

This instrument prepared by
and please return to:
David I. Schrodt, Esq.
100 West Monroe Street #1500
Chicago, Illinois 60603

DEPT-11 RECORDING 011.50
TRAP 3144 05/27/97 11:48:00
#9714 YF #-97-372362
COOK COUNTY RECORDER

97372362

COMMONLY KNOWN AS: 822-36 South Austin, Oak Park, Illinois 60304
P.I.N.: 16-17-315-018

LOAN MODIFICATION AGREEMENT

This instrument is a Loan Modification Agreement ("Modification") by and between The PrivateBank and Trust Company, an Illinois banking corporation ("Lender"), Capcor Equities, an Illinois partnership ("Borrower"), and Michael L. Caprile, Renate Rankin, now known as Renate Caprile, Sandra K. Burns, Roman S. Borowych, Robert A. Reaumont, Julie A. Reaumont, Hilda I. Paladino, Opal Weel, Sam Interrante, Richard A. Carlson, Lisanne Carlson, Scott Putman, Gale Vance, David Madsen, Herb Peterson, Georgene Peterson, Robert Heiberger, Louis Caprile, Frances Caprile, and Michelle Dremmer (collectively "Guarantors").

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RECITALS:

A. Borrower holds fee simple title to certain real estate commonly known as 822-36 South Austin, Oak Park, Illinois, which is legally described on Exhibit A attached hereto ("Real Estate").

B. On April 6, 1993, Borrower executed and delivered to Lender a Promissory Note in the amount of \$1,300,000 ("Note") which

5/31/97

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evidences a loan in the amount of \$1,300,000 ("Loan"). To secure the Note, Borrowers and Guarantors executed and delivered to Lender the following documents ("Security Documents"):

1. A Real Estate Mortgage, Assignment of Rents, and Security Agreement ("Mortgage") executed by Borrower covering the Real Estate and that real estate commonly known as 618-32 South Austin, Oak Park, Illinois, which is legally described on Exhibit B attached hereto ("Released Property"), which Mortgage was recorded with the Recorder of Deeds on May 8, 1993 as Document No. 93261094;

2. An Environmental Indemnity Agreement executed by Borrower and Guarantors;

3. UCC-2 and UCC-3 financing statements in connection with the Mortgage executed by Borrower, which were filed and recorded; and

4. A Guaranty of Note, Mortgage and other undertaking ("Guaranty") executed by Guarantors.

C. On August 2, 1996 Borrower paid \$632,000 to Lender, and on September 11, 1996, Lender executed a release deed ("Release") releasing the Released Property, which Release was recorded with the Recorder of Deeds on _____ as Document No. _____

D. In connection with the Release, Borrower has requested Lender to reduce the monthly payment amount due under the Loan. Lender is agreeable to this request subject to the covenants, conditions and restrictions contained herein.

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NOW, THEREFORE, in consideration of good and valuable consideration, the parties agree as follows:

1. Subparagraph (c) of the Note is hereby modified and amended to delete it in its entirety and substitute in its place the following paragraph:

(c) On June 1, 1996 and on the first day of each succeeding month thereafter to and including September 1, 1996, there shall be paid on account of the principal and interest of this Note a payment in the amount of \$9,539.64, which such payment shall be applied first to interest at the rate of eight and one-fourth (8.25%) percent, and the remainder to principal. On September 1, 1996 and on the first day of each succeeding month thereafter until the Maturity Date, there shall be paid on account of the principal and interest of this Note a payment in the amount of Four Thousand Nine Hundred Forty-five Dollars and Eighty-four Cents (\$4,945.84), which payment shall be applied first to interest at the rate of eight and one-fourth percent (8.25%) and the remainder to principal.

2. This Modification shall be effective upon Lender's receipt of this Modification executed by the parties hereto and a title insurance endorsement which extends the effective date of the Loan Title Insurance Policy until the recording date of this Modification and insures the Mortgage as modified by this Modification.

3. This Modification shall constitute an amendment of the Note and Security Documents and wherever in said instruments or in any other instrument evidencing or securing the indebtedness evidenced by the Note ("Loan Documents") reference is made to the Loan Documents aforesaid, such reference shall be deemed a reference to such Loan Documents as hereby modified and amended. All other provisions of the Loan Documents remain unchanged.

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Nothing herein contained shall in any manner affect the lien or priority of the Security Documents, or the covenants, conditions and agreements therein contained or contained in the Note and Loan Agreement.

4. In the event of conflict between any of the provisions of the Loan Documents and this instrument, the provisions of this instrument shall override and control.

