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: DEPT-01 RECORDING \$29.00  
: 127777 TRAN 2567 05/14/96 14:46:00  
: \$7859 + RH \*-96-365562  
: COOK COUNTY RECORDER

## LOAN MODIFICATION AGREEMENT

THIS AGREEMENT, is made and entered into as of April 17, 1996, by and between MID TOWN BANK AND TRUST COMPANY OF CHICAGO, an Illinois corporation ("BANK"), CHICAGO TITLE AND TRUST COMPANY ("TRUSTEE") & RICHARD W. RAUSCH and GWENN A. RAUSCH, HIS WIFE, ("BORROWER").

### WHEREAS:

1. The BORROWER has heretofore executed a Principal Note dated **September 24, 1990**, in the principal amount of **\$84,000.00** ("NOTE"), of which the BANK is presently the holder;  
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2. The NOTE is secured by a Trust Deed dated **September 24, 1990**, and recorded in the Recorders Office of Cook County, Illinois, as document number **90496085** ("TRUST DEED"), conveying to TRUSTEE certain real estate described in Exhibit "A" attached hereto and by this reference incorporated herein ("REAL ESTATE");
3. The NOTE is further secured by an Assignment of Rents of even date therewith and recorded in the Recorders Office of Cook County, Illinois as document number **90496086**, ("ASSIGNMENT OF RENTS") assigning all the rents and profits from the REAL ESTATE;
4. The BANK has made available to the BORROWER the sum of **\$34,000.00**, which amount represents the entire principal sum of the indebtedness evidenced by the NOTE, on which there is an outstanding balance of **\$15,125.00**;
5. Said NOTE, TRUST DEED, and ASSIGNMENT OF RENTS were modified by a Loan Modification Agreement dated October 26, 1995 and recorded in the Recorders Office of Cook County, Illinois as document number **95772179** ("MODIFICATION #1") wherein the interest rate and maturity date were amended;
6. The interest rate evidenced on said NOTE as amended by MODIFICATION #1 is the Prime Rate of interest per annum. For purposes of the NOTE the "Prime Rate" shall mean the prime rate of interest as announced from time to time in the Money Rate Section of the Wall Street Journal;
7. The maturity date evidenced on said NOTE as amended by MODIFICATION #1 is **October 26, 2002**;
8. The BORROWER desires to amend the loan amount and maturity date evidenced by the NOTE;

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9. The BANK has agreed to such modification pursuant to the terms and conditions of a commitment of the BANK dated April 17, 1996, ("COMMITMENT").

**NOW THEREFORE**, notwithstanding anything contained in the NOTE, TRUST DEED, and ASSIGNMENT OF RENTS, and in consideration of the mutual covenants, conditions, and premises contained herein, the PARTIES HERETO AGREE AS FOLLOWS:

- A. The principal amount evidenced by and available under the NOTE as of this date is \$315,125.00.
- B. The maturity date is hereby amended to **June 30, 1996**.
- C. Except as modified herein, the terms, covenants and conditions of the TRUST DEED and ASSIGNMENT OF RENTS shall remain unchanged and otherwise in full force and effect. In the event of any inconsistency between the terms of this agreement and the terms of the NOTE and/or TRUST DEED and ASSIGNMENT OF RENTS, the terms herein shall control.
- D. The lien of the TRUST DEED and ASSIGNMENT OF RENTS are hereby modified as security for the payment of the principal sum evidenced by the NOTE and amended by this MODIFICATION AGREEMENT.
- E. This agreement shall be governed by and construed under the laws of the State of Illinois.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals the day and the year first written above.

MID TOWN BANK AND TRUST COMPANY OF CHICAGO ("BANK")

By: Mary C. Sweeney  
Mary C. Sweeney, Senior Vice President

Attest: Carmen Rosario  
Carmen Rosario, Assistant Secretary

**BORROWER:**

Richard W. Rausch  
Richard W. Rausch

Gwenn A. Rausch  
Gwenn A. Rausch

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CHICAGO TITLE AND TRUST COMPANY OF CHICAGO ("TRUSTEE")

By: Mary C. Sweeney  
Assistant Vice President

Attest: James O. Benson  
Assistant Secretary



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STATE OF ILLINOIS )  
COUNTY OF COOK )

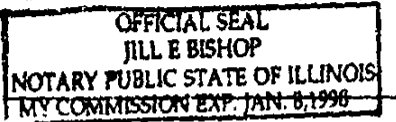
I, the undersigned, a Notary Public in and for said County, in the State aforesaid, **DO HEREBY CERTIFY**, that Mary C. Sweeney, Senior Vice President of Mid Town Bank and Trust Company of Chicago, an Illinois corporation, and Carmen Rosario, Assistant Secretary of said Illinois corporation, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such Senior Vice President and Assistant Secretary, respectively, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their own free and voluntary acts, and as the free and voluntary acts of said corporation, for the uses and purposes therein set forth; and the Assistant Secretary did also then and there acknowledge that she, as custodian of the corporate seal of said corporation, did affix said corporate seal 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 April 17, 1996.

Jill E. Bishop  
Notary Public

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My commission expires:



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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 Richard W. Rausch and Gwenn A. Rausch, 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 and delivered the said instrument as their own free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this April 17, 1996.

Jill E. Bishop  
Notary Public

My commission expires:



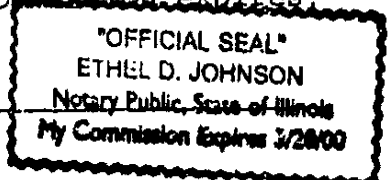
STATE OF ILLINOIS )  
COUNTY OF COOK )

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, **DO HEREBY CERTIFY**, that Richard W. Rausch of Chicago Title and Trust Company, an Illinois corporation, and Gwenn A. Rausch of said Illinois corporation, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such Richard W. Rausch, respectively, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their own free and voluntary acts, and as the free and voluntary acts of said corporation, for the uses and purposes therein set forth; and the Richard W. Rausch did also then and there acknowledge that he, as custodian of the corporate seal of said corporation did affix said corporate seal to said instrument as his 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 17th day of April, 1996.

Ethel D. Johnson  
Notary Public

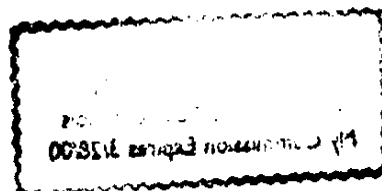
My commission expires:



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EXHIBIT "A"

LEGAL DESCRIPTION:

LOT 58 IN JAMES H. REE'S SUBDIVISION OF BLOCK 42 OF THE CANAL TRUSTEE SUBDIVISION IN SECTION 33, TOWNSHIP 40 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

PERMANENT INDEX NUMBER:

14-33-309-007

PROPERTY COMMONLY KNOWN AS:

1843 WEST MOHAWK, CHICAGO, ILLINOIS

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Mail To:

THIS INSTRUMENT WAS PREPARED

BY: Carmen Rosario

MID TOWN BANK AND TRUST COMPANY OF CHICAGO  
2021 NORTH CLARK STREET  
CHICAGO, ILLINOIS 60614

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