

MAIL TO

# UNOFFICIAL COPY

After Recording Return To:

Joan von Leesen  
MID-NORTH FINANCIAL SERVICES, INC.  
205 West Wacker Drive  
Chicago, Illinois 60606

93516311

DEPT-01 RECORDING \$35.00  
T#5555 IPAN 5099 07/06/93 14:24:00  
#5141 \* 23-516311  
COOK COUNTY RECORDER

## MODIFICATION OF NOTE AND MORTGAGE AGREEMENT

THIS AGREEMENT is entered into this 13th day of May, 1993, by and between AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, not personally but as Trustee under Trust Agreement dated October 5, 1959 and known as Trust Number 14834 ("Trustee"), MARKET PLACE ASSOCIATES, an Illinois limited partnership ("Beneficiary"), and CONFEDERATION LIFE INSURANCE COMPANY ("Lender").

### RECITALS

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1. Borrower executed a Promissory Note (the "Note") payable to the order of Lender dated July 20, 1990 in the original principal amount of \$4,500,000.00;

2. As security for the Note, Borrower executed a Mortgage, Assignment of Leases and Security Agreement (the "Mortgage") dated July 20, 1990 encumbering the real estate legally described on Exhibit A attached hereto and recorded with the Recorder of Deeds of Cook County, Illinois, on August 3, 1990 as Document No. 90376513, together with the other "Loan Documents" therein described;

3. Borrower and Lender hereby confirm that all interest due for the period from the date of the Note to April 10, 1993 has been paid, and that the current outstanding principal balance of the Note is \$4,500,000.00;

4. Borrower is the present owner of the Mortgaged Property (as defined in the Mortgage), and Lender is the present holder of the Note and Mortgage; and

5. Pursuant to the provisions of the Note, Borrower and Lender have agreed to modify certain provisions of the Note as hereinafter set forth, and desire to execute and record this Agreement in order to evidence and give record notice that the Note as amended hereby is secured by the lien and effect of the Mortgage.

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NOW, THEREFORE, for and in consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Borrower and Lender agree as follows:

1. Effective as of August 10, 1993, the rate of interest applicable to the Note (the "Adjusted Interest Rate" as set forth on page two of the Note) shall be eight percent (8.000%) per annum.

2. The monthly installments set forth on page one of the Note shall be changed from \$35,156.25 to \$33,943.00 (the "Adjusted Monthly Installments" as set forth on page two of the Note), commencing with the payment to be made on September 10, 1993.

3. The indebtedness evidenced by the Note, as modified hereby, is secured by the Mortgage, all that certain real property situated in the State of Illinois, County of Cook, described in Exhibit "A" attached hereto and by this reference incorporated herein, pursuant to all of the terms and conditions of the Mortgage.

4. Borrower covenants and confirms that Mortgaged Property together with the rents, issue and profits thereof, continues to be subject to the lien of the Mortgage.

5. The provisions of the Mortgage and this Agreement shall together constitute and be construed as one document. This agreement shall in no way impair the lien, charge or priority of the Mortgage upon all property covered thereby.

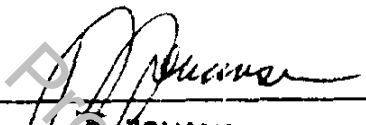
6. Except as herein modified, the terms and provisions of the Note and the Mortgage shall remain in full force and effect.

IN WITNESS WHEREOF, Borrower and Lender have caused their hands and seals to be affixed as of the day and year first above written.

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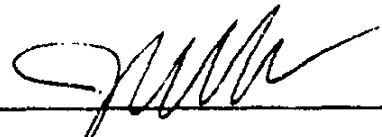
Signed, sealed and delivered  
in our presence as witnesses:

ATTEST: (Seal)

By:   
Name: P. JOHANSEN  
Title: Asst Secy

TRUSTEE:

AMERICAN NATIONAL BANK AND TRUST  
COMPANY OF CHICAGO, not  
personally, but as Trustee under  
Trust No. 14834

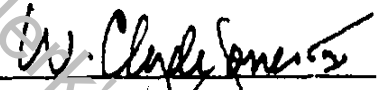
By:   
Name: J. Michael Whelan  
Its: Vice President

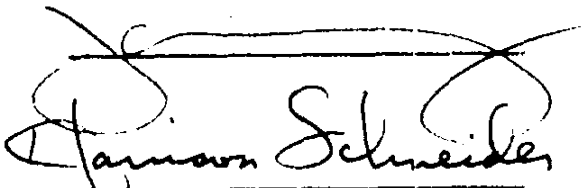
This instrument is executed by the undersigned Trustee, not personally but solely as Trustee in the exercise of the power so fully conferred upon and vested in it, and to that effect the undersigned Trustee hereby certifies that all of the conditions precedent to the execution of this instrument have been complied with and that the execution of this instrument is in accordance with the terms of the instrument to which it is attached and in accordance with the best of his knowledge and belief.


