

This Instrument prepared by, and, after Recording return to:

Permanent Real Estate Tax Index Nos.

William J. Mitchell
KECK, MAHIN & CATE
1515 E. Woodfield Road
Suite 250
Schaumburg, Illinois 60173-5431

See attached Exhibit A
Street Address:
7855 West 111th Street
Palos Hills, Illinois

FIRST AMENDMENT TO CONSTRUCTION MORTGAGE AND SECURITY AGREEMENT AND ASSIGNMENT OF RENTS AND LEASES

Re: 7855 West 111th Street Palos Hills

THIS AMENDMENT is made as of this 31st day of December, 1991, by and between NBD TRUST COMPANY OF ILLINOIS, not personally, but solely as Trustee under Trust Agreement dated April 1, 1985 and known as Trust NO. 66-5365 ("Mortgagor") and NBD PARK RIDGE BANK, an Illinois state bank ("Mortgagee").

R E C I T A L S

Mortgagor made and delivered to Mortgagee that certain Construction Mortgage and Security Agreement dated September 15, 1991 and recorded on November 18, 1991 in Cook County, Illinois as Document No. 91604548 (the "Mortgage") and that certain Assignment of Rents and Leases dated as of even date with the Mortgagee and recorded in Cook County, Illinois, as Document No. 91604549 ("Assignment"), each encumbering the "Premises" legally described in Exhibit A hereto. The Mortgage and Assignment were delivered to Mortgagee pursuant to the terms of that certain Acquisition and Construction Loan Agreement between Mortgagor, Mortgagee and certain other parties dated September 15, 1991 (the "Loan Agreement") along with a "Guaranty", an "Environmental Indemnity Agreement" and other "Loan Documents" (as such terms are defined in the Loan Agreement). The Mortgage and the Assignment were delivered as collateral security for the payment of a certain construction loan in the original amount of Two Million Five Hundred Thousand Dollars (\$2,500,000.00) (the "Original Loan") made by Mortgagee to Mortgagor, evidenced by that certain Mortgage Note dated September 15, 1991 (the "Note") made by Mortgagor payable to the order of Mortgagee in the principal amount of the Loan.

The Loan Agreement, the Note, the Guaranty, the Environmental Indemnity Agreement and Certain Other Loan Documents have been amended pursuant to the terms of a certain First Amendment to Acquisition and Construction Loan Agreement and Amendment to Mortgage Note, Guaranty, Environmental Indemnity Agreement and Certain Other Loan Documents, dated December 31, 1991 ("First Amendment"), wherein (i) the Loan amount has been amended from \$2,500,000 to \$2,750,000 and (ii) the Maturity Date of the Note has been extended from December 31, 1991 to October

73 22 527 DZ RJ

3/19/90

92276603

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

9 2 2 7 6 6 0 3

31, 1992. Mortgagor and Mortgagee desire to amend the Mortgage and the Assignment to reflect the amendment of the Note, the Loan Agreement, the Guaranty, the Environmental Indemnity Agreement and the other Loan Documents as provided in the First Amendment.

Accordingly, Mortgagor and Mortgagee hereby amend the Mortgage and the Assignment as follows:

1. All references to the Loan Agreement, the Guaranty, the Environmental Indemnity Agreement and the Loan Documents in the Mortgage or the Assignment shall be deemed to refer to any of such documents as amended by the First Amendment.

2. All references in the Mortgage and/or the Assignment to the Note shall be deemed to refer to the Note as amended by the First Amendment.

3. All references to the Mortgage or the Assignment in any of the Loan Documents, including, without limitation, the First Amendment shall be deemed to refer to the Mortgage and Assignment as amended hereby.

4. As modified hereby, the Mortgage and the Assignment shall continue in full force and effect.

This First Amendment has been entered into as of the date first above written.

MORTGAGOR:

NBD TRUST COMPANY OF ILLINOIS, not personally, but solely as Trustee aforesaid

By: *Shirley R. Stunig*
Its: ASST. VICE PRESIDENT & TRUST OFFICER

ATTEST:

By: *Jean M. Borowiec*
Its: TRUST OFFICER

MORTGAGEE:

NBD PARK RIDGE BANK, an Illinois state bank

By: *Daniel Lange*
Its: COMMERCIAL LOAN OFFICER

ATTEST:

By: *Ch. C. [Signature]*
Its: Commercial Loan Officer

This instrument is executed by NBD TRUST COMPANY OF ILLINOIS, not individually but solely as Trustee, as aforesaid. All the covenants and conditions to be performed hereunder by NBD TRUST COMPANY OF ILLINOIS are undertaken by it solely as Trustee, as aforesaid and not individually, and no personal or individual liability shall be asserted or enforceable against NBD TRUST COMPANY OF ILLINOIS by reason of any of the covenants, statements, representations, indemnifications or warranties expressed or implied herein contained in this instrument.

