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MORTGAGE MODIFICATION AGREEMENT

AGREEMENT dated as of April 23, 1995, between Harris Bank Hinsdale, N.A., Trustee under Trust Agreement dated June 9, 1988 known as Trust Number L-1948 ("Trust"), Bank One, Chicago, NA ("Bank") and Frederick M. Tyson and Lorraine Schuster (collectively "Guarantors").

RECITALS

- A. Trust and Guarantors are indebted to Bank in the principal sum of Two Hundred Seventy Three Thousand and 00/100 (\$273,000.00) Dollars as evidenced by a Commercial Mortgage Note ("Note") dated January 23, 1995, which Note is secured in part by a Mortgage, Assignment of Rents, Security Agreement and Financing Statement ("Mortgage") applicable to the property commonly known as Vacant land at 72nd Street near Wolf Road, Indian Head Park, Illinois, legally described on Exhibit "A" attached hereto, which document was recorded with the Cook County Recorder of Deeds on June 14, 1994 as Document Number 94522754, and modified through Document Number 94522755 recorded June 14, 1994 Document Number 94765770 recorded August 30, 1994 and Document Number 95035873 recorded January 17, 1995.
- B. Said Note is also secured by the Guaranty of Payment and Performance as set forth in those certain documents dated July 23, 1994 executed by Frederick M. Tyson and March 28, 1995 executed by Lorraine Schuster.
- C. Trust and Guarantors have requested an extension of the loan outlined above to April 23, 1996, and Bank is willing to grant such extension pursuant to the terms and provisions of this Agreement and the Commercial Mortgage Note dated April 23, 1995 in the principal sum of Two Hundred Seventy Three Thousand and 00/100 (\$273,000.00) Dollars ("Replacement Note").

438
408
130
130

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

- 1. Trust and Guarantors do hereby acknowledge that the Mortgage and other applicable Security Documents are in full force and effect.
- 2. The Mortgage and other Security Documents are hereby modified to provide that such instruments are also granted as collateral security for repayment of the Replacement Note.

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BOX 333-CTI

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DEPT-01 RECORDING \$23.00
10012 TRAN 4542 06/08/95 14:31:00
41893 * JH *--95-375537
COOK COUNTY RECORDER
DEPT-10 PENALTY \$20.00

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3. Guarantors do hereby reaffirm and ratify their Guaranty.
4. In all other respects, the Mortgage and other applicable security documents are hereby ratified and reaffirmed.

Dated at LaGrange, Illinois as of the date first written above.

TRUST:

Harris Bank Hinsdale, N.A.,
as Trustee u/t/a dated 6/9/88,
k/a Trust Number L-1948

by: [Signature]
Assistant Vice President
by: [Signature]
Assistant Vice President

BANK:

Bank One Chicago, NA
by: [Signature]

by: [Signature]

GUARANTORS:

[Signature]
Frederick M. Tyson
[Signature]
Lorraine Schuster

This document is made and executed by HARRIS BANK Hinsdale, as Land Trustee, and is accepted upon the express understanding and Agreement of the parties hereto that HARRIS BANK Hinsdale enters into same not personally, but only as such Trustee, and that, anything herein to the contrary notwithstanding, each and all of the indemnities representations, warranties, covenants, agreements and undertakings herein contained are intended not as the personal indemnities representations, warranties, covenants or undertakings of HARRIS BANK Hinsdale, or for the purpose of binding HARRIS BANK Hinsdale personally, but are made and intended for the purpose of binding only that portion of the Trust Property described herein and this document is executed and delivered by HARRIS BANK Hinsdale not in its own right, but solely at the direction of the party having power of direction over the trust and in the exercise of the powers conferred upon HARRIS BANK Hinsdale as such Trustee, and that no personal liability is assumed by, nor shall be asserted against, HARRIS BANK Hinsdale or its agents or employees because or on account of its making or executing this document or on account of any indemnity, representation, warranty, covenant, agreement or undertaking herein contained, including, but not limited to any liability for violations of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. Section 9601 et seq. as amended or any other municipal, county, state or federal laws, ordinances, codes or regulations pertaining to the Trust Property or in the use and occupancy thereof, all such liability, if any, being expressly waived and released. It is further understood and agreed that HARRIS BANK Hinsdale individually, or as Trustee shall have no obligation to see to the performance or non-performance of any indemnity, representation, warranty, covenant, agreement or undertaking herein contained, and shall not be liable for any action or non action taken in violation thereof. It is further provided, however, that this paragraph shall not impair the enforceability, or adversely affect the obligations of any other signatories hereto or under any separate instrument of adoption or guarantee nor otherwise impair the validity of any indebtedness evidenced or secured by this document except as expressly set forth