BENEFICIARY:

MARKET PLACE ASSOCIATES, an  
Illinois limited partnership

By: Chicago Exhibitors  
Corporation, a Delaware  
corporation, its general  
partner

By:   
Name: W. Clyde Jones III  
Its: President

  
As to Beneficiary

By:   
Gene Beak, General Partner

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LENDER:

CONFEDERATION LIFE INSURANCE  
COMPANY

By: \_\_\_\_\_

KEVIN ELLIS

Its: MANAGER, MORTGAGE INVESTMENTS

As to Lender \_\_\_\_\_

APPROVED  
FOR EXECUTION

U.S. Mtge. Inv.

By: \_\_\_\_\_

CLIVE CURTIS

Its: \_\_\_\_\_

VICE-PRESIDENT,  
INVESTMENTS U.S.

This Instrument Prepared By:

CONFEDERATION LIFE INSURANCE COMPANY  
260 Interstate North Circle  
Atlanta, Georgia 30339

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STATE OF ILLINOIS )  
COUNTY OF COOK )

THE FOREGOING INSTRUMENT was acknowledged before me this

day of MAY 28 1993 1993, by J. MICHAEL WHELAN,  
(Name)

as VICE PRESIDENT American National Bank and Trust Company of Chicago,  
(Title) (Company/Partnership)



*Michelle M. Trigg*  
Notary Public, State of Illinois  
My Commission Expires: \_\_\_\_\_

STATE OF ILLINOIS )  
COUNTY OF KANE )

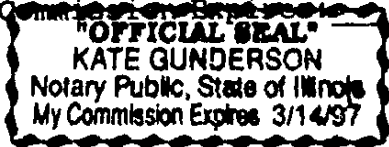
THE FOREGOING INSTRUMENT as acknowledged before me this

13th day of May 1993, by W. Clyde Jones, III,  
(Name)

as President of Chicago Exhibitors Corporation,  
(Title) (Company/Partnership)

*W. Clyde Jones, III*  
Notary Public, State of Illinois

My Commission Expires March 14, 1997



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STATE OF ILLINOIS )

COUNTY OF COOK )

THE FOREGOING INSTRUMENT was acknowledged before me this  
\_\_\_\_\_ day of MAY 28 1993, 1993, by Gene Beak,  
as a General Partner of Market Place Associates.



Michelle M. Trigo  
Notary Public, State of Illinois

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

STATE OF GEORGIA )

COUNTY OF )

THE FOREGOING INSTRUMENT was acknowledged before me this  
\_\_\_\_\_ day of May, 1993 by \_\_\_\_\_, as  
\_\_\_\_\_ of Confederation Life Insurance  
Company.

\_\_\_\_\_  
Notary Public, State of Georgia

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

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STATE OF GEORGIA            )  
                                  )     SS:  
COUNTY OF COBB            )

BEFORE ME, a Notary Public in and for the said County and State, personally appeared the above named J. C. Curtis, known to me to be the Investment Vice President, U.S. Investments, and Kevin Ellis, known to me to be the Manager, Mortgage Investments of Confederation Life Insurance Company, and acknowledged the signing of the foregoing instrument to be their voluntary act and deed, and the voluntary act and deed of the said Confederation Life Insurance Company.

IN TESTIMONY WHEREOF I have hereunto subscribed my name and affixed my notarial seal on the 9th day of June, 1993.

*Dorinda Reed*

NOTARY PUBLIC IN AND FOR  
Said County and State

My Commission Expires:

Notary Public, Paulding County, Georgia  
My Commission Expires Sept. 23, 1996

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## EXHIBIT A

### Legal Description

LOT 19 EXCEPT THE NORTH 190 FEET OF THE WEST 190 FEET, ALSO EXCEPT THAT PART DEDICATED FOR GOLF ROAD AND ELMHURST ROAD AS SHOWN ON THE PLAT OF DEDICATION RECORDED DECEMBER 10, 1929 AS DOCUMENT NUMBER 10550566, ALSO EXCEPT THE SOUTH 266 FEET AS MEASURED PERPENDICULAR TO THE SOUTH LINE AND ALSO EXCEPT THE EAST 367.88 FEET AS MEASURED PERPENDICULAR TO THE EAST LINE IN THE OWNER'S SUBDIVISION IN SECTION 13, TOWNSHIP 41 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Permanent Tax Number: 08-13-102-013-0000 Volume: 049  
08-13-102-014-0000  
08-13-102-015-0000

Common Address: 721-785 WEST GOLF ROAD  
Des Plaines, Cook County, Illinois

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