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1018144035

RECORDATION REQUESTED BY:

Devon Bank
Chicago
6445 N. Western Ave.
Chicago, IL 60645

Doc#: 1018144035 Fee: \$42.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 06/30/2010 10:39 AM Pg: 1 of 4

WHEN RECORDED MAIL TO:

Devon Bank
Chicago
6445 N. Western Ave.
Chicago, IL 60645

SEND TAX NOTICES TO:

Devon Bank
Chicago
6445 N. Western Ave.
Chicago, IL 60645

FOR RECORDER'S USE ONLY

This Modification of Mortgage prepared by:

C. Roman, Commerical Loan Dept.
Devon Bank
6445 N. Western Ave.
Chicago, IL 60645

MODIFICATION OF MORTGAGE

84-59-780 JCTI

THIS MODIFICATION OF MORTGAGE dated May 14, 2010, is made and executed between Superdawg Drive-in, Inc., an Illinois Corporation, whose address is 6363 N. Milwaukee Avenue, Chicago, IL 60646 (referred to below as "Grantor") and Devon Bank, whose address is 6445 N. Western Ave., Chicago, IL 60645 (referred to below as "Lender").

MORTGAGE. Lender and Grantor have entered into a Mortgage dated May 14, 2009 (the "Mortgage") which has been recorded in Cook County, State of Illinois, as follows:

Mortgage and Assignment of Rents recorded May 21, 2009 as Document #'s 0914133104 and 0914133105 all in the Office of the Cook County Recorder of Deeds.

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

LOT 1 IN WILT'S RESUBDIVISION OF LOTS 7 TO 22 BOTH INCLUSIVE, VACATED MORS AVENUE, VACATED WESTERLY 1/2 OF RIVER STREET AND VACATED ALLEY IN THAT PART OF MOR'S FARM SYNDICATED SUBDIVISION UNIT NO. 1, A SUBDIVISION OF PART OF THE NORTH EAST 1/4 OF SECTION 11, AND THE NORTH WEST 1/4 OF SECTION 12, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, WHEELING ILLINOIS, LYING EAST OF MILWAUKEE AVENUE, IN COOK COUNTY, ILLINOIS

The Real Property or its address is commonly known as 333-373 S. Milwaukee Avenue, Wheeling, IL 60090.
The Real Property tax identification number is 03-12-105-022-0000

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

The Mortgage is hereby increased to \$4,130,000.00 and the Maturity Date is hereby changed to May 14, 2020.

BOX 333-CTI

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(Continued)**

Loan No: 2071040000

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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 MAY 14, 2010.

GRANTOR:

SUPERDAWG DRIVE-IN, INC.

By: Maurie H. Berman
Maurie H. Berman, President of Superdawg Drive-in, Inc.

LENDER:

DEVON BANK

x John Burk
Authorized Signer

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MODIFICATION OF MORTGAGE (Continued)

Loan No: 2071040000

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CORPORATE ACKNOWLEDGMENT

STATE OF ILLINOIS)

) SS

COUNTY OF COOK)

On this 21st day of June, 2010 before me, the undersigned Notary Public, personally appeared **Maurie H. Berman, President of Superdawg Drive-in, Inc.**, and known to me to be an authorized agent of the corporation that executed the Modification of Mortgage and acknowledged the Modification to be the free and voluntary act and deed of the corporation, by authority of its Bylaws or by resolution of its board of directors, 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 corporation.

By Alex W. Wolf

Residing at Cook County

Notary Public in and for the State of ILLINOIS

My commission expires 1/12/14



Cook County Clerk's Office

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MODIFICATION OF MORTGAGE (Continued)

Loan No: 2071040000

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LENDER ACKNOWLEDGMENT

STATE OF Illinois)

) SS

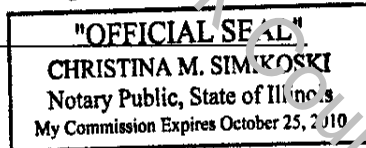
COUNTY OF Cook)

On this 29th day of June, 2010 before me, the undersigned Notary Public, personally appeared JOHN BURK and known to me to be the Vice President, authorized agent for **Devon Bank** that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of **Devon Bank**, duly authorized by **Devon Bank** 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 **Devon Bank**.

By *[Signature]* Residing at *[Signature]* 645 N Western

Notary Public in and for the State of Illinois

My commission expires _____



County Clerk's Office