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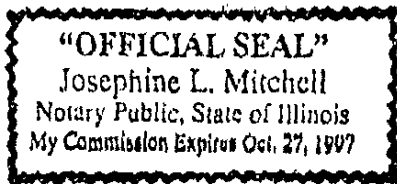
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State of Illinois
County of DuPage

I, the undersigned, a Notary Public in and for said County, in the State of Illinois, do hereby certify that Janet Hale, who is Assistant Vice President and Trust Officer of Harris Bank Hinsdale, National Association, and ~~John~~ ^{Cowley} who is Assistant Vice President of the same 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 Vice President respectively, appeared before me this day in person and acknowledged that they signed and delivered the foregoing instrument as their free and voluntary act and as the free and voluntary act of the corporation for the use and purposes therein set forth; and the Assistant Vice President then and there acknowledged that she, as custodian of the corporate seal, affixed the corporate seal to the foregoing instrument as her free and voluntary act and as the free and voluntary act of the corporation, for the uses and purposes therein set forth. Given under my hand and seal this 24th day of ~~1995~~ ¹⁹⁹⁷ 1995.



Josephine L. Mitchell
Notary Public

Mail to: Bank One, Chicago, IFF
prepared by MS. LaChange Rd
LaChange, Dec 25 1997
Attn: Sharon Berset

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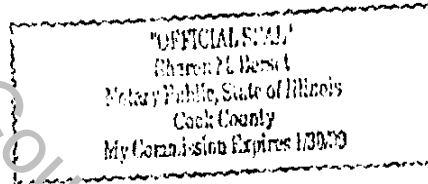
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STATE OF ILLINOIS }
COUNTY OF Cook } SS

I, the undersigned, a Notary Public in and for and residing in the said County, in the State aforesaid, do hereby certify that Frederick M. Tyson and Lorraine Schuster, 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 purposes and in the capacity (if any) therein set forth.

Given under my hand and notary seal this 24th day of May 1995.

Sharon M. Berset
Notary Public

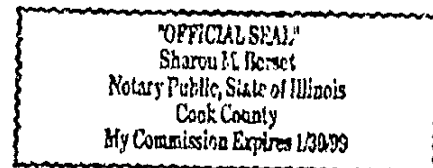


STATE OF ILLINOIS }
COUNTY OF COOK } SS

I, the undersigned, a Notary Public in and for and residing in the said County, in the State aforesaid, do hereby certify that Thomas F. Porzak, Jr. and William J. Schiesser of Bank One, Chicago, NA, 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 purposes and in the capacity (if any) therein set forth.

Given under my hand and notary seal this 24th day of May 1995.

Sharon M. Berset
Notary Public



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PARCEL 1

THAT PART OF THE SOUTH 3/4 OF THE WEST 3/4 OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SECTION 29, TOWNSHIP 38 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTH OF A LINE RUNNING FROM A POINT ON THE WEST LINE OF SAID SECTION, 1312.09 FEET NORTH OF THE CENTER-LINE OF SECTION 29 AFORESAID TO A POINT ON THE EAST BANK OF SAID TRACT 1131.43 FEET NORTH OF THE CENTER LINE OF SECTION 29 AFORESAID (EXCEPT THEREFROM THAT PART DESCRIBED AS FOLLOWS):

COMMENCING AT A POINT ON THE WEST LINE OF SAID SECTION 664.47 FEET SOUTH OF THE NORTHWEST CORNER OF SAID SECTION; THENCE 141.55 FEET EASTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 89 DEGREES 49 MINUTES 51 SECONDS WITH THE WEST LINE OF SAID SECTION IN THE SOUTHEAST QUADRANT OF THEIR INTERSECTION TO A POINT ON A LINE WHICH FORMS AN ANGLE OF 18 DEGREES 51 MINUTES 07 SECONDS WITH THE LAST DESCRIBED LINE IN THE SOUTHEAST QUADRANT OF THEIR INTERSECTION FOR A POINT OF BEGINNING; THENCE 29.88 FEET SOUTHEASTERLY TO A POINT ON A LINE WHICH FORMS AN ANGLE OF 149 DEGREES 01 MINUTES 27 SECONDS WITH THE LAST DESCRIBED LINE IN THE SOUTHWEST QUADRANT OF THEIR INTERSECTION; THENCE 176.97 FEET SOUTHEASTERLY TO A POINT ON A LINE WHICH IS PERPENDICULAR TO THE LAST DESCRIBED LINE; THENCE 110.00 FEET NORTHEASTERLY TO A POINT ON A LINE WHICH IS PERPENDICULAR TO THE LAST DESCRIBED LINE; THENCE 156.53 FEET NORTHWESTERLY TO A POINT ON A LINE WHICH FORMS AN ANGLE 110 DEGREES 10 MINUTES 20 SECONDS WITH THE LAST DESCRIBED LINE IN THE SOUTHWEST QUADRANT OF THEIR INTERSECTION; THENCE 133.45 FEET WESTERLY TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS) (AND ALSO EXCEPT THEREFROM THAT PART DESCRIBED AS FOLLOWS):

