

# UNOFFICIAL COPY

**RECORDATION REQUESTED BY:**

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



Doc#: 1120112006 Fee: \$42.00  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 07/20/2011 08:07 AM Pg: 1 of 4

**WHEN RECORDED MAIL TO:**

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

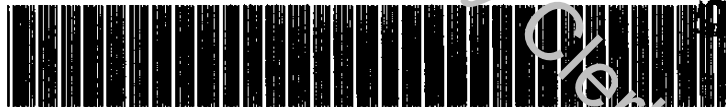
**SEND TAX NOTICES TO:**

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

**FOR RECORDER'S USE ONLY**

This Modification of Mortgage prepared by:  
Tehie L. Vargas, Commercial Loan Department  
Devon Bank  
6445 N. Western Ave.  
Chicago, IL 60645

## MODIFICATION OF MORTGAGE



\*000000002040970100074004292011\*

11199-0049  
BOX 162

THIS MODIFICATION OF MORTGAGE dated April 29, 2011, is made and executed between Parkway Bank and Trust Company, not personally but as Trustee U/T/A Number 12305 and dated July 1, 1999, whose address is 4800 N. Harlem Avenue, Harwood Heights, IL 60656 (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 April 29, 2003 (the "Mortgage") which has been recorded in Cook County, State of Illinois, as follows:

Mortgage and Assignment of Rents dated 4/29/2003 and recorded 07/02/2003 as document's numbers 0318317081 and 0318317080 in the Office of Cook County Recorder of Deeds.

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

THE EAST 34.63 FEET OF LOT 16 (AS MEASURED ON NORTH LINE OF SAID LOT 16) TOGETHER WITH ALL VACATED ALLEY LYING SOUTH OF AND ADJOINING SAID EAST 34.63 FEET OF LOT 16 IN 8TH ADDITION TO LINCOLN AVENUE GARDENS A SUBDIVISION OF PARTS OF LOTS 1 AND 4 AND PART OF VACATED ALLEY ADJOINING SAID LOTS IN SUBDIVISION OF THE NORTH 10 ACRES OF THE WEST 1/2 OF THE NORTH WEST 1/4 OF SECTION 35, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

The Real Property or its address is commonly known as 3915 W. Touhy Avenue, Lincolnwood, IL 60712.

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SECTION  
12/2/11

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## MODIFICATION OF MORTGAGE

(Continued)

Loan No: 2040970100

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The Real Property tax identification number is 10-35-100-038-0000.

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

**Principal increase of Fifteen Thousand Dollars (\$15,000.00). The interest rate is increased to seven percent (7%) fixed per annum. The Maturity Date of the loan is hereby extended to April 29, 2014 (the "Maturity Date").**

**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 endorser 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.

upon the direction of it's beneficiaries

**GRANTOR ACKNOWLEDGES HAVING READ ALL THE PROVISIONS OF THIS MODIFICATION OF MORTGAGE AND GRANTOR AGREES TO ITS TERMS. THIS MODIFICATION OF MORTGAGE IS DATED APRIL 29, 2011.**

**GRANTOR:**

**PARKWAY BANK AND TRUST COMPANY, TRUST #12305**

~~AS TRUSTEE AND NOT INDIVIDUALLY~~

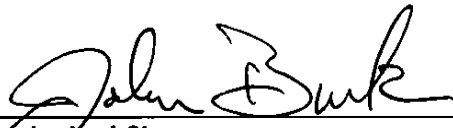
**SEE EXHIBIT A FOR TRUSTEE SIGNATURE, ACKNOWLEDGEMENT AND EXCULPATION ATTACHED HERETO AND MADE A PART HEREOF.**

By: \_\_\_\_\_

Parkway Bank and Trust La

**LENDER:**

**DEVON BANK**

x   
Authorized Signer

DeKalb County Clerk's Office

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EXHIBIT "A"

## TRUSTEE SIGNATURE, EXONERATION AND ACKNOWLEDGMENT RIDER FOR MODIFICATION OF MORTGAGE

This MODIFICATION OF MORTGAGE is executed by PARKWAY BANK & TRUST COMPANY, not personally but as Trustee under Trust No. 12305 as aforesaid, in the exercise of power and authority conferred upon and vested in said Trustee as such, and it is expressly understood and agreed that nothing in said document contained shall be construed as creating any liability on said Trustee personally to pay any indebtedness accruing thereunder, or to perform any covenants, either expressed or implied, including but not limited to warranties, indemnifications, and hold harmless presentations in said document (all such liability if any, being expressly waived by the parties hereto and their respective successors and assigns) and that so far as said Trustee is concerned, the owner of any indebtedness or right accruing under said document shall look solely to the premises described therein for the payment or enforcement, thereof, it being understood that said Trustee merely holds legal title to the premises described therein and has no control over the management thereof or the income therefrom, and has no knowledge respecting any factual matter with respect to said premises, except as represented to it by the beneficiary or beneficiaries of said trust. In event of conflict between the terms of this rider and of the agreement to which it is attached, on any questions of apparent liability or obligation resting upon said trustee, the provisions of this rider shall be controlling.

The Trustee makes no personal representations as to nor shall it be responsible for the existence, location or maintenance of the chattels herein described, if any, or of any environmental conditions, duties or obligations concerning the property whether under any federal, state, or local statute, rule, regulation, or ordinance. The beneficiaries of this Trust, have management and control of the use of the property and as such, have the authority on their own behalf to execute any document as environmental representative but not as agent for or on behalf of the Trustee.

PARKWAY BANK & TRUST COMPANY, As Trustee under Trust No. 12305 as aforesaid and not personally,

By: [Signature]  
ASSISTANT TRUST OFFICER

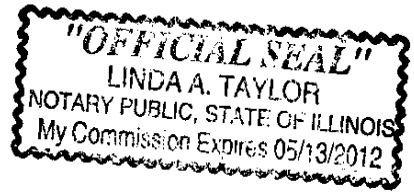


STATE OF ILLINOIS )  
COUNTY OF COOK )

I, the undersigned, a Notary Public in and for said County, in the State aforesaid do hereby certify that the above named officers of PARKWAY BANK & TRUST COMPANY, are personally known to me to be the same persons whose names are subscribed to the foregoing instrument in the capacities shown, appeared before me this day in person, and acknowledged signing, sealing and delivering the said instrument as their free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and notarial seal on May 17, 2011.

[Signature]  
(Notary Public)



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## MODIFICATION OF MORTGAGE

Loan No: 2040970100

(Continued)

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### LENDER ACKNOWLEDGMENT

STATE OF Illinois )

) SS

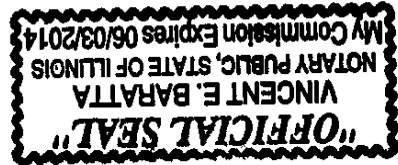
COUNTY OF Cook )

On this 27th day of June, 2011 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 Chicago, Illinois

Notary Public in and for the State of Illinois

My commission expires



Cook County Clerk's Office