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#8867 JJ *-97-044873
COOK COUNTY RECORDER

LOAN MODIFICATION AGREEMENT

THIS AGREEMENT, is made and entered into as of **January 7, 1997**, by and between **MID TOWN BANK AND TRUST COMPANY OF CHICAGO**, an Illinois corporation ("**BANK**") & **DALE G. HILLERMAN AND CHARLES A. THUROW** ("**BORROWER**").

WHEREAS:

1. The **BORROWER** has heretofore executed a Promissory Note dated **December 20, 1993**, in the principal amount of **\$25,000.00** ("**NOTE**"), of which the **BANK** is presently the holder.
2. The **NOTE** is secured by a Mortgage, Assignment of Rights & Security Agreement (Chattel Mortgage) dated **December 20, 1993**, and recorded in the Recorder's Office of Cook County, Illinois, as document number **94004920** ("**MORTGAGE**"), placing a mortgage lien on certain real estate described in Exhibit "A" attached hereto and by this reference incorporated herein ("**REAL ESTATE**").
3. The **BANK** has made available to **BORROWER** the sum of **\$25,000.00**, which amount represents the entire principal sum of the indebtedness evidenced by the **NOTE** and on which there is a current balance of **\$24,000.00**.
4. The interest rate evidenced on said **NOTE** is **.50%** ("the margin") over the Prime Rate of interest per annum. For purposes of this 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.
5. The maturity date evidenced on said **NOTE** is **December 20, 2000**.
6. The **BORROWER** desires to amend the loan amount as evidenced by the **NOTE**.
7. The **BANK** has agreed to such modification pursuant to the terms and conditions of a commitment of the **BANK** dated **January 7, 1997** ("**COMMITMENT**").

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Handwritten initials and scribbles.

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NOW THEREFORE, notwithstanding anything contained in the NOTE and MORTGAGE, and in consideration of the mutual covenants, conditions, and premises contained herein, the PARTIES HERETO AGREE AS FOLLOWS:

- A. The principal amount evidenced by the NOTE as of the effective date is **\$50,000.00**.
- B. Except as modified herein, the terms, covenants and conditions of the MORTGAGE 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 MORTGAGE, the terms herein shall control.
- C. The lien of the MORTGAGE IS hereby modified as security for the payment of the principal sum evidenced by the NOTE and amended by this MODIFICATION AGREEMENT.
- D. 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: *Julia Spaulding*
Julia Spaulding, Loan Officer

Attest: *Cindy Wrona*
Cindy Wrona, Assistant Secretary

BORROWER:

Dale G. Hillerman
Dale G. Hillerman

Charles A. Thurow
Charles A. Thurow

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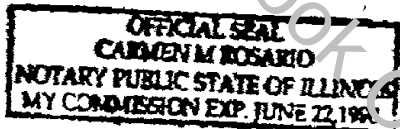
STATE OF ILLINOIS)
)
COUNTY OF COOK)

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, **DO HEREBY CERTIFY**, that Julia Spaulding, Loan Officer of Mid Town Bank and Trust Company of Chicago, an Illinois corporation, and Cindy Wrona, 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 Loan Officer 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 January 7, 1997.

Carmen M. Rosario
Notary Public

My commission expires:



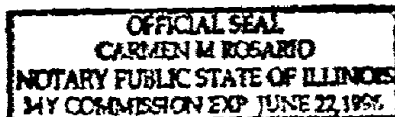
STATE OF ILLINOIS)
)
COUNTY OF COOK)

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, **DO HEREBY CERTIFY**, that Dale G. Hillerman and Charles A. Thurow, personally known to me to be the same person(s) whose name(s) is/are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he/she/they signed and delivered the said instrument as his/her/their own free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this January 7, 1997.

Carmen M. Rosario
Notary Public

My commission expires:



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EXHIBIT "A"

LEGAL DESCRIPTION:

THAT PART OF LOT 14 IN BLOCK 16 IN HUNDLEY'S SUBDIVISION OF LOTS 3 TO 21 AND 33 TO 37, ALL INCLUSIVE IN PINE GROVE, BEING A SUBDIVISION OF FRACTIONAL SECTION 21, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT A POINT 10 FEET WEST OF THE NORTHEAST CORNER OF SAID LOT 14; THENCE WEST 45-1/3 FEET; THENCE SOUTHERLY TO A POINT IN THE SOUTH LINE OF SAID LOT, 50.52 FEET WEST OF THE SOUTHEAST CORNER OF SAID LOT; THENCE SOUTHEASTERLY ON SAID SOUTH LINE 40.52 FEET TO A POINT 10 FEET WEST OF THE EAST LINE OF SAID LOT; THENCE NORTH TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PERMANENT INDEX NUMBER:

14-21-307-036

PROPERTY COMMONLY KNOWN AS:

587 West Hawthorne Place, Chicago, Illinois

Mail To:

THIS INSTRUMENT WAS PREPARED BY:

Patricia A. Howard

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



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