

# UNOFFICIAL COPY

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## FIRST AMENDMENT TO MORTGAGE AND SECURITY AGREEMENT

THIS FIRST AMENDMENT TO MORTGAGE AND SECURITY AGREEMENT (the "First Amendment") is made as of this 7th day of November, 1990, by and among Daab Dental Distributing Corporation ("Borrower") and Mary E. Daab (Co-Borrower), and Joshua O. Daab and Deborah A. Daab ("Mortgagor") and Old Kent Bank - Chicago, an Illinois banking association, Sears Tower, Chicago, Illinois 60606 ("OKBC");

. DEPT-01 RECORDING \$19.00  
. T#1111 TRAN 3464 12/19/90 10:16:00  
. #332 : A \*-90-615402  
. COOK COUNTY RECORDER

### W I T N E S S E T H:

WHEREAS, the Mortgagor made and executed a Mortgage and Security Agreement dated November 13, 1989, in favor of OKBC, hereinafter referred to as the "Mortgage", the terms and provisions of which are expressly incorporated herein by this reference, regarding the lands, premises and properties situated in the County of Cook and State of Illinois, and described on Exhibit "A" attached hereto and by this referenced thereto hereby made a part hereof, hereinafter referred to as the "Premises", and the Mortgage was recorded in the Office of the Recorder of Deeds of Cook County, Illinois, on January 5, 1990, as Document Number 90008320; and

WHEREAS, on November 13, 1989 (the "Initial Loan Date") OKBC entered into certain loans with Borrower and Co-Borrower, and a Continuing Agreement for Letters of Credit with Borrower, which loans, as of the date of this First Amendment, are in the amount of One Hundred Seven Thousand Seven Hundred Seventy-Seven and 76/100 Dollars (\$107,777.76) (the "Loan"); and

WHEREAS, the Loan is evidenced by a Term Note dated February 13, 1990, a Continuing Agreement for Letters of Credit dated November 7, 1990, made by Borrower and Co-Borrower in the aggre-

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STATE OF ILLINOIS

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THE COUNTY OF COOK

IN SENATE,  
January 10, 1902.  
REPORT  
OF THE  
COMMISSIONERS OF THE  
LAND OFFICE,  
IN RESPONSE TO A  
RESOLUTION PASSED  
BY THE SENATE  
MAY 11, 1899.

REPORT  
OF THE  
COMMISSIONERS OF THE  
LAND OFFICE,  
IN RESPONSE TO A  
RESOLUTION PASSED  
BY THE SENATE  
MAY 11, 1899.

THE LAND OFFICE OF THE  
STATE OF ILLINOIS,  
CHICAGO, ILLINOIS,  
HAS THE HONOR TO  
ACKNOWLEDGE THE RECEIPT  
OF THE ABOVE REPORT,  
AND TO STATE THAT THE  
SAME HAS BEEN  
FILED FOR THE  
RECORD OF THE  
LAND OFFICE,  
AND IS AVAILABLE FOR  
EXAMINATION BY THE  
PUBLIC.

IN WITNESS WHEREOF,  
I have hereunto set my  
hand and the seal of the  
Land Office, at Chicago,  
Illinois, this 10th day  
of January, 1902.

COMMISSIONER OF THE  
LAND OFFICE

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Page 2.

gate principal amount of One Hundred Seven Thousand Seven Hundred Seventy-Seven and 76/100 Dollars (\$107,777.76), which Notes replace the notes made by Borrower and Co-Borrower on the Initial Loan Date; and

WHEREAS, the Notes are guaranteed by one Guaranty, dated as of November 7, 1990, made by Mortgagor in favor of OKBC, which Guaranty replaces the Guaranty entered into by Mortgagor on the Initial Loan Date; and

WHEREAS, the Guaranty of Joshua O. Daab and Deborah A. Daab is secured by the Mortgage; and

WHEREAS, the Mortgagor has requested and OKBC has agreed to modify the terms and conditions of the Notes, the Mortgage, and the First Amendment, in accordance with the terms and conditions herein contained;

NOW THEREFORE, In consideration of the foregoing and for other good and valuable consideration, the receipt of which is hereby acknowledged, Mortgagor and OKBC agree as follows:

--INCREASE the amount of the Letter of Credit and term indebtedness secured thereby from the principal sum of Seventy Thousand and no/100 Dollar (\$70,000.00) to the principal sum of One Hundred Seven Thousand Seven Hundred Seventy-Seven and 76/100 Dollar (\$107,777.76).

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Page 1 of 1

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The Mortgage, as amended hereby, is hereby affirmed, confirmed and ratified.

IN WITNESS WHEREOF, the Mortgagor has signed and delivered the First amendment to Mortgage and Security Agreement on the day and year first above written.

