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MODIFICATION OF NOTE AND TRUST DEEDS

This Modification of Note and Trust Deeds (this "Agreement") is entered into as of this 12th day of July, 1989, by and among First Illinois Bank of Evanston, N.A., a National Banking Association, not personally but as Trustee under the provisions of a deed or deeds in trust duly recorded and delivered to said Bank in pursuance of a Trust Agreement dated May 18, 1987, and known as Trust No. R-3391; First Illinois Bank of Evanston, N.A., a National Banking Association, not personally but as Trustee under the provisions of a deed or deeds in trust duly recorded and delivered to said Bank in pursuance of a Trust Agreement dated June 12, 1987, and known as Trust No. R-3401; Gary A. Potter, individually; Karen L. Potter, individually; Gheorghe Ardeu, individually; and Custom Remodeling Services, Inc., an Illinois corporation, on the one hand (collectively, "Borrower"), and Heritage Glenwood Bank, on the other hand ("Lender").

WITNESSETH:

WHEREAS, Borrowers have heretofore executed that certain Demand Note dated September 29, 1988, in favor of Lender in the amount of \$106,000.00 (the "Note");

WHEREAS, to secure the Note Borrowers executed Trust Deeds, bearing even date therewith, to Lender, as Trustee, on real estate in Cook County, Illinois, including but not limited to the real estate legally described on Exhibit A-1, A-2 and A-3 attached hereto and made a part hereof (such real estate described on Exhibit A-1, A-2 and A-3 being hereinafter collectively referred to as the "Real Estate", and the Trust Deeds encumbering the Real Estate are hereinafter referred to collectively as the "Trust Deeds"), the Trust Deed executed by First Illinois Bank of Evanston, as Trustee under Trust No. 3393 as aforesaid and encumbering the property described in Exhibit A-1, being filed with the Cook County Registrar of Titles on October 13, 1988 as Document LR3747611, the Trust Deed executed by First Illinois Bank of Evanston, as Trustee under Trust No. 3401 as aforesaid and encumbering the property described in Exhibit A-2, being recorded on October 13, 1988 as Document 88472175 and the Trust Deed executed by Gary A. Potter and Karen L. Potter and encumbering the property described in Exhibit A-3, being recorded on October 13, 1988 as Document 88472176;

This document prepared by and after recording return to:

Anthony L. Frank  
Gottlieb and Schwartz  
200 E. Randolph Dr., Suite 6900  
Chicago, Illinois 60601

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WHEREAS, Borrowers and Lender desire to amend the terms of the Note and the Trust Deeds upon the terms and conditions hereinafter set forth.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, including the above recitals, the sum of Ten Dollars and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by the parties hereto, the parties hereto hereby covenant and agree as follows:

1. The Note and Trust Deeds shall be and the same are hereby modified as follows:

A. Any reference to the Note contained herein, or in the Trust Deeds shall hereafter be deemed to refer to the Note, as hereby modified. The Note, as hereby modified, is hereinafter referred to as the "Note".

\* B. The outstanding amount of the Note as of the date hereof is increased to \$212,420.00, to evidence a letter of credit dated on or about the date of this Agreement (the "Letter of Credit").

C. While the Note provides for payment of interest on the principal amount outstanding, the principal amount of the Note shall not be demanded and no interest shall be accrued until such time as the Letter of Credit is drawn upon. Thereafter, accrued interest shall be paid on the 15<sup>th</sup> of each month until paid.

2. The parties hereto hereby agree that, as of the effective date hereof, any and all of the terms and provisions of the Note and Trust Deeds shall, except as modified hereby, remain in full force and effect.

3. This Agreement is executed by First Illinois Bank of Evanston, N.A., a National Banking Association, not personally but as Trustee as aforesaid in the exercise of the power and authority conferred upon and vested in it as such Trustee, and is payable only out of the property specifically described in the Trust Deeds securing the payment hereof, by the enforcement of the provisions contained in said Trust Deeds. No personal liability shall be asserted or be enforceable against the Trustee or any person interested beneficially or otherwise in said property specifically described in said Trust Deeds given to secure the payment hereof, or in the property or funds at any time subject to said Trust Agreement, because or in respect of this Agreement or the making, issue or transfer thereof, all such liability, if any, being expressly waived by each taker and holder hereof, but nothing herein contained shall modify or discharge the personal liability expressly assumed by Gary A. Peter, Karen L. Peter and George Ardeu, and each original and successful holder of this Agreement

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accepts the same upon the express condition that no duty shall rest upon First Illinois Bank of Evanston, as Trustee as aforesaid, to sequester the rents, issues and profits arising from the property described in said Trust Deeds, or the proceeds arising from the sale or other disposition thereof, but that in case of default in the payment of the Note or of any installment thereof, the sole remedy of the holder hereof shall be by foreclosure of the said Trust Deeds given to secure the indebtedness evidenced by the Note, in accordance with the terms and provisions of said Trust Deeds set forth or by any action to enforce the personal liability of Gary A. Potter, Karen L. Potter and Gheorghe Ardeu, of the payment thereof, or both.

IN WITNESS WHEREOF, the undersigned have caused this Agreement to be executed as of the day and year first above written.

**BORROWERS:**

FIRST ILLINOIS BANK OF EVANSTON, N.A.  
as Trustee aforesaid and not  
personally

By: [Signature]  
CLIENT EXECUTIVE  
Attest: [Signature]  
ADMINISTRATIVE ASSISTANT

[Signature]  
GARY A. POTER, Individually

[Signature]  
KAREN L. POTER, Individually

[Signature]  
GHEORGHE ARDEU, Individually

CUSTOM REMODELING SERVICES,  
INC., an Illinois corporation

By: [Signature]  
President  
Attest: [Signature]  
Secretary

**LENDER:**

HERITAGE GLENWOOD BANK

By: [Signature]  
Attest: [Signature]  
S. V. P.

