

# UNOFFICIAL COPY

DOCUMENT PREPARED AND  
RECORDATION REQUESTED BY:

Bank One, Chicago, NA  
1200 Central Street  
Wilmette, IL 60091

96303859

WHEN RECORDED MAIL TO:

Bank One, Chicago, NA  
1200 Central Street  
Wilmette, IL 60091

DEPT-01 RECORDING \$31.00  
T#0012 TRAN 0268 04/23/96 13:18:00  
#2858 Jw \*-96-303859  
COOK COUNTY RECORDER

① 22 -  
75-28509J  
MORTGAGE MODIFICATION AGREEMENT

AGREEMENT dated as of April 1, 1996 between Bank One, Chicago, NA as Trustee under Trust Agreement dated June 1, 1988 and known as Trust No. TWB-0694, Warren E. Shabaz and G. Daniel Pedemonte ("Borrowers" and "Mortgagors"); Burton Place, Inc. ("Guarantor"); and Bank One, Chicago, NA ("Bank" and "Lender").

31 ✓  
RECITALS

A. Borrowers are currently indebted to Bank under various obligations including (without limitation) a Commercial Mortgage Note dated as of August 31, 1994 in the principal face amount of Three Hundred Sixty Five Thousand and 00/100 Dollars (\$365,000.00) (as amended, modified, extended, replaced, renewed, refinanced, consolidated or substituted from time to time, "Mortgage Note"), which Mortgage Note is secured by various "Security Documents" including (without limitation) the following:

1) Mortgage, Assignment of Rents, Security Agreement and Financing Statement (as amended, modified or extended from time to time, "Mortgage") executed by Mortgagors applicable to the property commonly known as 1447 N. Wells Street / 163 W. Burton, Chicago, Illinois, legally described on the attached Exhibit A ("the Property"), which Mortgage was recorded with the Cook County Recorder's Office as Document Number 94856744 on October 4, 1994;

2) Continuing Guaranty for Business Credit Obligation(s) dated August 31, 1994 executed by Guarantor ("Guaranty");

B. Borrower has requested that the principal face amount of the Revolving Promissory Note be increased to Four Hundred Forty Thousand and 00/100 Dollars (\$440,000.00) and the maturity date be extended to February 1, 2000.

C. Guarantor has executed a new guaranty dated April 1, 1996 ("New Guaranty").

D. Bank is willing to grant such change in loan terms pursuant to the provisions of this Agreement and a promissory note dated April 1, 1996 in the principal face amount of Four Hundred Forty Thousand and 00/100 Dollars (\$440,000.00) (as amended, modified, extended, replaced, renewed, refinanced, consolidated or substituted from time to time, "New Mortgage Note").

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BOX 333-CTI

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EX-100

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2025-01-01

2025-01-01

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

1. Borrowers do hereby acknowledge that the Mortgage and other applicable Security Documents are in full force and effect.

2. The Mortgage and other applicable Security Documents are hereby modified to provide that such instruments are also granted a collateral security for repayment of the New Mortgage Note.

3. Guarantor does hereby reaffirm and ratify its Guaranty and acknowledge the New Guaranty.

4. In all other respects, the Mortgage and other applicable Security Document are hereby ratified and reaffirmed.

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

**BORROWER:**  
BANK ONE, CHICAGO, NA AS TRUSTEE  
U/T/A/D June 1, 1988 A/K/A TRUST #TWB-0694  
1200 Central Street  
Wilmette, IL 60091

**BANK:**  
BANK ONE, CHICAGO, NA  
1200 Central Street  
Wilmette, IL 6091

By: "SEE SIGNATURE PAGE ATTACHED"  
Its: \_\_\_\_\_

By: \_\_\_\_\_  
Its: \_\_\_\_\_

EXONERATION PROVISION RESTRICTING ANY  
LIABILITY OF BANK ONE CHICAGO, NA HERETO  
IS HEREBY EXPRESSLY MADE A PART HEREOF.

**BORROWER:**  
Warren E. Shabaz  
2130 Schiller Avenue  
Wilmette, IL 60091

Warren E. Shabaz  
Warren E. Shabaz

**BORROWER:**  
G. Daniel Pedemonte  
1550 N. Lake Shore Dr. #26C  
Chicago, IL 60610

G. Daniel Pedemonte  
G. Daniel Pedemonte

**GUARANTOR:**  
Burton Place, Inc.  
1447 N. Wells Street  
Chicago, IL 60610

Warren E. Shabaz  
Warren E. Shabaz  
Its: \_\_\_\_\_

G. Daniel Pedemonte  
G. Daniel Pedemonte  
Its: PRESIDENT

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**EXHIBIT A attached to and made a part  
of Mortgage Modification Agreement dated April 1, 1996**

**PROPERTY COMMONLY KNOWN AS: 1447 N. Wells Street/  
163 W. Burton Place  
Chicago, IL 60610**

**Parcel 1:**

Unit Store in the Burton Court Condominium, as delineated on a survey of the following described real estate: Lot 17 in J. F. Starr's Resubdivision of Lots 114, 115 and 116 of Bronson's addition to Chicago in Section 4, Township 39 North, Range 14 East of the Third Principal Meridian, in Cook County, Illinois, which survey attached as Exhibit "A" to the Declaration of Condominium recorded as Document 25557669, together with its undivided percentage interest in the common elements, in Cook County, Illinois.

