

UNOFFICIAL COPY

RECORDATION REQUESTED BY:
Heritage Bank
12015 S. Western
Blue Island, IL. 60406

08/01/95
11:13 AM

0037 MOH 4:06
RECORD K 11.00
POSTAGE X 9.59
0.25054 H
0037 MOH 4:06



WHEN RECORDED MAIL TO:
Heritage Bank
Susan Gedwill
12015 S. Western
Blue Island, IL. 60406

95725354

EXTENSION AND MODIFICATION AGREEMENT

THIS AGREEMENT made this 1st day of August, 1995 by and between Mary Zawacki and Thomas Frainey herein referred to as the Borrowers and Heritage Trust Co. T/U/T #90-4050 herein referred to as Mortgagee and Heritage Bank owner and holder of the note secured by the following described real estate:

LOT 15 (EXCEPT THE NORTH 10 FEET) AND ALL OF LOT 16 IN S. ROGER TOMMY'S ROGERS AVENUE AND CLAYTON COURT SUBDIVISION OF PART OF BLOCK 1 AS LAID OUT IN TOMMY'S ADDITION TO ROGERS PARK IN THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 41 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN (IN BLOCK 3 ROGERS PARK) IN COOK COUNTY, ILLINOIS.

PIN #11-10-420-009-0006

COMMON ADDRESS: 7111 NORTH HONORE, CHICAGO, ILLINOIS 60625

THAT WHEREAS Mortgagee, Heritage Trust Co. T/U/T #90-4050 heretofore executed a certain Land Trust Mortgage and Assignment of Rent dated the 1st day of July, 1992 and recorded in the Office of the Recorder of Cook County, Illinois, on 8/6/90 an Instrument Numbers 90077756 and 90077757 conveying the provisionally described premises to Heritage Bank an Illinois Corporation, to secure payment of a certain Principal Promissory Note executed by said borrower dated July 31, 1990 payable in the sum of \$190,000 as therein provided.

AND WHEREAS SAID Land Trust Mortgage and Assignment of Rent securing said principal Promissory Note are valid and subsisting liens on the premises described therein.

AND WHEREAS the parties hereto have agreed upon certain modifications of the terms of said Note, Land Trust Mortgage, and Assignment of Rent and to an extension of the time of payment of said Note.

95725354

5 (9)
11.6

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

NOW, THEREFORE, in consideration of the premises, and the mutual promises and agreements hereinafter made by and between the parties hereto, the said parties do hereby mutually agree as follows: that said Note, Land Trust Mortgage and Assignment of Rents be and the name are hereby modified to show the 1st payment of principal and interest on the outstanding balance is due on the 1st day of September 1995, with a payment of \$1,883.11 and the final payment of the outstanding balance and all accrued interest, if no sooner paid, due on the 1st day of August, 2000, at the rate of 9.00% fixed per annum with 10 year amortization and 5 year term.

IT IS FURTHER MUTUALLY AGREED BY AND BETWEEN THE PARTIES THAT ALL PROVISIONS OF said Note and Land Trust Mortgage and Assignment of Rents shall remain unchanged and in full force and effect for and during said extended period except only as herein specifically modified, and further that in the event of default in the payment of principal or interest due under said Note as herein modified, or in the event of failure to perform any and all of the agreements contained in said Note, Land Trust Mortgage and Assignment of Rents as herein modified, the entire amount of unpaid principal and interest shall at the option of the holder thereof become immediately due and payable without notice or demand that all the rights and obligations under said Land Trust Mortgage and Assignment of Rents as modified shall extend to and be binding on the successors and assigns of the parties hereto.

WITNESS the hand and seal of Madison County this day and year above written.

THIS AGREEMENT is executed by Heritage Bank and Trust Co. T/W/T #29-4050 not personally, but as Trustee aforesaid, in the exercise of power and authority conferred on it as such Trustee, and said Trustee hereby warrants that it has full power and authority to execute this instrument and that nothing herein or in said Note contained shall be construed as creating any liability on said Heritage Bank and Trust Co. T/W/T #29-4050 either individually, or as Trustee personally to pay the said Note as modified or interest thereon, or to perform any covenant either expressed or implied herein contained, all such liability, if any, being expressly waived by hereunder, and as far as Heritage Bank and Trust Co. T/W/T #29-4050 either individually, or as trustee, or its successors personally are concerned, the holder of said Note, or of any indebtedness accruing hereunder shall look solely to the premises herein described for the payment of sums due or the enforcement of the lien created by said Land Trust Mortgage and Assignment of Rents.