5. Guarantors hereby reaffirm their obligations under the Guaranty and agree that the Guaranty is amended and extended to cover and guarantee the Note as modified by this Modification, notwithstanding the Release. All references in the Guaranty to the Note shall mean the Note as modified hereby. Guarantors hereby expressly acknowledge and confirm that by executing this Modification and the Release, Lender has not waived, altered or modified Lender's rights under any of the Loan Documents to amend, extend, renew or modify or otherwise deal with the obligations of the parties hereto or any of the security given to Lender in connection therewith without the consent of Guarantors and without such action releasing, modifying, or affecting the obligations of Guarantors or affecting the security heretofore granted to Lender.

6. Borrower and Guarantors hereby renew, remake and affirm the representations and warranties contained in the Loan Documents.

7. Borrower and Guarantors hereby agree to pay all of Lender's expenses arising out of and in connection with this Modification including, but not limited to, title insurance premiums, recording fees and attorneys' fees performed in the

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preparation of necessary documentation.

IN WITNESS WHEREOF, the parties hereto have executed this Modification on January 22, 1996, with an effective date of September 1, 1996.

BORROWER:

CAPCOR EQUITIES, an Illinois partnership

By [Signature]
Its _____

Attest _____
Its _____

LENDER:

The PrivateBank and Trust Company, an Illinois banking corporation

By [Signature]
Its [Signature]

GUARANTORS:

[Signature]
Michael L. Caprile

[Signature]
Sandra K. Burns

[Signature]
Robert A. Reaumont

[Signature]
Hilda I. Paladino

[Signature]
Sam Interrante

[Signature]
Liganne Carlson

[Signature]
Gale Vapoe

[Signature]
Herb Peterson

[Signature]
Robert Heiberger

[Signature]
Frances Caprile

[Signature]
Renate Rankin Caprile

[Signature]
Roman S. Borowych

[Signature]
Julie A. Reaumont

[Signature]
Robert Neel

[Signature]
Richard A. Carlson

[Signature]
Scott Pughan

[Signature]
David Madsen

[Signature]
Georgien Peterson

[Signature]
Louis Caprile

[Signature]
Michelle Dremmer

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STATE OF ILLINOIS)
) SS:
COUNTY OF COOK)

The undersigned, a Notary Public in and for the State and County aforesaid, does hereby certify that and _____ of Capcor Equities, an Illinois partnership, its _____ and _____, respectively, personally 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 _____
1996.

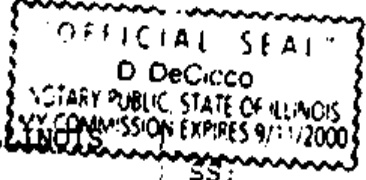


Notary Public

STATE OF ILLINOIS)
) SS:
COUNTY OF COOK)

The undersigned, a Notary Public in and for the State and County aforesaid, does hereby certify that and _____ of The PrivateBank and Trust Company, an Illinois banking corporation, its _____ and _____, respectively, personally 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 _____
1996.

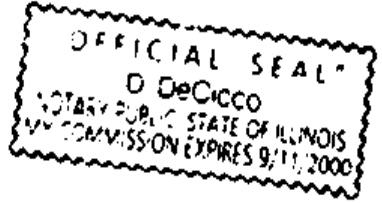


Notary Public

STATE OF ILLINOIS)
) SS:
COUNTY OF COOK)

The undersigned, a Notary Public in and for the State and County aforesaid, does hereby certify that **Michael L. Caprie**, 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 and delivered the said instrument as his own free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal _____
1996.



Notary Public

97002362

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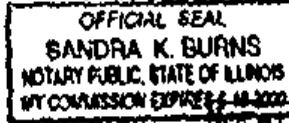
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STATE OF ILLINOIS)
) SS:
COUNTY OF COOK)

The undersigned, a Notary Public in and for the State and County aforesaid, does hereby certify that **Renate Rankin Caprie**, 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 she signed and delivered the said instrument as her own free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal
1996.

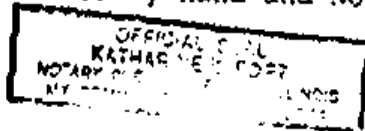


Sandra K. Burns
Notary Public

STATE OF ILLINOIS)
) SS:
COUNTY OF COOK)

The undersigned, a Notary Public in and for the State and County aforesaid, does hereby certify that **Sandra K. Burns**, 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 she signed and delivered the said instrument as her own free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal
1996.