**P.I.N.: 17-04-205-055-1001**

**Parcel 2:**

Unit #2 in the Burton Court Condominium, as delineated on a survey of the following described real estate: Lot 17 in J. F. Starr's Resubdivision of Lots 114, 115 and 116 of Bronson's addition to Chicago in Section 4, Township 39 North, Range 14 East of the Third Principal Meridian, in Cook County, Illinois, which survey attached as Exhibit "A" to the Declaration of Condominium recorded as Document 25557669, together with its undivided percentage interest in the common elements, in Cook County, Illinois.

**P.I.N.: 17-04-205-055-1002**

**Parcel 3:**

Unit #3 in the Burton Court Condominium, as delineated on a survey of the following described real estate: Lot 17 in J. F. Starr's Resubdivision of Lots 114, 115 and 116 of Bronson's addition to Chicago in Section 4, Township 39 North, Range 14 East of the Third Principal Meridian, in Cook County, Illinois, which survey attached as Exhibit "A" to the Declaration of Condominium recorded as Document 25557669, together with its undivided percentage interest in the common elements, in Cook County, Illinois.

**P.I.N.: 17-04-205-055-1003**

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# UNOFFICIAL COPY

STATE OF ILLINOIS )

)SS

COUNTY OF )

I, \_\_\_\_\_, a notary public in and for the state and county aforesaid, DO

HEREBY CERTIFY, that \_\_\_\_\_

personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act, for the uses and purposes and in the capacity (if any) therein set forth. Given under my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

"SEE SIGNATURE PAGE ATTACHED"

\_\_\_\_\_  
Notary Public

This document was prepared by and is  
to be returned to:

Wade Christofferson / Thomas J. Littau  
1700 Central Street  
Wilmette, IL 60091

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# UNOFFICIAL COPY

STATE OF ILLINOIS )

COUNTY OF Cook )SS

I, Nancy Q. Lee, a notary public in and for the state and county aforesaid, DO

HEREBY CERTIFY, that Warren E. Shalazy personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act, for the uses and purposes and in the capacity (if any) therein set forth. Given under my hand and seal this 2nd day of April, 1996.



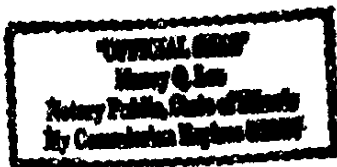
Nancy Q. Lee  
Notary Public

STATE OF ILLINOIS )

COUNTY OF Cook )SS

I, Nancy Q. Lee, a notary public in and for the state and county aforesaid, DO

HEREBY CERTIFY, that G. Daniel Pedemonte personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act, for the uses and purposes and in the capacity (if any) therein set forth. Given under my hand and seal this 2nd day of April, 1996.



Nancy Q. Lee  
Notary Public

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COOK COUNTY CLERK  
JAN 10 2011  
CHICAGO, ILL. 60601

# UNOFFICIAL COPY

This document is executed by Bank One, Chicago, NA, not personally, but solely as Trustee as aforesaid in the exercise of the power and authority conferred upon and vested in it as such Trustee, and the undersigned hereby represents that, to the best of its knowledge, it possesses full power and authority to execute this instrument. Further, this document has been executed solely upon the direction of the beneficiaries of this Trust who have the power to make such direction.

It is expressly understood and agreed that nothing herein shall be construed as creating any liability on the undersigned personally or to perform any covenants either expressed or implied herein. All such liability, if any, is hereby expressly waived by the party whose benefit this instrument is being executed and by every person now or hereafter claiming any right or security hereunder. That by acceptance of this instrument the party for whose benefit this instrument is being executed agrees to look solely to the premises hereby conveyed for the payoff thereof, by the enforcement of the lien hereby created, in the manner herein provided or by action to enforce the personal liability of the guarantor, if any, and not to the Trustee personally, for any liability and obligation created hereby.

Bank One, Chicago, NA, as Trustee under the aforesaid Trust Agreement has, to the best of its knowledge, no independent knowledge and has not conducted and will not conduct any investigation as to any environmental issues, conditions, circumstances, statements, representations, covenants, undertakings, indemnifications or warranties, made, granted, extended or asserted whether expressly made or implied by any document to which this exculpation and the Trustee's signature is attached regardless of whether said issues, conditions, circumstances, statements, representations, covenants, undertakings, indemnifications or warranties are contained herein, or formed a part of the consideration or inducement for the execution of this document to, or for the party whose benefit this instrument is being executed. Further, said Trustee hereby represents that, to the best of its knowledge, it does not now have, nor has it ever had, any use, possession, management or control rights or responsibilities with regard to the real property to which title is held by this Land Trust.

Trustee has affixed its exculpatory clause limiting the Trustee's liability under this document, and acceptance of this document by the party for whose benefit this instrument is being executed shall be deemed acceptance of the terms, conditions and provisions of the exculpatory provision.

Bank One, Chicago, NA

not personally, but as Trustee under  
Trust No. 1103-0214

Attest:

Edna W. Ross  
**EDNA W. ROSS**  
LAND TRUST ADMINISTRATOR

By:

Anthony C. Polino  
LAND TRUST OFFICER

State of Illinois  
Cook County

2 copies executed

I, the undersigned, a Notary Public in and for said County in the State aforesaid, DO HEREBY CERTIFY THAT the persons whose names are subscribed to the foregoing rider are personally known to me to be the duly authorized officers of Bank One, Chicago NA, and that they appeared before me this day in person and severally acknowledged that they signed and delivered this document in writing and caused the Corporate Seal to be affixed thereto pursuant to authority given by the Board of Directors of said corporation as their 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 official seal this 2nd day of April, 1996

Beatrice Miller  
Notary Public



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