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FIRST AMENDMENT TO  
MORTGAGE AND SECURITY AGREEMENT  
AND  
MORTGAGE SPREADER AGREEMENT

86260453

THIS MORTGAGE SPREADER AGREEMENT (the "Agreement") dated as of March 18, 1986, by and among AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO ("Mortgagor"), a national banking association, not in its individual capacity but as Trustee under a Trust Agreement dated January 15, 1985 and known as Trust No. 63321 (the "Land Trust"), and BANK OF AMERICA NATIONAL TRUST AND SAVINGS ASSOCIATION ("Mortgagee"), a national banking association organized and existing under the laws of the United States of America.

WITNESSETH:

WHEREAS, on June 13, 1985, Mortgagor executed that certain Mortgage and Security Agreement (the "Mortgage") recorded as Document No. 85-06319 in the Office of the Recorder of Deeds of Cook County, Illinois, securing a certain Promissory Note of even date therewith in the principal amount of Thirty-Two Million Five Hundred Thousand Dollars (\$32,500,000) (the "Note") and encumbering certain real property located in Rosemont, Illinois and more particularly described in Exhibit A attached hereto and made a part hereof (the "Property"); and

WHEREAS, in conjunction with the development and operation of a hotel to be located on the Property, as contemplated by Grantor and Beneficiary at the time of execution of the Mortgage, and pursuant to a Deed in Trust dated March 18, 1986, and recorded as Document No. 86-105838 in the Office of the Recorder of Deeds of Cook County, Illinois, Mortgagor acquired fee simple title in and to certain additional land located in Rosemont, Illinois, immediately adjacent to the Property and more particularly described in Exhibit B attached hereto, and Mortgagor desires to construct on such additional land certain improvements consisting of grade-level parking spaces for the benefit of the Property (the additional land and improvements thereon hereinafter referred to as the "Additional Property"); and

WHEREAS, the parties hereto have agreed to spread the Mortgage and the lien thereof over the Additional Property.

NOW THEREFORE, in consideration of the premises, the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto covenant and agree as follows:

1. The foregoing recitals are hereby reiterated and made a material part of this Agreement.

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2. The Mortgage and the lien thereof are hereby spread over the Additional Property.

3. All references in the Mortgage to the "Mortgaged Property" shall hereafter be deemed to mean the Property and the Additional Property. Exhibit A to the Mortgage shall be amended to read the same as both of Exhibit A and Exhibit B attached to this Agreement.

4. Except as amended hereby, the terms and provisions of the Mortgage are hereby reaffirmed and shall remain in full force and effect.

IN WITNESS WHEREOF, the Mortgagor and Mortgagee have executed this First Amendment to Mortgage and Security Agreement and Mortgage Spreader Agreement as of the day and year first above written.

BANK OF AMERICA NATIONAL TRUST AND SAVINGS ASSOCIATION

WITNESS:

Carolyn A. Christopher

By: Dean J. Blair  
Dean J. Blair  
Vice President

ATTEST:

AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, not in its individual capacity but as Trustee under Trust Agreement dated January 15, 1985 and known as Trust No. 63321

[Signature]

ASSISTANT SECRETARY

By: [Signature]  
Its: VICE PRESIDENT

86260453

This instrument is executed by AMERICAN NATIONAL BANK AND TRUST COMPANY of Chicago, not in its individual capacity but solely as trustee, as aforesaid. All the provisions hereunder by AMERICAN NATIONAL BANK AND TRUST COMPANY are intended to be interpreted by it solely as Trustee, as aforesaid. No representation, warranty, covenant or other obligation is intended by any of the covenants, statements, representations or warranties contained in this instrument.

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STATE OF California )  
COUNTY OF San Francisco ) ss:

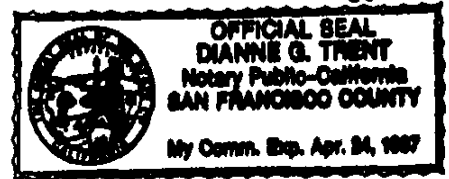
I, Dianne G. Trent, a Notary Public in and for said County, in the State aforesaid, do hereby certify that Dean J. Blair, personally known to me to be a Vice President of Bank of America National Trust and Savings Association, a national banking association, and personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that as such Vice President he signed and delivered the said instrument as Vice President of said association, pursuant to authority given by the Board of Directors of said association, as his free and voluntary act, and as the free and voluntary act and deed of said association, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 2<sup>nd</sup> day of May, 1986.

