

# UNOFFICIAL COPY



Doc#: 1102711025 Fee: \$58.00  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 01/27/2011 09:04 AM Pg: 1 of 12

Prepared By:  
Crowley & Lamb, P.C.  
350 N. LaSalle Street, Suite 900  
Chicago, Illinois 60610

Mail to:

Harris N.A.  
111 W. Monroe Street  
Chicago, Illinois 60603  
Attn: Kenneth Stoklosa

LHynes #83-64-733-D1

## MODIFICATION OF MORTGAGE

**THIS MODIFICATION OF MORTGAGE** is made and entered into on December 30, 2010 but made effective as of March 31, 2010 between **RIVER NORTH RETAIL, LLC**, an Illinois limited liability company (referred to below as "Grantor") and **HARRIS N.A.**, whose address is as set forth above (referred to below as "Lender").

**MORTGAGE.** Grantor executed a mortgage in favor of Lender which has been recorded in Cook County, State of Illinois, as follows:

Mortgage dated March 26, 2007 executed by Grantor (successor in interest of Huron Street Associates LLC by virtue of the Modification (defined below)) in favor of Lender and recorded in the Cook County, IL Recorder's Office (the "Recorder's Office") on March 27, 2007 as Document No. 0708622068 (as modified by that certain Modification of Mortgage ("Modification") dated March 12, 2008 by and between Borrower and Lender and recorded in the Recorder's Office on April 7, 2009 as document no. 0909718009, collectively the "Mortgage") and Assignment of Rents ("Assignment") dated March 26, 2007 executed by Grantor in favor of Lender and recorded in the Recorder's Office on March 27, 2007 as Document No. 0708622069

**ORIGINAL REAL PROPERTY DESCRIPTION.** The Mortgage covers the real property located in Cook County, State of Illinois originally described as follows:

UNITS 1, 2 AND 3 TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS IN HURON STREET COMMERCIAL CONDOMINIUMS AS DELINEATED AND DEFINED IN THE DECLARATION RECORDED AS DOCUMENT NUMBER 0624245139, BEING PART OF LOTS 10 TO 17, INCLUSIVE, IN BLOCK 16 IN NEWBERRY'S ADDITION TO CHICAGO IN THE EAST HALF OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

The Real Property or its address is commonly known as 217-233 W. Huron Street, 1<sup>st</sup> Floor, Chicago, IL 60610. The Real Property tax identification number: 17-09-216-001-0000.

Box 400-CTCC

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## MODIFICATION OF MORTGAGE

(Continued)

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**MODIFICATION.** Lender and Grantor hereby modify the Mortgage and Assignment by deleting the original legal description set forth above and substituting the following therefor:

UNITS 1 AND 2A TOGETHER WITH THEIR UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS IN HURON STREET COMMERCIAL CONDOMINIUMS AS DELINEATED AND DEFINED IN THE DECLARATION RECORDED AS DOCUMENT NUMBER 0524245139, BEING PART OF LOTS 10 TO 17, INCLUSIVE, IN BLOCK 16 IN NEWBERRY'S ADDITION TO CHICAGO IN THE EAST HALF OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

The Real Property is commonly known as 217-233 W. Huron Street, 1<sup>st</sup> Floor, Chicago, IL 60610.  
The Real Property tax identification numbers are 17-09-216-019-1001 and 17-09-216-019-1011.

**CONTINUING VALIDITY.** Except as expressly modified above, the terms of the original Mortgage and Assignment 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 Lenders 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 AS OF AUGUST 1, 2010.

[signature page attached]

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**GRANTOR:**

RIVER NORTH RETAIL, LLC, an Illinois limited liability company

By: Morgan Group Inc., as member

By:   
John M. Mullen, President

By: RSC & Associates LLC, as member

By: \_\_\_\_\_  
Richard Curto, manager

By: TLC Huron, LLC, as member

By: \_\_\_\_\_  
Keith E. Lord, manager

**LENDER:**

HARRIS N.A.

X \_\_\_\_\_  
Authorized Signer

Property of Cook County Clerk's Office

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**GRANTOR:**

RIVER NORTH RETAIL, LLC, an Illinois limited liability company

By: Morgan Group, Inc., as member

By: \_\_\_\_\_  
John M. Mullen, President

By: RSC & Associates LLC, as member

By: Richard Curto *Richard Curto* *Managing Member of RSC Associates*  
Richard Curto, manager

By: TLC Huron, LLC, as member

By: \_\_\_\_\_  
Keith E. Lord, manager

**LENDER:**

HARRIS N.A.

X \_\_\_\_\_  
Authorized Signer

PROPERTY OF COOK COUNTY CLERK'S OFFICE

# UNOFFICIAL COPY

**GRANTOR:**

RIVER NORTH RETAIL, LLC, an Illinois limited liability company

By: Morgan Group, Inc., as member

By: \_\_\_\_\_  
John M. Mullen, President

By: RSC & Associates LLC, as member

By: \_\_\_\_\_  
Richard Curto, manager

By: TLC Huron, LLC, as member

By: \_\_\_\_\_  
Keith E. Lord, manager

**LENDER:**

HARRIS N.A.

X \_\_\_\_\_  
Authorized Signer

Property of Cook County Clerk's Office

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## MODIFICATION OF MORTGAGE (Continued)

STATE OF \_\_\_\_\_ )  
 ) SS  
COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ before me, the undersigned Notary Public, personally appeared John M. Mullen, as President of Morgan Group, Inc, a member of RIVER NORTH RETAIL, LLC, an Illinois limited liability company, and known to me to be an authorized agent of such company that executed the Modification of Mortgage and acknowledged the Modification to be the free and voluntary act and deed of such company, by proper authority, 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 such company.

