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RECORDATION REQUESTED BY:

MB Financial Bank, N.A.
Retail - Touhy
4010 West Touhy Ave
Lincolnwood, IL

Doc#: 1201839003 Fee: \$48.25
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 01/18/2012 09:13 AM Pg: 1 of 5

WHEN RECORDED MAIL TO:

MB Financial Bank, N.A.
Loan Documentation
6111 N. River Rd.
Rosemont, IL 60018

FOR RECORDER'S USE ONLY

This Modification of Mortgage prepared by:

Ln #4220029/DEAL #5102/Trns #45228, Loan Doc. Specialist (ol)
MB Financial Bank, N.A.
6111 N. River Rd.
Rosemont, IL 60018

MODIFICATION OF MORTGAGE



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THIS MODIFICATION OF MORTGAGE dated October 10, 2011, is made and executed between 5014 North Lincoln Irrevocable Joint Tenancy Trust Dated December 21, 2009, whose address is 5014 N. Lincoln Ave., Chicago, IL 60625 (referred to below as "Grantor") and MB Financial Bank, N.A., whose address is 4010 West Touhy Ave, Lincolnwood, IL (referred to below as "Lender").

MORTGAGE. Lender and Grantor have entered into a Mortgage dated September 14, 2004 (the "Mortgage") which has been recorded in Cook County, State of Illinois, as follows:

Mortgage dated as of September 14, 2004 executed by Felice S. Frand; Morton Lifshutz and Yvonne Lifshutz ("Grantor") for the benefit of MB Financial Bank, N.A. ("Lender"), recorded on September 30, 2004 as document no. 0427441030, and Assignment of Rents of even date therewith executed by Grantor for the benefit of Lender, recorded on September 30, 2004 as document no. 0427441031; modified by Modification of Mortgage recorded on February 27, 2006 as document no. 0605845052; further modified by Modification of Mortgage recorded on September 10, 2010 as document no. 1025318023 .

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

LOT 1 IN GOELZ BROTHERS RESUBDIVISION OF THE SOUTH 150 FEET OF LOT 19 IN TOWN OF BOWMANVILLE, A SUBDIVISION IN THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 12, TOWNSHIP 40 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

The Real Property or its address is commonly known as 5014 N. Lincoln Ave., Chicago, IL 60625-2612. The Real Property tax identification number is 13-12-410-035-0000.

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

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

The definition of "Note" set forth in the Mortgage is hereby amended and restated in its entirety as follows: The word "Note" means that certain Promissory Note dated as of October 10, 2011 in the original principal amount of \$223,405.99 executed by Borrower and payable to the order of Lender, as amended, supplemented, modified or replaced from time to time

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.

WAIVER. GRANTOR HEREBY EXPRESSLY AND UNCONDITIONALLY WAIVES AND RELINQUISHES:

- (1) ANY RIGHT TO TRIAL BY JURY IN ANY ACTION OR PROCEEDING (i) TO ENFORCE OR DEFEND ANY RIGHTS UNDER OR IN CONNECTION WITH THIS AGREEMENT OR ANY AMENDMENT, INSTRUMENT, DOCUMENT OR AGREEMENT DELIVERED OR WHICH MAY BE DELIVERED RELATED TO THIS AGREEMENT OR (ii) ARISING FROM ANY DISPUTE OR CONTROVERSY IN CONNECTION WITH, IN FURTHERANCE OF, OR RELATED TO THIS AGREEMENT OR ANY AMENDMENT, INSTRUMENT, DOCUMENT OR AGREEMENT RELATED THERETO, AND AGREES THAT ANY SUCH ACTION OR PROCEEDING SHALL BE TRIED BEFORE A JUDGE AND NOT A JURY;
- (2) EVERY DEFENSE, INCLUDING, WITHOUT LIMITATION, BREACH OF THE IMPLIED COVENANT OF GOOD FAITH AND FAIR DEALING, AND ANY CAUSE OF ACTION, COUNTERCLAIM OR SETOFF WHICH GRANTOR MAY HAVE TO ANY ACTION BY LENDER IN ENFORCING THIS AGREEMENT OR ANY DOCUMENT EXECUTED IN CONNECTION WITH RELATED TO, OR IN FURTHERANCE OF THIS AGREEMENT.

