

2002  
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1999-10-21 14:45:26

Cook County Recorder 27.00



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**RECORDATION REQUESTED BY:**

CIB Bank  
900 E. Higgins Road  
Elk Grove Village, IL 60007

**WHEN RECORDED MAIL TO:**

CIB Bank  
900 E. Higgins Road  
Elk Grove Village, IL 60007

**FOR RECORDER'S USE ONLY**

This Modification of Assignment of Rents prepared by:

CIB Bank  
900 E. Higgins Road  
Elk Grove Village, IL 60007

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**MODIFICATION OF ASSIGNMENT OF RENTS**

THIS MODIFICATION OF ASSIGNMENT OF RENTS IS DATED September 14, 1999, BETWEEN Marine Trust and Investment Company as Trustee U/T/A #80-5017 dated 12/10/98 (referred to below as "Grantor"), whose address is 533 Ashland Avenue, Chicago Heights, IL 60411; and CIB Bank (referred to below as "Lender"), whose address is 900 E. Higgins Road, Elk Grove Village, IL 60007.

**ASSIGNMENT OF RENTS.** Grantor and Lender have entered into an Assignment of Rents dated December 14, 1998 (the "Assignment of Rents") recorded in Cook County, State of Illinois as follows:

Recorded on December 16, 1998 with Cook County Recorder's Office as Document No. 08144190

**REAL PROPERTY DESCRIPTION.** The Assignment of Rents covers the following described real property (the "Real Property") located in Cook County, State of Illinois:

SEE ATTACHED EXHIBIT - "LEGAL DESCRIPTION", WHICH IS MADE AN INTEGRAL PART HEREOF.

The Real Property or its address is commonly known as Southeast Corner of Rand Road and Route 53 located in Arlington Heights, Illinois.

Grantor and Lender hereby modify the Assignment of Rents as follows:

UNDER NOTE, CHANGE TO READ AS FOLLOWS:

The word "Note" means the promissory note or credit agreement dated September 14, 1999, for a total original principal amount of \$4,826,000.00 from Grantor to Lender, together with all renewals of, extensions of, modifications of, refinancings of, consolidations of, and substitutions for the promissory note or agreement.

**BOX 333-CTI**

9-14-1999

**MODIFICATION OF ASSIGNMENT OF RENTS**  
(Continued)

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**CONTINUING VALIDITY.** Except as expressly modified above, the terms of the original Assignment of Rents shall remain unchanged and in full force and effect. Consent by Lender to this Modification does not waive Lender's right to require strict performance of the Assignment of Rents as changed above nor obligate Lender to make any future modifications. Nothing in this Modification shall constitute a satisfaction of the promissory note or other credit agreement secured by the Assignment of Rents (the "Note"). It is the intention of Lender to retain as liable all parties to the Assignment of Rents and all parties, makers and endorsers to the Note, including accommodation parties, unless a party is expressly released by Lender in writing. Any maker or endorser, including accommodation makers, shall not be released by virtue of this Modification. If any person who signed the original Assignment of Rents does not sign this Modification, then all persons signing below acknowledge that this Modification is given conditionally, based on the representation to Lender that the non-signing person consents to the changes and provisions of this Modification or otherwise will not be released by it. This waiver applies not only to any initial extension or modification, but also to all such subsequent actions.

**EACH GRANTOR ACKNOWLEDGES HAVING READ ALL THE PROVISIONS OF THIS MODIFICATION OF ASSIGNMENT OF RENTS, AND EACH GRANTOR AGREES TO ITS TERMS.**

GRANTOR: Marine Trust and Investment Company as Trustee U/T/A #80-5007 dated 12/10/98

By: [Signature]  
Trust Officer

LENDER:

CIB Bank

By: [Signature]  
Authorized Officer

County Clerk's Office

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## MODIFICATION OF ASSIGNMENT OF RENTS (Continued)

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### CORPORATE ACKNOWLEDGMENT

STATE OF ILLINOIS )  
 ) ss  
COUNTY OF COOK )

