UNOFFIGIAL GOPY

REAFFIRMATION AND AMENDMENT OF SUBORDINATION OF MORTGAGE

33-

This Reaffirmation and Amendment of Subordination of Mortgage ("Reaffirmation"), is made by Jean Malnati Miller ("Miller") this 15th day of February, 1994.

RECITALS

- Bank of Lincolnwood (the "Bank") is making a loan to The Malnati Organization, Inc., Malu Limited Corporation, Luma Limited, Moolah Inc., American National Bank and Trust Company of Chicago on Trustee under Trust Agreement dated December 22, 1980 and known as Trust Number 51686, and American National Bank and Trust Company of Chicago as Trustee under Trust Agreement dated May 1, 1985 and known as Trust Agreement Number 64210, in the aggregate amount of One Million Two Hundred Thousand Dollars (\$1,200,000) (the "Loan"). The Loan is being secured by, among other things, an Arended and Restated Mortgage, Assignment of Leases and Rents, Security Agreement and Financing Statement (the "Amendment"), which amends and restates, in its entirety that certain mortgage recorder as document no. 93251279 (the "Original Mortgage"). (The Original Mortgage and Amendment are collectively referred to as the "Senior Mortgage", which is a lien on the property described on the attached Exhibit A, the "Property").
- B. Miller is holder of a mortgage dated April 15, 1985, and recorded August 20, 1985, as Document 85153359 (the "Junior Mortgage"), which affects the Property.
- C. Miller and Bank entered into a Subordination of Mortgage, recorded on December 7, 1989, as Dozument 89617206, subordinating the lien of the Junior Mortgage to the lien of a mortgage recorded on May 11, 1989 as document no. 39212156 (the "Subordination Agreement").
- D. As a condition precedent to amending the Loca and funding the indebtedness in the amount of \$1,200,000 second by the Senior Mortgage, Bank is now requiring a reaffirmation and amendment of the Subordination Agreement so that the Subordination Agreement incorporates and includes the Senior Mortgage.

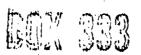
COOK COUNTY BELIMBIS FREED TO A NO YOU

THIS INSTRUMENT PREPARED BY AND AFTER RECORDING RETURN TO ALL STEELS AND 12

94172108

Michael M. Kaplan, Esq. Sachnoff & Weaver, Ltd. 30 South Wacker, 29th Floor Chicago, Illinois 60606-7484

01/12/84 - CHJ\194212.\0087.\KMK0U163.WPF



UNOFFICIAL COPY

Property of Coot County Clert's Office

94172108

UNOFFICIAL COPY

NOW, THEREFORE, in consideration of the foregoing Recitals and other good and valuable consideration, the receipt and sufficiency of which hereby are acknowledged, the Parties agree as follows:

Miller, being holder of the note secured by the Junior Mortgage, does hereby reaffirm and amend the Subordination Agreement and all rights thereunder, so that the Junior Mortgage is now also subordinated to the lien of the Senior Mortgage, all as set forth in the Subordination Agreement as if fully set forth herein.

IN WITNESS WHEREOF, the Parties have executed this Reaffirmation as of the day and year first written above.

Jean Malnati Miller Millo

COUNTY OF COOK)

The Undersigned, a Notery Public within and for said County, in the State aforesaid, duly commissioned and acting, does hereby certify that on this <u>Sn</u> day of February, 1994, came before me, Jean Malnati Miller, to me known and known to me to be the individual described in, and who executed, the foregoing instrument, and acknowledged to that he/she executed the same.

WITNESS my hand and seal as such Notary Public the day and year in this certificate above written.

Notary

PHATIC SEAL SEAL

EDWARUR LIS NOTARY PUBLIC, STATE OF ILLINOIS MY COMMISSION EXPIRES 12/9/95

My commission expires: D2C 9.1995

UNOFFICIAL COPY

Property of Cook County Clerk's Office

EXHIBIT "A"

Logal Description - Higgins

LOT 1 IN MALNATI RESUBDIVISION, BEING A RESUBDIVISION IN THE SOUTHWEST 1/4 OF SECTION 22, TOWNSHIP 41 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, IL.

PIN: 08-22-301-067

ADDRESS:

o Vis.

Of Cook County Clerk's Office 1050 E. Higgins Rd. Elk Cccse Village, IL.

UNOFFICIAL COPY

Property of Cook County Clerk's Office

April