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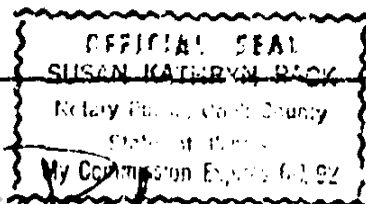
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STATE OF ILLINOIS )  
 ) SS.  
COUNTY OF COOK )

I, the undersigned, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY, that Sana Nahmed and SUSAN G. MOCK of FIRST ILLINOIS BANK OF EVANSTON, ILL., personally known to me to be the same persons whose names are subscribed to the foregoing instrument, as such CLIENT EXECUTIVE and ADMINISTRATIVE PERSONNEL respectively, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their own free and voluntary act and as the free and voluntary act of said FIRST ILLINOIS BANK OF EVANSTON, ILL. for the uses and purposes therein set forth; and the said Trustee FIRST ILLINOIS BANK OF EVANSTON, ILL. then and there acknowledged that FIRST ILLINOIS BANK OF EVANSTON, ILL. as custodian of the corporate seal of said FIRST ILLINOIS BANK OF EVANSTON, ILL. caused the corporate seal of said FIRST ILLINOIS BANK OF EVANSTON, ILL. to be affixed to said instrument as said Sana Nahmed's own and free and voluntary act and as the free and voluntary act of said Sana Nahmed for the uses and purposes therein set forth.

Given under my hand and Notarial Seal  
Date July 17, 1989



*Susan Kathryn Mock*  
NOTARY PUBLIC

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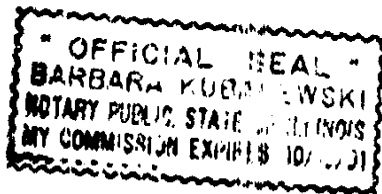
STATE OF ILLINOIS

SS.

COUNTY OF C O O K

I, the undersigned, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY, that Shenley Jackson and Sam Patis of Chicago, Remodeling Services, Inc. personally known to me to be the same persons whose names are subscribed to the foregoing instrument, as such Shenley Jackson and Sam Patis respectively, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their own free and voluntary act and as the free and voluntary act of said \_\_\_\_\_ for the uses and purposes therein set forth.

Given under my hand and Notarial Seal \_\_\_\_\_  
Date 7-18-87



Barbara Kucmiewski  
NOTARY PUBLIC

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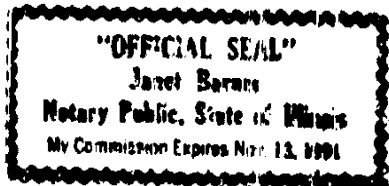
H&P

STATE OF ILLINOIS )  
COUNTY OF COOK ) SS.

I, the undersigned, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY, that JAMES ARMOURSTON and HERITAGE GLENWOOD BANK personally known to me to be the same persons whose names are subscribed to the foregoing instrument, as such JAMES ARMOURSTON and HERITAGE GLENWOOD BANK respectively, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their own free and voluntary act and as the free and voluntary act of said JAMES ARMOURSTON for the uses and purposes therein set forth.

Given under my hand and Notarial Seal \_\_\_\_\_  
Date 7-18-89

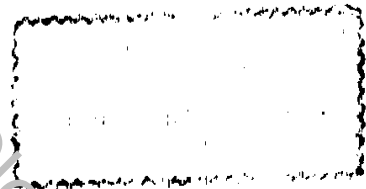
Janet Barnes  
NOTARY PUBLIC



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EXHIBIT A-1

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The East 39 feet and 2 inches of Lot 1, (except the South 56 feet thereof) in Block 7, in Rogers Park, being a subdivision in Sections 30, 31, and 32, Township 41 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois.

commonly known as: 7134 Wolcott  
Chicago, Illinois /

PIN #11-31-200-012

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EXHIBIT A-2

lots 92, 93, and 94, Blesius & Franze's Resubdivision of Sundry Lots in Buena Vista addition to Chicago in the East 1/2 of the Southeast 1/4 of Section 6, Township 40 North, Range 14, East of the Third Principal Meridian in Cook County, Illinois.

commonly known as: 5912 N. Paulina, Chicago, Illinois

PIH #14-06-401-030 and 029

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EXHIBIT A-3

Property of Cook County Clerk's Office

Lot 9 in Semar Subdivision being a subdivision in the Northeast 1/4 of Section 20, Township 42 North, Range 12, East of the Third Principal Meridian, in Cook County, Illinois.

commonly known as: 2750 Charle  
Glenview, Illinois

PIN 004-20-201-004

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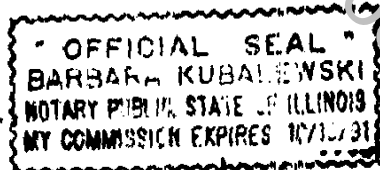
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STATE OF ILLINOIS )  
COUNTY OF COOK ) SS.

I, Barbara Kubalewski  
a Notary Public in and for and residing in said County, in the  
State aforesaid, DO HEREBY CERTIFY THAT Rory Peter, Karen  
Peter and George Arden

who ~~are~~ 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, sealed and delivered the said instrument as of their free  
and voluntary act, for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 18 day of July, 1989.



Barbara Kubalewski  
NOTARY PUBLIC

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REC'D JUL 20 11 20 03  
CAROL MOSELEY BRAUN  
REGISTRAR OF DEEDS

Hand  
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CHICAGO TITLE INST  
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