MORTGAGOR:

Joshua O. Daab  
JOSHUA O. DAAB

Deborah A. Daab  
DEBORAH A. DAAB

BORROWER:

ATTEST: Deborah A. Daab  
ITS: Vice-President

BY: Joshua O. Daab  
ITS: President

CO-BORROWER:

Mary E. Daab  
MARY E. DAAB

LENDER:

BY: Carroll Hill  
ITS: Assistant Vice President

ATTEST: Guy P. Powell  
ITS: Council. Comm. Officer

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STATE OF ILLINOIS     )  
                              )     MORTGAGOR  
COUNTY OF COOK        )

I, Nancy A McKinney, the undersigned a Notary Public in and for said County, in the State aforesaid, do hereby certify that Joshua O. Daab and Deborah A. Daab, personally known to me to be the same person whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their own free and voluntary act for the uses and purposes therein set forth.

Given under my hand and notarial seal this 17th day of DECEMBER, 1990.

Nancy A McKinney  
Notary Public

My commission expires:

NOTARIAL SEAL  
STATE OF ILLINOIS  
COMMISSION EXPIRES 10/16/91

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IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the County of Cook, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Clerk of Cook County

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Notary Public

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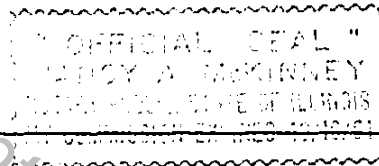
STATE OF ILLINOIS     )  
                                  )  
COUNTY OF COOK        )     BORROWER

I, NANCY A. MCKINNEY, the undersigned a Notary Public in and for said County, in the State aforesaid, do hereby certify that Joshua O. Daab as a duly authorized officer of Daab Dental Distributing Corporation personally known to me to be an authorized officer of Borrower whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed and delivered the said instrument as his own free and voluntary act for the uses and purposes therein set forth.

Given under my hand and notarial seal this 17TH day of DECEMBER, 1990.

Nancy A. McKinney  
Notary Public

My commission expires:



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IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Court at Chicago, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Clerk of the Court

\_\_\_\_\_  
Deputy Clerk of the Court

\_\_\_\_\_  
Recorder of Deeds

\_\_\_\_\_  
County Treasurer

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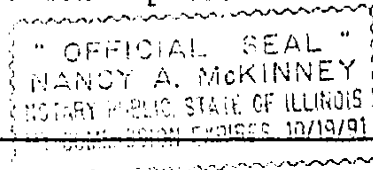
STATE OF ILLINOIS     )  
                                  )     CO-BORROWER  
COUNTY OF COOK        )

I, NANCY A. MCKINNEY, the undersigned a Notary Public in and for said County, in the State aforesaid, do hereby certify that Mary E. Daab 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 she signed and delivered the said instrument as her own free and voluntary act for the uses and purposes therein set forth.

Given under my hand and notarial seal this 17TH day of DECEMBER, 1990.

Nancy A. McKinney  
Notary Public

My commission expires:



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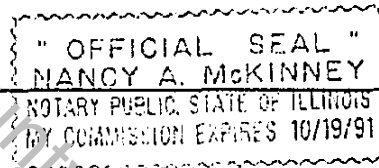
STATE OF ILLINOIS     )  
                              )  
COUNTY OF COOK        )     LENDER

I, NANCY A. MCKINNEY, the undersigned a Notary Public in and for said County, in the State aforesaid, do hereby certify that Carter R. Huhta as a duly authorized officer of OKBC personally known to me to be an authorized officer of lender whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed and delivered the said instrument as his own free and voluntary act for the uses and purposes therein set forth.

Given under my hand and notarial seal this 17TH day of DECEMBER, 1990.

Nancy A. McKinney  
Notary Public

My commission expires:



THIS INSTRUMENT PREPARED BY:  
Mail to:  
Old Kent Bank - Chicago  
Charles E. Hiltunen  
Commercial Loan Representative  
233 S. Wacker Drive  
Chicago, Illinois 60606  
(312) 876-4720  
Box 124

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IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the County of Cook, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
Clerk of Cook County, Illinois

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

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

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

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

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## EXHIBIT A

### LEGAL DESCRIPTION

Street Address: 1302 Nutmeg Court, Unit #7-L-U  
Mt. Prospect, Illinois 60056

Permanent Real  
Estate Tax Number: 03-28-202-006 & 03-28-202-004

Lots 4 & 5 in Old Orchard Country Club Village being a subdivision of that part of the East One-Half of the Northeast 1/4 of Section 28, in Township 42 North, Range 11 East of the Third Principal Meridian, according to the plat thereof recorded April 11, 1989, as per document number 89-158391 in the Village of Mt. Prospect, County of Cook, State of Illinois.

Lots 7 & 8 in Old Orchard Country Club Village being a subdivision of that part of the East One-Half of the Northeast 1/4 of Section 28, in Township 42 North, Range 11 East of the Third Principal Meridian, according to the plat thereof recorded April 11, 1989, as per document number 89-158391 in the Village of Mt. Prospect, County of Cook, State of Illinois.

CEH:lrp

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