Katharine E. Coffey
Notary Public

STATE OF ILLINOIS)
) SS:
COUNTY OF COOK)

The undersigned, a Notary Public in and for the State and County aforesaid, does hereby certify that **Ronald S. [unclear]**, 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 and delivered the said instrument as his own free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal
1996.



Sandra K. Burns
Notary Public

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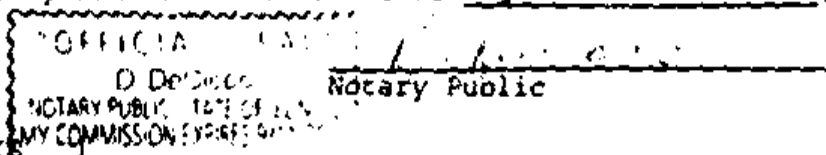
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STATE OF ILLINOIS)
) SS:
COUNTY OF COOK)

The undersigned, a Notary Public in and for the State and County aforesaid, does hereby certify that **Robert A. Reamond**, 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 and delivered the said instrument as his own free and voluntary act, for the uses and purposes therein set forth.

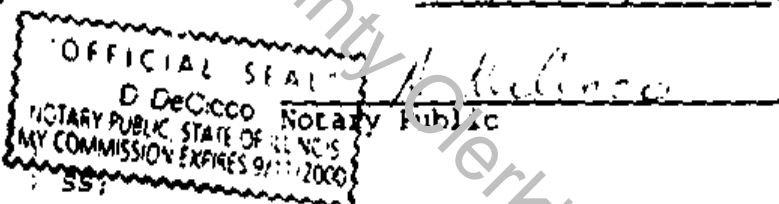
GIVEN under my hand and Notarial Seal 2 5 97
1996.



STATE OF ILLINOIS)
) SS:
COUNTY OF COOK)

The undersigned, a Notary Public in and for the State and County aforesaid, does hereby certify that **Julie A. Reamond**, 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 she signed and delivered the said instrument as her own free and voluntary act, for the uses and purposes therein set forth.

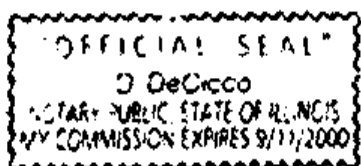
GIVEN under my hand and Notarial Seal 2 5 97
1996.



STATE OF ILLINOIS)
) SS:
COUNTY OF COOK)

The undersigned, a Notary Public in and for the State and County aforesaid, does hereby certify that **Hilda I. Rosdino**, 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 she signed and delivered the said instrument as her own free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal 2 5 97
1996.



H. Rosdino
Notary Public

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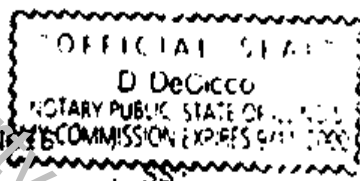
Property of Cook County Clerk's Office

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STATE OF ILLINOIS)
) SS;
COUNTY OF COOK)

The undersigned, a Notary Public in and for the State and County aforesaid, does hereby certify that **Robert Neal**, 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 and delivered the said instrument as his own free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal _____
1996.

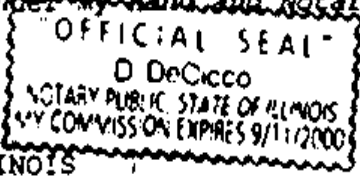


Notary Public

STATE OF ILLINOIS)
) SS;
COUNTY OF COOK)

The undersigned, a Notary Public in and for the State and County aforesaid, does hereby certify that **Sam Interrante**, 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 and delivered the said instrument as his own free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal _____
1996.

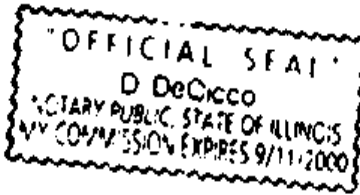


Notary Public

STATE OF ILLINOIS)
) SS;
COUNTY OF COOK)

The undersigned, a Notary Public in and for the State and County aforesaid, does hereby certify that **Richard A. Carlson**, 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 and delivered the said instrument as his own free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal _____
1996.



Notary Public

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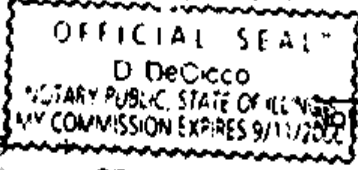
Property of Cook County Clerk's Office

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STATE OF ILLINOIS)
) SS:
COUNTY OF COOK)

The undersigned, a Notary Public in and for the State and County aforesaid, does hereby certify that **Lisanne Carlson**, 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 she signed and delivered the said instrument as her own free and voluntary act, for the uses and purposes therein set forth.

