

94935822

MODIFICATION AGREEMENT

THIS AGREEMENT made this 26th of October, 1994, by and between Stephen R. Yates and Debra F. Yates, Husband and Wife (hereinafter called Borrowers, whether one or more) and SUCCESS NATIONAL BANK, (hereinafter called Lender).

DEPT-11 125.00
T#0013 TRAN 0581 11/02/94 14:00:00
#0118 # AP *-94-735822
COOK COUNTY RECORDER

WITNESSETH:

WHEREAS, Borrowers executed that certain Promissory Note, dated April 6, 1993 made payable to Lender, in the principal amount of TWO HUNDRED THREE THOUSAND ONE HUNDRED FIFTY AND NO/100 Dollars (\$203,150.00), securing said indebtedness; and covering the following described property.

LEGAL DESCRIPTION

SEE ATTACHED EXHIBIT "A" LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF

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WHEREAS, The repayment of the Note was secured by a mortgage encumbering the real estate recorded in the State of Illinois, County of Cook, as Document No. 93261906.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENCE, that for and in consideration of the above premises and for value received, the receipt and sufficiency of which is hereby acknowledged, the Borrowers and Lender have and do hereby modify the Promissory Note, dated April 6 19 93, in the amount of TWO HUNDRED THREE THOUSAND ONE HUNDRED FIFTY AND NO/100 Dollars (\$203,150.00), to the amount of TWO HUNDRED FIFTY THREE THOUSAND ONE HUNDRED FIFTY AND NO/100-Dollars (\$253,150.00).

The aforesaid modifications shall be deemed to have been effective as of the time of the execution and delivery of the Promissory Note except as herein expressly modified, all of the terms and provisions of the Promissory Note shall remain in full force and effect and Borrowers expressly ratify and confirm said Promissory Note.

RATE CAP

The maximum annual percentage rate that can apply is modified from 10% to 11%.

RECORDING
BOX 156

25.00

932796

AT TITLE COMPANY
One (re) 17th Plaza Drive, Suite 500
Oakbrook Terrace, IL 60181
(708) 889-2400

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IN WITNESS WHEREOF, the parties hereto have executed this Agreement the date first above written.

LENDER:
SUCCESS NATIONAL BANK

BORROWERS:

Janis A. Anderson
Janis A. Anderson,
Vice President

Stephen R. Yates
Stephen R. Yates

Debra F. Yates
Debra F. Yates

STATE OF ILLINOIS
COUNTY

BEFORE ME, the undersigned authority, on this day personally appeared Stephen R. Yates and Debra F. Yates, known to me to be the person(s) whose name(s) are subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, on this 27th day of October, 1994.

Commission Expires:
5/6/96

Judy L. Rowe
OFFICIAL SEAL
JUDY L. ROWE
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 5/6/96

STATE OF ILLINOIS
COUNTY

BEFORE ME, the undersigned authority, on this day personally appeared Janis a. Anderson, Vice President known to me to be the person(s) whose name(s) are subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, on this 31st day of October, 1994.

Commission Expires:
August 30, 1998

Katrina S. McMahon
"OFFICIAL SEAL"
KATRINA S. MCMAHON
Notary Public, State of Illinois
My Commission Expires 8/30/98

Prepared by:

Melissa Dalberg
Mail to: Success National Bank
One Marriott Drive
Lincolnshire, IL 60069

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RECORDING
BOX 156

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PARCEL 1: UNITS 1101 AND 1103 AS DELINEATED ON SURVEY OF THE FOLLOWING DESCRIBED PARCEL OF REAL ESTATE (HEREINAFTER REFERRED TO AS "PARCEL"): THAT PART OF LOT 6 IN THE ASSESSOR'S DIVISION OF LOTS 1 AND 2 IN THE SUBDIVISION BY THE CITY OF CHICAGO OF THE EAST FRACTIONAL 1/2 OF SECTION 28, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, WHICH LIES BETWEEN THE EAST LINE OF NORTH SHERIDAN ROAD (FORMERLY LAKE VIEW AVENUE) ON THE WEST AND THE WEST LINE OF NORTH COMMONWEALTH AVENUE ON THE EAST (EXCEPTING THEREFROM THAT PART LYING NORTH OF A STRAIGHT LINE DRAWN FROM A POINT ON THE EAST LINE OF SAID NORTH SHERIDAN ROAD WHICH IS 228 FEET 4-3/16 INCHES NORTH OF THE NORTH LINE OF WEST DIVERSEY PARKWAY TO A POINT ON THE WEST LINE OF SAID NORTH COMMONWEALTH AVENUE WHICH IS 227 FEET 10 INCHES NORTH OF THE NORTH LINE OF SOUTHWEST DIVERSEY PARKWAY);