BEGINNING AT THE NORTHWEST PROPERTY CORNER GOING EAST 461.55 FEET ALONG THE PROPERTY LINE WHICH FORMS AN ANGLE OF 89 DEGREES 49 MINUTES 51 SECONDS WITH THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION IN THE SOUTHEAST QUADRANT OF THEIR INTERSECTION TO A POINT ON A LINE WHICH FORMS AN ANGLE 18 DEGREES 51 MINUTES 07 SECONDS WITH THE LAST DESCRIBED LINE IN THE SOUTHEAST QUADRANT OF THEIR INTERSECTION; THENCE 29.88 FEET SOUTHEASTERLY TO A POINT ON A LINE WHICH FORMS AN ANGLE OF 149 DEGREES 01 MINUTES 27 SECONDS WITH THE LAST DESCRIBED LINE IN THE SOUTHWEST QUADRANT OF THEIR INTERSECTION; THENCE 176.97 FEET SOUTHEASTERLY TO A POINT ON A LINE WHICH IS PERPENDICULAR TO THE LAST DESCRIBED LINE, THENCE 30 FEET NORTHEASTERLY TO A POINT ON A LINE WHICH FORMS AN ANGLE OF 86 DEGREES 17 MINUTES 50 SECONDS WITH THE LAST DESCRIBED LINE IN THE SOUTHWEST QUADRANT OF THEIR INTERSECTION; THENCE 190.83 FEET SOUTHEASTERLY TO A POINT ON A LINE WHICH FORMS AN ANGLE OF 73 DEGREES 42 MINUTES 10 SECONDS WITH THE LAST DESCRIBED LINE IN THE NORTHWEST QUADRANT OF THEIR INTERSECTION; THENCE 185.0 FEET WEST TO A POINT ON A LINE WHICH IS PERPENDICULAR TO THE LAST DESCRIBED LINE, THENCE 100.67 FEET SOUTH TO A POINT ON A LINE WHICH FORMS AN ANGLE OF 89 DEGREES 50 MINUTES 05 SECONDS WITH THE LAST DESCRIBED LINE IN THE NORTHWEST QUADRANT OF THEIR INTERSECTION; THENCE 442.0 FEET WESTERLY ALONG THE SOUTH PROPERTY LINE TO A POINT ON THE WEST

LINE OF THE NORTHWEST 1/4 OF SAID SECTION WHICH FORMS AN ANGLE OF 90 DEGREES 09 MINUTES 56 SECONDS WITH THE LAST DESCRIBED LINE IN THE NORTHWEST QUADRANT OF THEIR INTERSECTION; THENCE 661.33 FEET NORTH ALONG THE WEST LINE OF THE OF THE NORTHWEST 1/4 OF SAID SECTION TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS)