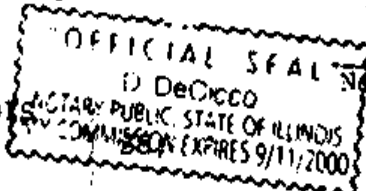
GIVEN under my hand and Notarial Seal _____
1996.



STATE OF ILLINOIS)
) SS:
COUNTY OF COOK)

The undersigned, a Notary Public in and for the State and County aforesaid, does hereby certify that **Scott Putnam**, 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 and delivered the said instrument as his own free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal _____
1996.



STATE OF ILLINOIS)
) SS:
COUNTY OF COOK)

The undersigned, a Notary Public in and for the State and County aforesaid, does hereby certify that **Gale Vance**, 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 and delivered the said instrument as his own free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal 2 5 97
1996.



D DeCicco
Notary Public
9703362

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STATE OF ILLINOIS)
) SS;
COUNTY OF COOK)

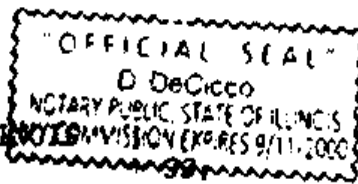
The undersigned, a Notary Public in and for the State and County aforesaid, does hereby certify that **David Madsen**, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed and delivered the said instrument as his own free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal 3/4/00
1996.

 D DeCicco
Notary Public
STATE OF ILLINOIS
COUNTY OF COOK

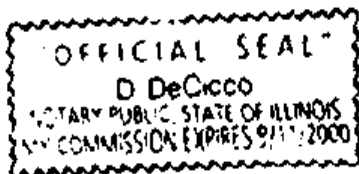
The undersigned, a Notary Public in and for the State and County aforesaid, does hereby certify that **Herb Peterson**, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed and delivered the said instrument as his own free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal 3/11/00
1996.

 D DeCicco
Notary Public
STATE OF ILLINOIS
COUNTY OF COOK

The undersigned, a Notary Public in and for the State and County aforesaid, does hereby certify that **Georgien Peterson**, 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 she signed and delivered the said instrument as her own free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal 4/1/00
1996.

 D DeCicco
Notary Public
STATE OF ILLINOIS
COUNTY OF COOK

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STATE OF ILLINOIS)
) SS;
COUNTY OF COOK

The undersigned, a Notary Public in and for the State and County aforesaid, does hereby certify that **Robert Heiberger**, 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 and delivered the said instrument as his own free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal 2-4-97
1996. [Signature]
"OFFICIAL SEAL"
D DeCocco
NOTARY PUBLIC STATE OF ILLINOIS
MY COMMISSION EXPIRES 9/11/2000
Notary Public
STATE OF ILLINOIS
COUNTY OF COOK

The undersigned, a Notary Public in and for the State and County aforesaid, does hereby certify that **Louis Caprile**, 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 and delivered the said instrument as his own free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal 2-11-97
1996. [Signature]
"OFFICIAL SEAL"
D DeCocco
NOTARY PUBLIC STATE OF ILLINOIS
MY COMMISSION EXPIRES 9/11/2000
Notary Public
STATE OF ILLINOIS
COUNTY OF COOK

The undersigned, a Notary Public in and for the State and County aforesaid, does hereby certify that **Frances Caprile**, 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 she signed and delivered the said instrument as her own free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal 2-11-97
1996. [Signature]
"OFFICIAL SEAL"
D DeCocco
NOTARY PUBLIC STATE OF ILLINOIS
MY COMMISSION EXPIRES 9/11/2000
Notary Public

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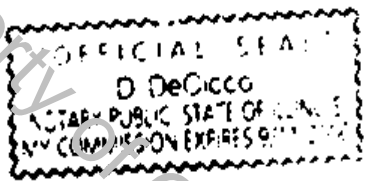
Property of Cook County Clerk's Office

UNOFFICIAL COPY

STATE OF ILLINOIS)
) SS:
COUNTY OF COOK)

The undersigned, a Notary Public in and for the State and County aforesaid, does hereby certify that Michelle Drenner, 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 she signed and delivered the said instrument as her own free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal 2-4-97
1996.