UNOFFICIAL COPY

Property of Cook County Clerk's Office

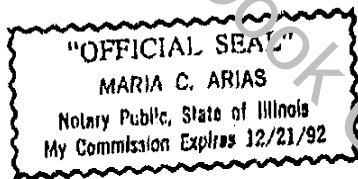
UNOFFICIAL COPY

9 2 2 7 6 6 0 3

STATE OF ILLINOIS)
) SS
COUNTY OF Cook)

I, Maria C. Arias, a Notary Public in and for said County and State, do hereby certify that Dorothy A. Denning and Joan M. Borowiak, the ASST. VICE PRESIDENT & TRUST OFFICER and TRUST OFFICER, respectively, of NBD TRUST COMPANY OF ILLINOIS, not personally, but solely as Trustee of Trust No. 6036 (the "Trustee"), who are personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such ASST. VICE PRESIDENT & TRUST OFFICER and TRUST OFFICER, respectively, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their own free and voluntary act and as the free and voluntary act of said Trustee, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 14th day of February, 1992.



(SEAL)

Maria C. Arias
NOTARY PUBLIC

My commission expires: 12-21-92

Cook County Clerk's Office

1992 APR 24 AM 10:30
92276603
92276603

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

9 2 2 7 6 6 0 3

STATE OF ILLINOIS)
)
COUNTY OF _____) SS.

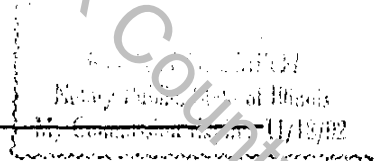
I, the undersigned, a Notary Public in and for said County and State, do hereby certify that DANIEL LANGE and ERZA JAFFE, the LOAN OFFICER and LOAN OFFICER, respectively, of NBD PARK RIDGE BANK, an Illinois state bank (the "Bank"), personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day as such _____, and _____, respectively, and acknowledged that they signed, sealed, and delivered said instrument as their free and voluntary act, and as the free and voluntary act of said Bank, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 14th day of FEBRUARY, 1992.

Karen D. Smith
NOTARY PUBLIC

(SEAL)

My commission expires:



Property of Cook County Clerk's Office

92276603

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

9 2 2 7 6 6 0 3

EXHIBIT A

Legal Description

PARCEL 1:

THE EAST 182.65 FEET OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 24, TOWNSHIP 37 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPT THE EAST 77.00 FEET OF THE NORTH 325.00 FEET THEREOF) LYING NORTH OF THE RIGHT OF WAY LINE IN THE SANITARY DISTRICT OF CHICAGO, COOK COUNTY, ILLINOIS.

PARCEL 2:

LOT 3 IN CLAUSSEN'S SUBDIVISION OF THE PART OF THE WEST 1/2 OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 24, TOWNSHIP 37 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, COOK COUNTY, ILLINOIS.

P.I.N.: 23-24-100-027 (UNDERLYING)
23-24-100-121

Property of Cook County Clerk's Office

92276603

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

9 2 2 7 6 6 0 3

EXHIBIT A

Legal Description

PARCEL 1:

THE EAST 182.65 FEET OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 24, TOWNSHIP 37 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPT THE EAST 77.00 FEET OF THE NORTH 325.00 FEET THEREOF) LYING NORTH OF THE RIGHT OF WAY LINE IN THE SANITARY DISTRICT OF CHICAGO, COOK COUNTY, ILLINOIS.

PARCEL 2:

LOT 3 IN CLAUSSEN'S SUBDIVISION OF THE PART OF THE WEST 1/2 OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 24, TOWNSHIP 37 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, COOK COUNTY, ILLINOIS.

P.I.N.: 23-24-100-027 (UNDERLYING)
23-24-100-121

92276603

UNOFFICIAL COPY

Property of Cook County Clerk's Office