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PARCEL 2

EASEMENT FOR ACCESS, INGRESS AND EGRESS OVER THE COMMON ELEMENTS OF FLAGG CREEK CONDOMINIUM WHICH EASEMENT IS SET FORTH IN THE DECLARATION OF CONDOMINIUM OWNERSHIP FOR FLAGG CREEK CONDOMINIUM RECORDED OCTOBER 18, 1976 AS DOCUMENT 23676217 (PARAGRAPH 001) AND WHICH EASEMENT IS CREATED BY VARIOUS DEEDS FROM AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, A NATIONAL BANKING ASSOCIATION AS TRUSTEE UNDER TRUST AGREEMENT DATED OCTOBER 21, 1975 FROM AS TRUST NUMBER 18015 TO HENRY J. EHLI AND ARLINE F. BAKER AS DOCUMENT 250118054 TO CLEMENT F. ROBB AND BERNEDEA A. ROBB AS DOCUMENT 24474111 AND TO GRAY W. BALDRE AS DOCUMENT 24219468 FOR THE BENEFIT OF PARCEL 1 IN AND ALONG THAT PART OF THE FOLLOWING DESCRIBED LAND: THAT PART OF THE NORTH 1/4 OF THE WEST 1/4 OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SECTION 29, TOWNSHIP 18 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTH OF A LINE BEGINNING FROM A POINT ON THE WEST LINE OF SAID SECTION, 1412.07 FEET NORTH OF THE CENTER LINE OF SECTION 29 AFORESAID TO A POINT ON THE ELS OF SAID TRACT 1311.43 FEET NORTH OF THE CENTER LINE OF SECTION 29 AFORESAID EXCEPT THEREFROM THAT PART DESCRIBED AS FOLLOWS: COMMENCING AT A POINT ON THE WEST LINE OF SAID SECTION 664.47 FEET SOUTH OF THE NORTHWEST CORNER OF SAID SECTION; THENCE 461.55 FEET EASTERLY ALONG A LINE WHICH FORMS AN ANGLE OF 88 DEGREES 49 MINUTES 51 SECONDS WITH THE WEST LINE OF SAID SECTION IN THE SOUTHEAST QUADRANT OF THEIR INTERSECTION TO A POINT ON A LINE WHICH FORMS AN ANGLE OF 38 DEGREES 51 MINUTES 07 WITH THE LAST DESCRIBED LINE IN THE SOUTHEAST QUADRANT OF THEIR INTERSECTION FOR A POINT OF BEGINNING; THENCE 29.88 FEET SOUTHEASTERLY TO A POINT ON A LINE WHICH FORMS AN ANGLE OF 149 DEGREES 01 MINUTES 27 SECONDS WITH THE LAST DESCRIBED LINE IN THE SOUTHWEST QUADRANT OF THEIR INTERSECTION; THENCE 176.97 FEET SOUTHWESTERLY TO A POINT ON A LINE WHICH IS PERPENDICULAR TO THE LAST DESCRIBED LINE; THENCE 110.00 FEET NORTHEASTERLY TO A POINT ON A LINE WHICH IS PERPENDICULAR TO THE LAST DESCRIBED LINE; THENCE 156.33 FEET NORTHWESTERLY TO A POINT ON A LINE WHICH FORMS AN ANGLE 110 DEGREES 10 MINUTES 20 SECONDS WITH THE LAST DESCRIBED LINE IN THE SOUTHWEST QUADRANT OF THEIR INTERSECTION; THENCE 133.45 FEET WESTERLY TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST PROPERTY CORNER GOING EAST 461.55 FEET ALONG THE PROPERTY LINE WHICH FORMS AN ANGLE OF 89 DEGREES 49 MINUTES 41 SECONDS WITH THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION IN THE SOUTHEAST QUADRANT OF THEIR INTERSECTION TO A POINT ON A LINE WHICH FORMS AN ANGLE 38 DEGREES 51 MINUTES 07 SECONDS WITH THE LAST DESCRIBED LINE IN SOUTHEAST QUADRANT OF THEIR INTERSECTION THENCE 29.88 FEET SOUTHEASTERLY TO A POINT ON A LINE WHICH FORMS AN ANGLE OF 149 DEGREES 01 MINUTES 27 SECONDS WITH THE LAST DESCRIBED LINE IN THE SOUTHWEST QUADRANT OF THEIR INTERSECTION; THENCE 176.97 FEET SOUTHEASTERLY TO A POINT ON A LINE WHICH IS PERPENDICULAR TO THE LAST DESCRIBED LINE; THENCE 10 FEET NORTHEASTERLY TO A POINT ON A LINE WHICH FORMS AN ANGLE OF 86 DEGREES 17 MINUTES 50 SECONDS WITH THE LAST DESCRIBED LINE IN THE SOUTHWEST QUADRANT OF THEIR INTERSECTION; THENCE 190.81 FEET SOUTHEASTERLY TO A POINT ON A LINE WHICH FORMS AN ANGLE OF 73 DEGREES 12 MINUTES 10 SECONDS WITH THE LAST DESCRIBED LINE IN THE NORTHWEST QUADRANT OF THEIR INTERSECTION; THENCE 185.0 FEET WEST TO A POINT ON A LINE WHICH IS PERPENDICULAR TO THE LAST DESCRIBED LINE; THENCE 300.67 FEET SOUTH TO A POINT ON A LINE WHICH FORMS AN ANGLE OF 89 DEGREES 50 MINUTES 05 SECONDS WITH THE LAST DESCRIBED LINE IN THE NORTHWEST QUADRANT OF THEIR INTERSECTION; THENCE 442.0 FEET WESTERLY ALONG THE SOUTH PROPERTY LINE TO A POINT ON THE WEST LINE OF THE NW40 SAID SECTION WHICH FORMS AN ANGLE OF 90 DEGREES 09 MINUTES 56 SECONDS WITH THE LAST DESCRIBED LINE IN THE NORTHEAST QUADRANT OF THEIR INTERSECTION; THENCE 661.33 FEET NORTH ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS

72nd East of Wolf
Address: vacant land, Indian Head Park, IL

P.L.N. #18-29-101-018

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