

RECORDATION REQUESTED BY:

**FIRST WESTERN TRUST
BANK
Cherry Creek Office
233 Milwaukee Street
Denver, CO 80206**

WHEN RECORDED MAIL TO:

**FIRST WESTERN TRUST
BANK
1200 17th Street, Suite 2650
Denver, CO 80202**

SEND TAX NOTICES TO:

**FIRST WESTERN TRUST
BANK
Cherry Creek Office
233 Milwaukee Street
Denver, CO 80206**

FOR RECORDER'S USE ONLY

This Modification of Mortgage prepared by:

**Valerie Heath, Loan Administrator
FIRST WESTERN TRUST BANK
233 Milwaukee Street
Denver, CO 80206**

MODIFICATION OF MORTGAGE

THIS MODIFICATION OF MORTGAGE dated January 25, 2013, is made and executed between RK Belwood LLC, whose address is 360 S. Monroe Street #600, Denver, CO 80209 (referred to below as "Grantor") and FIRST WESTERN TRUST BANK, whose address is 233 Milwaukee Street, Denver, CO 80206 (referred to below as "Lender").

MORTGAGE. Lender and Grantor have entered into a Mortgage dated April 20, 2012 (the "Mortgage") which has been recorded in Cook County, State of Illinois, as follows:

Recorded 04/25/2012 at Doc #1211629044, by the Cook County Recorder of Deeds, State of Illinois.

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

Lot 1, Chipotle Homewood Subdivision, being a subdivision in part of the Northeast Quarter of Section 32, Township 36 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois.

The Real Property or its address is commonly known as 17700 Halsted Street, Homewood, IL 60430. The Real Property tax identification number is 29-32-200-093-0000.

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

01/25/2013 - Due to conversion to permanent financing from the construction loan, principal balance is hereby amended to \$777,212.77. Maturity date is hereby extended to 01/25/2023.

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

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

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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 JANUARY 25, 2013.

GRANTOR:

RK BELWOOD LLC

By: 

Stuart G Rifkin, Manager of RK Belwood LLC

LENDER:

FIRST WESTERN TRUST BANK

X 

Russel Schmucker, President

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MODIFICATION OF MORTGAGE (Continued)

LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

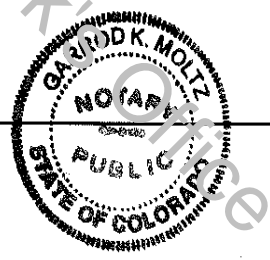
STATE OF Colorado)
) SS
 COUNTY OF Denver)

On this 25th day of January, 2013 before me, the undersigned Notary Public, personally appeared **Stuart G Rifkin, Manager of RK Belwood LLC**, and known to me to be a member or designated agent of the limited liability company that executed the Modification of Mortgage and acknowledged the Modification to be the free and voluntary act and deed of the limited liability company, by authority of statute, its articles of organization or its operating agreement, 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 limited liability company.

By Garrett Moltz  Residing at 2829 S. Locust St, Denver, CO

Notary Public in and for the State of CO

My commission expires 8/4/15



My Commission Expires 08/04/2015

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MODIFICATION OF MORTGAGE (Continued)

LENDER ACKNOWLEDGMENT

STATE OF Colorado)

COUNTY OF Denver) SS)

On this 25th day of January, 2013 before me, the undersigned Notary Public, personally appeared **Russel Schmucke** and known to me to be the **President**, authorized agent for **FIRST WESTERN TRUST BANK** that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of **FIRST WESTERN TRUST BANK**, duly authorized by **FIRST WESTERN TRUST 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 **FIRST WESTERN TRUST BANK**.

By Garrod Moltz  Residing at 2829 S. Lowell St, Denver, CO

Notary Public in and for the State of CO

My commission expires 8/4/15