[Signature]
Notary Public

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EXHIBIT A

LEGAL DESCRIPTION:

PARCEL 1:

LOTS 23 AND 24 AND THE SOUTH 4.86 FEET OF LOT 25 (EXCEPT THE EAST 7 FEET OF SAID LOTS TAKEN FOR STREET) IN BLOCK 8 IN AUSTIN PARK, A SUBDIVISION OF THE EAST 1/2 OF THE SOUTH WEST 1/4 OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS: 822-36 South Austin, Oak Park, Illinois 60304
P.I.N.: 16-17-315-018

PARCEL 2:

LOT 25 (EXCEPT THE SOUTH 4.86 FEET) AND ALL OF LOTS 26, 27, 28 AND 29 (EXCEPT THE NORTH 8 FEET OF LOT 29) AND (EXCEPT THE EAST 7 FEET OF SAID LOTS CONDEMNED FOR STREETS) IN BLOCK 8 IN AUSTIN PARK, BEING A SUBDIVISION OF THE EAST 1/2 OF THE SOUTH WEST 1/4 OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS: 822-36 South Austin, Oak Park, Illinois 60304
P.I.N.: 16-17-315-017

9/25/2022

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EXHIBIT B

LEGAL DESCRIPTION:

PARCEL 1:

LOTS 47, 48, 49 (EXCEPT THE EAST 7 FEET OF LOTS 47 AND 48 AND 49 TAKEN FOR STREET) IN BLOCK 1 IN AUSTIN PARK, A SUBDIVISION OF THE EAST 1/2 OF THE SOUTH WEST 1/4 OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS: 618-32 South Austin, Oak Park, Illinois 60304
P.I.N.: 16-17-307-021

PARCEL 2:

LOTS 44 (EXCEPT THE EAST ONE FOOT OF THAT PART OF LOT 44 LYING WEST OF A LINE 40 FEET WEST OF THE QUARTER SECTION LINE). LOTS 45 AND 46 (EXCEPT THE EAST 7 FEET OF LOTS 44, 45 AND 46 TAKEN FOR STREET) IN BLOCK 1 IN AUSTIN PARK, A SUBDIVISION OF THE EAST 1/2 OF THE SOUTH WEST 1/4 OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS: 618-32 South Austin, Oak Park, Illinois 60304
P.I.N.: 16-17-307-022

PARCEL 3:

LOT 40 AND THE SOUTH 8 FEET 4 INCHES OF LOT 41 (EXCEPT THE EAST 7 FEET OF SAID LOTS TAKEN FOR STREET AND EXCEPT THAT PART LYING EAST OF A LINE DESCRIBED AS BEGINNING AT A POINT IN THE SOUTH LINE OF LOT 40 AFORESAID, 46.1 FEET WEST OF QUARTER SECTION LINE AND RUNNING THENCE NORTHERLY TO A POINT IN THE NORTH LINE OF THE SOUTH 8 FEET 4 INCHES OF LOT 41 AFORESAID, 43.97 FEET WEST OF THE QUARTER SECTION LINE IN BLOCK 1 IN AUSTIN PARK, A SUBDIVISION OF THE EAST 1/2 OF THE SOUTH WEST 1/4 OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS: 618-32 South Austin, Oak Park, Illinois 60304
P.I.N.: 16-17-307-034

PARCEL 4:

LOT 41 (EXCEPT THE SOUTH 8 FEET 4 INCHES) AND LOT 42 (EXCEPT THE NORTH 9 FEET 4 INCHES) (EXCEPT THAT PORTION THEREOF CONDEMNED IN CASE NUMBER 52-'C'7149) (EXCEPT THE EAST 7 FEET OF SAID PREMISES TAKEN FOR WIDENING OF AUSTIN AVENUE), IN BLOCK 1 IN AUSTIN PARK, A SUBDIVISION OF THE EAST 1/2 OF THE SOUTH WEST 1/4 OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS: 618-32 South Austin, Oak Park, Illinois 60304

52-17-307-034

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

P.I.N.: 16-17-307-034

PARCEL 5:

LOT 43 AND THE NORTH 8 FEET 4 INCHES OF LOT 42 IN BLOCK 1 IN AUSTIN PARK (EXCEPTING FROM SAID LOTS THE EAST 7 FEET THEREOF TAKEN FOR WIDEN OF AUSTIN AVENUE) (EXCEPT THAT PORTION THEREOF CONDEMNED IN CASE NUMBER 52-'C'-7149), A SUBDIVISION OF THE EAST 1/2 OF THE SOUTH WEST 1/4 OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS: 618-32 South Austin, Oak Park, Illinois 60304
P.I.N. 16-17-307-034

Property of Cook County Clerk's Office

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