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MODIFICATION OF MORTGAGE (Continued)

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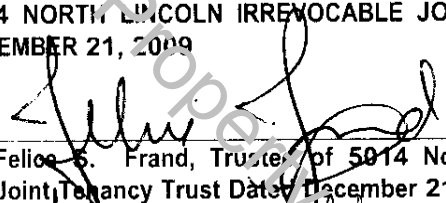
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GRANTOR ACKNOWLEDGES HAVING READ ALL THE PROVISIONS OF THIS MODIFICATION OF MORTGAGE AND GRANTOR AGREES TO ITS TERMS. THIS MODIFICATION OF MORTGAGE IS DATED OCTOBER 10, 2011.

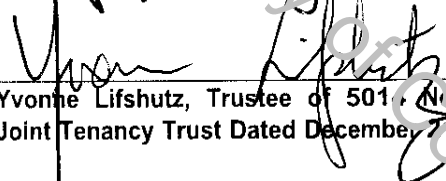
GRANTOR:

5014 NORTH LINCOLN IRREVOCABLE JOINT TENANCY TRUST DATED
DECEMBER 21, 2009

By:


Felice S. Frand, Trustee of 5014 North Lincoln Irrevocable
Joint Tenancy Trust Dated December 21, 2009

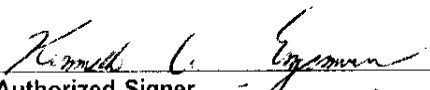
By:


Yvonne Lifshutz, Trustee of 5014 North Lincoln Irrevocable
Joint Tenancy Trust Dated December 21, 2009

LENDER:

MB FINANCIAL BANK, N.A.

X


Authorized Signer *Felice S. Frand*

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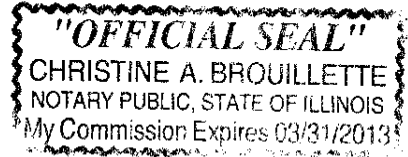
MODIFICATION OF MORTGAGE (Continued)

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TRUST ACKNOWLEDGMENT

STATE OF Illinois)
)
 COUNTY OF Cook) SS
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On this 28 day of December, 2011 before me, the undersigned Notary Public, personally appeared **Felice S. Frand, Trustee of 5014 North Lincoln Irrevocable Joint Tenancy Trust Dated December 21, 2009** and **Yvonne Lifshutz, Trustee of 5014 North Lincoln Irrevocable Joint Tenancy Trust Dated December 21, 2009**, and known to me to be authorized trustees or agents 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 they are authorized to execute this Modification and in fact executed the Modification on behalf of the trust.

By Christine A Brouillette Residing at 6111 N River Rd
Rosemont IL
60018
 Notary Public in and for the State of Illinois
 My commission expires 3-31-2013

County Clerk's Office

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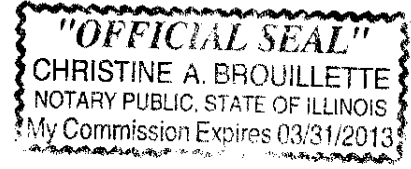
MODIFICATION OF MORTGAGE (Continued)

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LENDER ACKNOWLEDGMENT

STATE OF Illinois)
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) SS
 COUNTY OF Cook)



On this 27th day of December, 2011 before me, the undersigned Notary Public, personally appeared Kenneth Engemann and known to me to be the 1st VP Small BUS Loans, authorized agent for **MB Financial Bank, N.A.** that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of **MB Financial Bank, N.A.**, duly authorized by **MB Financial Bank, N.A.** 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 **MB Financial Bank, N.A.**

By Christine A Brouillette Residing at 6111 N River Rd
Rosemont IL 60018
 Notary Public in and for the State of Illinois
 My commission expires 3-31-2013

Cook County Clerk's Office