Dianne G. Trent  
Notary Public

86260453

My Commission Expires: 4-24-87



STATE OF ILLINOIS )  
COUNTY OF COOK ) : ss

I, LORETTA M. SOVIENSKI, a notary public for the aforesaid jurisdiction, do hereby certify that before me this day in person appeared J. MICHAEL WIDELAN personally known to me to be the VICE PRESIDENT of American National Bank and Trust Company of Chicago, and acknowledged that he signed and delivered the foregoing instrument in his capacity herein set forth and caused to be affixed thereto the seal of said association, pursuant to authority given under the articles and bylaws of said association, and as his own free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and seal this \_\_\_\_\_ day of May, 1986.

JUN 20 1986

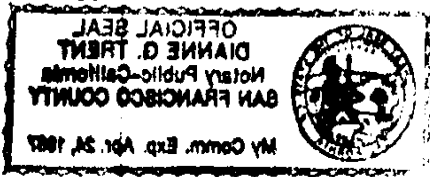
Loretta M. Sovieniski  
Notary Public

My Commission Expires: \_\_\_\_\_

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## EXHIBIT A - LEGAL DESCRIPTION

That part of Lot 1 in Henry Hachmeister's Division of parts of fractional Sections 9 and 10, Township 40 North, Range 12, East of the Third Principal Meridian, according to the plat thereof recorded April 6, 1908 as Document No. 4183101 in Book 97 of Plats, Page 45, lying West of the center line of River Road and East of the East line of the West 558.33 feet as measured along the North line of said Lot 1, excepting from said parcel that part thereof described as beginning at the intersection of the South line of Lot 1 with the center line of Des Plaines River Road; thence West on said South line 47.71 feet; thence Northeasterly to a point of intersection with a line drawn at right angles to the center line of Des Plaines River Road from a point 79.87 feet Southerly distant from the North line of Lot 1, (as measured on said center line), said point of intersection being 66 feet Northwesterly distant from said center line, (as measured at right angles thereto); thence Northwesterly to a point of intersection with a line drawn from a point in the North line of Lot 1 aforesaid 104.32 feet West of the center line of said road (as measured on said North line); said point of intersection being 33 feet South of the North line of Lot 1 aforesaid, (measured on a line at right angles thereto); thence North on said right angle line to the North line of Lot 1 aforesaid, a distance of 23 feet; thence East along said North line to the center line of Des Plaines River Road; thence South to the place of beginning, condemned by the County of Cook, State of Illinois for road purposes, and also excepting that part thereof described as beginning at the intersection of the South line of said Lot 1 with the center line of Des Plaines River Road; thence Northeasterly along said center line 209.02 feet; thence Northwesterly at right angles to said center line, 176.97 feet; thence Southwesterly parallel with said center line of Des Plaines River Road, 241.92 feet to the South line of said Lot 1; thence East along said South line of Lot 1, 180.00 feet to the place of beginning, all in Cook County, Illinois.

Permanent Tax Number: 12-10-100-109

Volume: 063

86260453

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## EXHIBIT B - LEGAL DESCRIPTION

That part of Lot 1 in Henry Hachmeister's Division of part of fractional Sections 9 and 10, Township 40 North, Range 12 East of the Third Principal Meridian, according to the Plat thereof recorded April 6, 1903 as Document Number 4183101 in Book 97 of Plats, Page 45, described as follows; beginning at the intersection of the South line of said Lot 1 with the center line of Des Plaines River Road; thence Northeasterly along said center line 209.02 feet; thence Northwesterly at right angles to said center line 176.97 feet; thence Southwesterly parallel with said center line of Des Plaines River Road, 241.92 feet to the South line of said Lot 1; thence East along said South line of Lot 1, 180.00 feet to the place of beginning, excepting therefrom all that part thereof falling within the following described parcel; beginning at the intersection of the South line of Lot 1 with the center line of Des Plaines River Road; thence West on said line 47.71 feet; thence Northeasterly to a point of intersection with a line drawn at right angles to the center line of Des Plaines River Road from a point 79.37 feet Southerly distant from the North line of Lot 1, (as measured on said center line), said point of intersection being 66 feet Northwesterly distant from said center line, (as measured at right angles thereto); thence Northwesterly to a point of intersection with a line drawn from a point in the North line of Lot 1 aforesaid, 104.36 feet West of the center line of said road (as measured on said North line); said point of intersection being 33 feet South of the North line of Lot 1 aforesaid, (measured on a line at right angles thereto); thence North on said right angle line to the North line of Lot 1 aforesaid a distance of 33 feet; thence East along said North line to the center line of Des Plaines River Road; thence South to the place of beginning, condemned by the County of Cook, State of Illinois for road purposes, in Cook County, Illinois.

Permanent Tax Number: 12-10-100-008 *H.W.* Volume: 063

DEPT-01 RECORDING \$14.00  
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COOK COUNTY RECORDER

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