95725354

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

DATED this 10th day of August, 1995.

Heretofore ~~known~~ ~~as~~ ~~Trust~~ Co. T/OT #90-4050

BY:

Linda Lee Kelly
Trust Officer

ATTORNEY

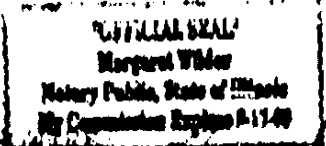
Linda Lee Kelly
Assistant Secretary

State of Illinois
County of Cook

Trust Co. T/OT #90-4050

I, the undersigned, a Notary Public, in and for said County, in the State aforesaid, do hereby certify that *Linda Lee Kelly* as Assistant Vice President / Trust Officer of the ~~Trust Co. T/OT #90-4050~~ and *Linda A. Kelly* Assistant Secretary of said Corporation, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such Assistant Vice President and Trust Officer and Assistant Secretary respectively, appeared before me this day in person and acknowledged that they signed, sealed and delivered the said instrument as their own free and voluntary act, and as the free and voluntary act of said Corporation, for the uses and purposes therein set forth, and the said Assistant Secretary did also then and there acknowledge that she, as custodian of the corporate seal of said Corporation, did affix the said corporate seal of said Corporation to said instrument as her own free and voluntary act, and as the free and voluntary act of said Corporation, for the uses and purposes therein set forth.

Given under my hand and notarial seal this *10th day of October, 1995* ~~10th day of July, 1995~~



Margaret Wilder
Notary Public

WITNESSES:

BY: *Thomas Frattley*
BY: *Thomas Frattley*
Thomas Frattley

Notary's Office

95725354

UNOFFICIAL COPY

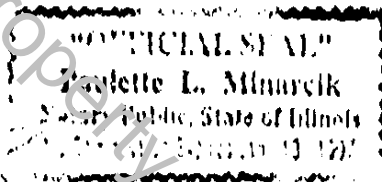
Property of Cook County Clerk's Office

UNOFFICIAL COPY

STATE OF ILLINOIS
COUNTY OF COOK

I, the undersigned a Notary Public in and for and residing in said County, in the State aforesaid, do hereby certify that MARY KAWAKA and THOMAS FRANKOY (both) who are personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 1st day of ^{July}~~July~~, 1998



Paulette Minarek
Notary Public

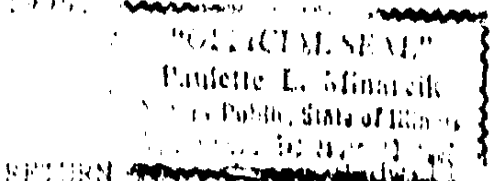
BY *William N. Mauterian*
William N. Mauterian
Assistant Secretary

BY *John E. Leahy*
John E. Leahy
First Vice President

STATE OF ILLINOIS
COUNTY OF COOK

I, the undersigned, a Notary Public, in and for said County, in the State aforesaid, do HEREBY CERTIFY, that William N. Mauterian, Assistant Secretary of Heritage Bank, and John E. Leahy, First Vice President of said bank, who are personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such Assistant Secretary and First Vice President, 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 bank, as Trustee as aforesaid, for the uses and purposes therein set forth; and the said Assistant Secretary they and there acknowledged that he as custodian of the corporate seal of said bank, did affix the corporate seal of said bank to said instrument as his own free and voluntary act and as the free and voluntary act of said bank, as Trustee as aforesaid, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal, this 1st day of ^{October}~~July~~, 1998



Paulette Minarek
Notary Public

HERITAGE BANK
12015 N. Western
Blue Island, IL 60406

95725354

UNOFFICIAL COPY

Property of Cook County Clerk's Office