ALSO

THAT PART OF LOT 7 IN SAID ASSESSOR'S DIVISION WHICH LIES BETWEEN THE EAST LINE OF NORTH SHERIDAN ROAD (FORMERLY LAKE VIEW AVENUE), ON THE WEST, THE WEST LINE OF NORTH COMMONWEALTH AVENUE ON THE EAST, AND THE NORTH LINE OF WEST DIVERSEY PARKWAY ON THE SOUTH, ALL IN COOK COUNTY, ILLINOIS, WHICH SURVEY IS ATTACHED AS EXHIBIT A TO DECLARATION MADE BY AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, AS TRUSTEE UNDER TRUST NO. 11139, RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS, COOK COUNTY, ILLINOIS, AS DOCUMENT NO. 23400546; TOGETHER WITH AN UNDIVIDED PERCENTAGE INTEREST IN SAID PARCEL (EXCEPTING FROM SAID PARCEL ALL THE PROPERTY AND SPACE COMPRISING ALL THE UNITS AS DEFINED AND SET FORTH IN SAID DECLARATION AND SURVEY).

ALSO

PARCEL 2: EASEMENT TO CONSTRUCT, USE AND MAINTAIN PARTY WALL TOGETHER WITH WOODEN PILES AND CONCRETE FOOTINGS, SUCH PILES AND FOOTINGS TO EXTEND NOT MORE THAN 3 FEET 6 INCHES UPON THE HEREINAFTER DESCRIBED LAND, AS CREATED BY PARTY WALL AGREEMENT DATED JANUARY 3, 1956 AND RECORDED JUNE 17, 1957 AS DOCUMENT NO. 16931983, THE CENTER OF SAID PARTY WALL COMMENCING APPROXIMATELY 22 FEET WEST OF THE EAST LOT LINE AND EXTENDING WEST APPROXIMATELY 126 FEET ALONG BOUNDARY LINE BETWEEN ABOVE PARCEL 1 AND THE LAND DESCRIBED AS FOLLOWS: THAT PART OF LOTS 5 AND 6 ASSESSOR'S DIVISION OF LOTS 1 AND 2 IN THE SUBDIVISION BY THE CITY OF CHICAGO OF THE EAST FRACTIONAL 1/2 OF SECTION 28, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, WHICH LIES BETWEEN SHERIDAN ROAD (FORMERLY LAKE VIEW AVENUE) ON THE WEST, COMMONWEALTH AVENUE ON THE EAST (EXCEPTING THEREFROM THAT PART LYING SOUTH OF A STRAIGHT LINE DRAWN FROM A POINT ON THE EAST LINE OF SAID NORTH SHERIDAN ROAD WHICH IS 228 FEET 4-3/16 INCHES NORTH OF THE NORTH LINE OF WEST DIVERSEY PARKWAY TO A POINT ON THE WEST LINE OF SAID NORTH COMMONWEALTH AVENUE WHICH IS 227 FEET 10 INCHES NORTH OF THE NORTH LINE OF SAID WEST DIVERSEY PARKWAY AND SAID STRAIGHT LINE PRODUCED WEST TO THE CENTER LINE OF SAID NORTH SHERIDAN ROAD AND PRODUCED EAST TO THE CENTER LINE OF SAID NORTH COMMONWEALTH AVENUE) IN COOK COUNTY, ILLINOIS.

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STATE OF ILLINOIS
CLERK OF THE SUPREME COURT

Property of Cook County Clerk's Office

12/12/2010