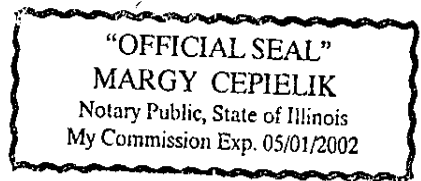
On this day before me, the undersigned Notary Public, personally appeared as **Trustee for Marine Trust and Investment Company UT/A No. 80-5007 dated 12-10-98**, to me known to be the person described in and who executed the foregoing Modification of Assignment of Rents, as the Trustee or designated agent of Marine Trust and Investment Company, and acknowledged that he or she executed the same as the free act and deed of said company and is acting for and on behalf of and as a Trustee or designated agent of the said company.

Given under my hand and official seal this 14<sup>th</sup> day of OCTOBER, 1999.

By Margy Cepielik

Notary public in and for the State of ILLINOIS

My commission expires 5-1-02



### LENDER ACKNOWLEDGMENT

STATE OF ILLINOIS )  
 ) ss  
COUNTY OF COOK )

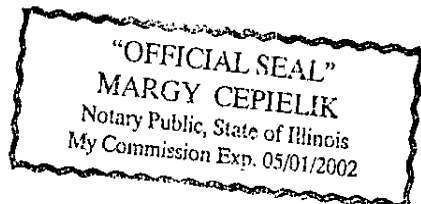
On this day before me, the undersigned Notary Public, personally appeared KEVIN L. LIETZ of **CIB Bank**, and that the seal affixed to the foregoing Modification of Assignment of Rents is the corporate seal of said corporation and that said Modification was signed and sealed on behalf of said corporation, by authority of its Board of Directors, said VICE PRESIDENT of **CIB Bank**, acknowledged said Modification to be the free act and deed of said corporation.

Given under my hand and official seal this 14<sup>th</sup> day of OCTOBER, 1999.