By \_\_\_\_\_ Residing at \_\_\_\_\_

Notary Public in and for the State of \_\_\_\_\_

My commission expires \_\_\_\_\_

STATE OF \_\_\_\_\_ )  
 ) SS  
COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ before me, the undersigned Notary Public, personally appeared Richard Curto as manager of RSC & Associates LLC, a member of RIVER NORTH RETAIL, LLC, an Illinois limited liability company, and known to me to be an authorized agent of such company that executed the Modification of Mortgage and acknowledged the Modification to be the free and voluntary act and deed of such company, by proper authority, 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 such company.

By \_\_\_\_\_ Residing at \_\_\_\_\_

Notary Public in and for the State of \_\_\_\_\_

My commission expires \_\_\_\_\_

# UNOFFICIAL COPY

**GRANTOR:**

RIVER NORTH RETAIL, LLC, an Illinois limited liability company

By: Morgan Group, Inc., as member

By: \_\_\_\_\_  
John M. Mullen, President

By: RSC & Associates LLC, as member

By: \_\_\_\_\_  
Richard Curto, manager

By: TLC Huron, LLC, as member

By: \_\_\_\_\_  
Keith E. Lord, manager

**LENDER:**

HARRIS N.A.

X   
Authorized Signer

Property of Cook County Clerk's Office

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## MODIFICATION OF MORTGAGE (Continued)

STATE OF \_\_\_\_\_ )  
 ) SS  
COUNTY OF \_\_\_\_\_ )

On this 3<sup>rd</sup> day of January, 2011 before me, the undersigned Notary Public, personally appeared John M. Mullen, as President of Morgan Group, Inc, a member of RIVER NORTH RETAIL, LLC, an Illinois limited liability company, and known to me to be an authorized agent of such company that executed the Modification of Mortgage and acknowledged the Modification to be the free and voluntary act and deed of such company, by proper authority, 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 such company.

By *Christina Juarez*

Residing at \_\_\_\_\_

Notary Public in and for the State of Illinois

My commission expires May 13, 2012



STATE OF \_\_\_\_\_ )  
 ) SS  
COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ before me, the undersigned Notary Public, personally appeared Richard Curto as manager of RSC & Associates LLC, a member of RIVER NORTH RETAIL, LLC, an Illinois limited liability company, and known to me to be an authorized agent of such company that executed the Modification of Mortgage and acknowledged the Modification to be the free and voluntary act and deed of such company, by proper authority, 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 such company.

By \_\_\_\_\_

Residing at \_\_\_\_\_

Notary Public in and for the State of \_\_\_\_\_

My commission expires \_\_\_\_\_



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## MODIFICATION OF MORTGAGE (Continued)

STATE OF \_\_\_\_\_ )  
 ) SS  
COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ before me, the undersigned Notary Public, personally appeared John M. Mullen, as President of Morgan Group, Inc, a member of RIVER NORTH RETAIL, LLC, an Illinois limited liability company, and known to me to be an authorized agent of such company that executed the Modification of Mortgage and acknowledged the Modification to be the free and voluntary act and deed of such company, by proper authority, 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 such company.

By \_\_\_\_\_ Residing at \_\_\_\_\_

Notary Public in and for the State of \_\_\_\_\_

My commission expires \_\_\_\_\_

STATE OF IL )  
 ) SS  
COUNTY OF Cook )

On this 29 day of December, 2010 before me, the undersigned Notary Public, personally appeared Richard Curto as manager of RSC & Associates LLC, a member of RIVER NORTH RETAIL, LLC, an Illinois limited liability company, and known to me to be an authorized agent of such company that executed the Modification of Mortgage and acknowledged the Modification to be the free and voluntary act and deed of such company, by proper authority, 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 such company.

By Nicole Mrjenovich

Residing at \_\_\_\_\_

Notary Public in and for the State of IL

My commission expires 3/8/11



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STATE OF ILLINOIS )  
 ) SS  
COUNTY OF COOK )

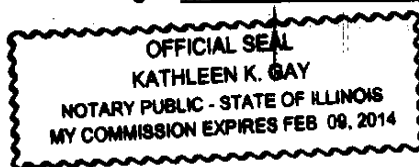
On this 3rd day of JANUARY, 2011 before me, the undersigned Notary Public, personally appeared Keith E. Lord as manager of TLC Huron, LLC, a member of RIVER NORTH RETAIL, LLC, an Illinois limited liability company, and known to me to be an authorized agent of the corporation that executed the Modification of Mortgage and acknowledged the Modification to be the free and voluntary act and deed of such company, by proper authority, 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 such company.

By Kathleen K. Gay

Residing at ILLINOIS

Notary Public in and for the State of ILLINOIS

My commission expires FEB 9, 2014



Cook County Clerk's Office

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## MODIFICATION OF MORTGAGE (Continued)

### LENDER ACKNOWLEDGMENT

STATE OF \_\_\_\_\_ )  
 ) SS  
 COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ before me, the undersigned Notary Public, personally appeared \_\_\_\_\_ and known to me to be an authorized agent for the Lender that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of the said Lender, duly authorized by oath stated that he or she is authorized to execute this said instrument.

By \_\_\_\_\_ Residing at \_\_\_\_\_

Notary Public in and for the State of \_\_\_\_\_

My commission expires \_\_\_\_\_

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