabilities"), including, but not limited to, the indebtedness evidenced by the Other Notes and the Other Loan Documents, (B) Lender shall not release any lien or mortgage on the 2652 Cortez Property or any other collateral unless and until all of Borrower's Liabilities are paid in full, and (C) any "Default" or "Event of Default" (however those terms are defined in the Other Loan Documents) shall be a Default under the 2652 Cortez Loan Documents.

[SIGNATURE PAGE FOLLOWS]

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IN WITNESS WHEREOF, the undersigned have caused this Rider to be duly executed as of the day and year first above written.

LENDER:

INLAND BANK AND TRUST,
an Illinois banking corporation

By: *Brian D. Specht*
Name: Brian D. Specht
Title: Vice President

BORROWER:

Maria Hernandez
Monserrate Hernandez, an individual

Property of Cook County Clerk's Office