By Margy Cepielik

Notary Public in and for the State of ILLINOIS

My Commission expires 5-1-02



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EXHIBIT A

LOT 1 IN THE POINTE, BEING A RESUBDIVISION OF PART OF LOT 5 IN GEO. KIRCHOFF ESTATE SUBDIVISION IN SECTION 7, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN AND FORMERLY KNOWN AS THAT PART OF LOT 5 IN GEORGE KIRCHOFF ESTATE SUBDIVISION OF PARTS OF SECTIONS 12 AND 13, TOWNSHIP 42 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN AND SECTIONS 7 AND 18, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT IN THE WEST LINE OF SAID SECTION 7 THAT IS DISTANT 17.82 FEET NORTH OF THE SOUTHWEST CORNER OF SAID SECTION 7 AND THE SOUTHWEST CORNER OF SAID LOT 5, SAID POINT BEING THE NORTHEAST CORNER OF SAID SECTION 13; THENCE NORTH ALONG THE WEST LINE OF SAID SECTION 7, BEING ALSO THE WEST LINE OF SAID LOT 5, FOR A DISTANCE OF 1,649.08 FEET TO THE POINT OF INTERSECTION OF SAID WEST LINE WITH THE NORTHWESTERLY EXTENSION OF THE SOUTHWESTERLY LINE OF RAND ROAD AS THE SAME IS NOW LOCATED AND ESTABLISHED; THENCE SOUTHEASTERLY ALONG SAID SOUTHERLY LINE OF RAND ROAD FOR A DISTANCE OF 265.92 FEET; THENCE WESTERLY ALONG A STRAIGHT LINE FOR A DISTANCE OF 28.28 FEET TO A POINT ON A LINE DRAWN PERPENDICULAR TO SAID CENTERLINE OF RAND ROAD FROM A POINT THEREON THAT IS DISTANT 298.00 FEET SOUTHEASTERLY OF THE WEST LINE OF SAID SECTION 7 (AS MEASURED ALONG SAID CENTER LINE), SAID POINT ON THE PERPENDICULAR LINE BEING DISTANT 70.00 FEET SOUTHWESTERLY OF SAID CENTERLINE OF RAND ROAD (AS MEASURED ALONG SAID PERPENDICULAR Line); THENCE SOUTHWESTERLY ALONG SAID LINE DRAWN PERPENDICULAR TO THE CENTERLINE OF RAND ROAD, FOR A DISTANCE OF 83.02 FEET TO A POINT THAT IS DISTANT 96.00 FEET EAST OF THE WEST LINE OF SAID SECTION 7, AS MEASURED PERPENDICULAR TO SAID WEST LINE FROM A POINT THEREON THAT IS 320.94 FEET SOUTH OF SAID CENTERLINE OF RAND ROAD; THENCE SOUTH ALONG A LINE PARALLEL TO AND 96.00 FEET EAST OF THE WEST LINE OF SAID SECTION 7 FOR A DISTANCE OF 195.06 FEET; THENCE SOUTH 04 DEGREES, 19 MINUTES, 11 SECONDS WEST, 6.94 FEET TO A POINT FOR A PLACE OF BEGINNING, A SOUTHERLY EXTENSION OF SAID LAST DESCRIBED LINE BEARING SOUTH 04 DEGREES 19 MINUTES 11 SECONDS WEST IS DRAWN THROUGH A POINT 669.21 FEET NORTH AND 55.00 FEET EAST OF THE NORTHEAST CORNER OF SAID SECTION 13, AS MEASURED ALONG THE WEST LINE OF SAID SECTION 7 AND ALONG A LINE AT RIGHT ANGLES THERETO, SAID PLACE OF BEGINNING BEING ON A SOUTHEASTERLY LINE OF LAND TAKEN FOR ROAD PURPOSES BY CONDEMNATION CASE NO. 87L50249 IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS; THENCE CONTINUING ALONG THE AFOREDESCRIBED LINE BEARING SOUTH 04 DEGREES 19 MINUTES 11 SECONDS WEST, 326.32 FEET TO AN INTERSECTION WITH THE NORTHERLY LINE OF WOODS DRIVE (FORMERLY RANDHAVEN LANE) ACCORDING TO THE PLAT OF DEDICATION RECORDED JULY 30, 1974 AS DOCUMENT NO. 22797785; THENCE SOUTH 85 DEGREES 40 MINUTES 49 SECONDS EAST ALONG SAID NORTHERLY LINE OF WOODS DRIVE, 8.63 FEET TO AN INTERSECTION WITH THE NORTHERLY LINE OF LAND TAKEN FOR ROAD PURPOSES BY CONDEMNATION CASE NO. 87L50249 IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS; THE FOLLOWING TWO COURSES ARE ALONG THE NORTHERLY LINE OF LAND TAKEN FOR ROAD PURPOSES BY CONDEMNATION CASE NO. 87L50249, AFORESAID; THENCE NORTH 81 DEGREES 05 MINUTES 37 SECONDS EAST, 122.37 FEET; THENCE NORTH 66 DEGREES 08 MINUTES 30 SECONDS EAST, 405.01 FEET TO AN INTERSECTION WITH THE SOUTHWESTERLY LINE OF RAND ROAD AS WIDENED BY INSTRUMENT RECORDED DECEMBER 10, 1940 AS DOCUMENT NO. 12592033, THENCE NORTH 43 DEGREES 54 MINUTES 03 SECONDS WEST ALONG SAID SOUTHWESTERLY LINE OF RAND ROAD AS WIDENED, 458.87 FEET TO THE SOUTHEASTERLY LINE OF LAND TAKEN FOR ROAD PURPOSES BY CONDEMNATION CASE NO. 87L50249 IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS; THENCE SOUTH 39 DEGREES 59 MINUTES 19 SECONDS WEST ALONG SAID LAST DESCRIBED SOUTHEASTERLY LINE, 244.53 FEET TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS,

ADDRESS: SEC Rand Road and Route 53, Arlington Heights IL  
P.I.N. 03-07-301-003