### NOFFICIAL COPY

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SECOND

MORTGAGE MODIFICATION AGREEMENT

AGREEMENT dated as of December 28, 1992 between American National Bank & Trust Company of Chicago, not personally, but as Trustee under Trust Agreement dated November 1, 1985 and known as Trust No. 65940 ("Trust") and Bank One, Evanston, NA F/K/A First Illinois Bank of Evanston, N.A. ("Bank"); and George B. Koeckritz ("Guarantor").

RECITALS

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- Trust is currently indebted to Bank in the principal sum of One million Four Hundred Seventy-Five Thousand and No/100 Dollars (\$1,475,000) as evidenced by a Mortgage Note ("Note") dated as of June 1, 1990 which Note is secured by a Mortgage, Security Agreement, and Financing Statement ("Mortgage") and Assignment of Kapis applicable to the property applicable to the property commonly known as 1400 Hicks Road, Rolling Meadows, Illinois, legally described in Exhibit "A" attached hereto, which documents vere recorded with the Cook County Registrar of Torrens Titles June 18, 1990 as Document Nos. LR3889750 and LR3889751, respectively.
- On February 25, 1 92, Trust and Guarantors requested and Bank В. accepted an Application and Agreement of Country Creek Homes, Inc. ("CCH"), a Wisconsin corporation, a party related to Guarantor, for a Five Hypared Fifty-Four Thousand Six Hundred and No/100 Dollars (\$554,000) Letter of Credit issued in favor of the City of Oak Creek, Wisconsin evidenced by a Demand Secured Promissory Note in the amount of Five Hundred Fifty-Four Thousand Six Hundred and No/100 Dollars (\$554,600) executed by Thousand Six Hundred and No/100 Dollars (\$554,000) executed by CCH in favor Bank ("Additional Note") and Modified by Mortgage Modification dated February 25, 1992 and Recorded with the Cook County Recorder of Deeds March 17, DHF9921 REGREDING cument No.\$27.50 70010 TRAN 0452 03/11/93 15:06:00 750010 TRAN 0452 03/11/93 15:06:00 750010 TRAN 0452 03/11/93 15:06:00 750010 TRAN 0452 03/11/93 15:06:00
- Trust and Guarantor have requested Bank to COUNTY RECORDER C. and Agreement of Country Creek Homes, Inc. ("CCH"), a Wisconsin corporation, a party related to Guarantor, for . Four Hundred Eighty-Five Thousand and No/100 Dollars (\$485,000) Letter of Credit to be issued in favor of the City of Oak Creek, Wisconsin to be evidenced by a Demand Secured Promissory Not: in the amount of Four Hundred Eighty-Five Thousand and No/1(0 Follars (\$485,000) executed by CCH in favor Bank ("Second Additional Note"), and the execution and delivery to the Bank of a Secured Continuing Guaranty for Business Credit Obligation(s) by George B. Koeckritz; Bank is willing to act on said request pursuant to the terms and provisions hereafter set forth.

This document was prepared by and to:

Laura K. Helmuth Bank One, Evanston. NA

60201

800 Davis Street Evenston, Illinois

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NOW THEREFORE, in consideration of the above recitals, the parties hereto do hereby agree and acknowledge as follows:

- Mortgagor does hereby acknowledge that the Mortgage. Assignment 1. of Rents, Guaranty, and other applicable Security Documents are in full force and effect.
- 2. The Mortgage, Assignment of Rents and other Security Documents are hereby modified to provide that such instruments are also granted as collateral security for repayment of the Second Additional Note and continue to be granted as collateral for repayment of the Note and Additional Note.
- Surrantor does hereby reaffirm and ratify the Guaranty. З.
- 4. In all other respects, the Mortgage and Assignment of Rents are hereo; ratified and reaffirmed.

DATED AT EVANSION JILLINOIS AS OF THE DATE FIRST ABOVE WRITTEN American National Fank & Trust Bank One, Evanston, NA Company, not personall, but as Trustee aforesaid (see Exculpatory F/K/A First Illinois Bank of Evanston, N.A. Rider attached hereto) ("Bank"):

MICHAELONEMAN Gregory, S., Kespizyk Attest:

SECRETAKE

George B. Koeckritz

This instrument is executed by the undersigned Land Trustee, not personally but solely as Trustoe in the exercise of the power and authority conferred upon and ecounted by or shall at they lime be asserted or inforceable against the Trustee. on account of any warranty, indemnity, re-nevente on, covenant, undertaking or

STATE OF ILLINOIS COUNTY OF ILLINOIS)

I, MICHELLE M. TRIGO, a notary public in and for the star aforesaid, DO HEREBY CERTIFY, that George Rockfills and of American National Bank & Trust Company appeared before me in person and acknowledged that they signed the foregoing instrument as their nee and voluntary act, not personally but solely as Trustee, for the uses and purposes therein set forth.

JAN 27 1993 Given, under my hand and seal this \_\_\_\_ day of

"OFFICIAL SEAL MICHELLE M. TRIGO FIGTARY PUBLIC, STATE OF ILLINOIS \$ My Commission Expires 05/01/93

# UNOFFICIAL COPY

STATE OF ILLINOIS  SS  COUNTY OF COOK  I, Littly A. Joudon, a notary public in and for the st aforeshid, DO HEREBY CERTIFY, that George B. Koecky appeared before me in person and acknowledged that foregoing instrument as his free and voluntary act fo purposes therein set forth.	he signed the r the uses and	
Retty St. Julya  Notary Public  C. C	1993.	
STATE OF ILLINOIS  ) SS  COUNTY OF COOK  I, Land July July A notary public in and for the st aforesaid, DO HEREBY CERTIFY, that of Bank One, Evanston, N. F/K/A Firs of Evanston, N.A., personally appeared before me acknowledged that he signed the foregoing instrument a voluntary act for the uses and purposes therein set for	t Illinois Bank in person and s his free and	
Sonar A. Algarian Notary Public	1993.	

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#### EXHIBIT A

### Legal Description:

All of Lot 1 and the West 1/2 of Lot 2 in Northwestern Industrial Park Unit No. 1, being a Subdivision of the North 480 feet of that part of the Northeast 1/4 of Section 26, Township 42 North, Range 10, East the Third Principal Meridian, lying West of the East line of the West 1/2 of the East 1/2 of said Northeast 1/4 of Section 26, according to the plat thereof registered in the office of the Registrar of Titles of Cook county, Illinois, on May 14, 1958, as Document 1795857.

in Crot Franky, Minori
Permanent Roal Fstate Index No.: 02-26-200-022

1400 HICKS RD. ROLLING MEADOWS, Il.

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RO. RI

COLUMN CROPTS

OFFICE