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2014 006921

STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD

2014 FEB -5 AM 8:34

MICHAEL B. BROWN
RECORDER

RECORDATION REQUESTED BY:
OLD PLANK TRAIL COMMUNITY BANK, NA
First National Bank of Illinois a Branch of Old
Plank Trail Community Bank, NA
3256 Ridge Road
Lansing, IL 60438

WHEN RECORDED MAIL TO:
OLD PLANK TRAIL COMMUNITY BANK, NA
First National Bank of Illinois a Branch of Old
Plank Trail Community Bank, NA
3256 Ridge Road
Lansing, IL 60438

CHICAGO TITLE INSURANCE
505 E. NORTH AVENUE
CAROL STREAM, IL 60188

H25329098 **MODIFICATION OF MORTGAGE** $27

THIS MODIFICATION OF MORTGAGE dated August 9, 2013, is made and executed between The Chicago Trust Company, N.A. as Successor Trustee to First National Bank of Illinois, Trust No. 6079 dated January 25, 2007 (referred to below as "Grantor") and OLD PLANK TRAIL COMMUNITY BANK, NA, whose address is 3256 Ridge Road, Lansing, IL 60438 (referred to below as "Lender").

MORTGAGE. Lender and Grantor have entered into a Mortgage dated February 2, 2007 (the "Mortgage") which has been recorded in Lake County, State of Indiana, as follows:

Mortgage dated January 25, 2007, recorded April 2, 2007 by the state of Indiana Lake County Recorders Office as document number 026640.

REAL PROPERTY DESCRIPTION. The Mortgage covers the following described real property located in Lake County, State of Indiana:

PARCEL 1: LOTS 6 AND 7 IN THE RESUBDIVISION OF TRACT A, IN PHASE ONE BROADFIELD CENTER, IN THE TOWN OF MERRILLVILLE, AS PER PLAT THEREOF, RECORDED IN PLAT BOOK 55, PAGE 14, IN THE OFFICE OF THE RECORDER OF LAKE COUNTY, INDIANA.

PARCEL 2: PARCEL 2 IN PHASE 2-A BROADFIELD CENTER, AS PER PLAT THEREOF, RECORDED IN PLAT

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BOOK 53, PAGE 80, IN THE OFFICE OF THE RECORDER OF LAKE COUNTY, INDIANA.

PARCEL 3: LOTS 1,3,6,7,8,11 TO 14, BOTH INCLUSIVE, AND LOT 15, EXCEPTING THEREFROM THE FOLLOWING: PART OF LOT 15, PHASE ONE SUBDIVISION OF TRACT "E" BROADFIELD CENTER, IN THE TOWN OF MERRILLVILLE, LAKE COUNTY, INDIANA AS PER PLAT THEREOF, RECORDED IN PLAT BOOK 66, PAGE 35, IN THE OFFICE OF THE RECRODER OF LAKE COUNTY, INDIANA, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 296.0 FEET EAST AND 40.0 FEET NORTH OF THE SOUTHWEST CORNER OF SECTION 27, TOWNSHIP 35 NORTH, RANGE 8 WEST OF THE SECOND PRINCPAL MERIDIAN, SAID POINT BEING THE SOUTHWEST CORNER OF LOT 15; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECOND EAST ALONG THE WEST LINE OF SAID LOT 15, A DISTANCE OF 200.00 FEET; THENCE SOUTH 89 DEGREES 32 MINUTES 13 SECONDS EAST, 30.0 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST 200.00 FEET TO THE NORTH RIGHT OF WAY OF 93RD AVENUE; THENCE NORTH 89 DEGREES 32 MINUTES 13 SECONDS WEST PARALLEL TO THE SOUTH LINE OF SAID SECTION 27, A DISTANCE OF 30.0 FEET TO THE POINT OF BEGINNING, IN PHASE ONE SUBVDIVISION OF TRACT "E", BROADFILD CENTER, AS PER PLAT THEREOF, RECORDED IN PLAT BOOK 60 PAGE 35, IN THE OFFICEOF THE RECORDER OF LAKE COUNTY INDIANA.

PARCEL 4: BLOCK 8 OF BROADFIELD PHASES ONE AND TWO, A PLANNED UNIT DEVELOPMENT TO THE TOWN OF MERRILLVILLE, AS PER PLAT THEREOF, RECORDED IN PLAT BOOK 92, PAGE 98, IN THE OFFICE OF THE RECORDER OF LAKE COUNTY, INDIANA.

PARCEL 5: PART OF THE SOUTHWEST 1/4 AND THE SOUTHEAST 1/4 OF SECTION 27, TOWNSHIP 35 NORTH, RANGE 8 WEST OF THE SECOND PRINCIPAL MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHERN MOST CORNER OF LOT 1, IN BLOCK 5, OF ROADFILED TOWNHOMES ADDITION TO THE TOWN OF MERRILLVILLE, AS RECORDED IN PLAT BOOK 84, PAGE 41, IN THE OFFICE OF THE RECORDER OF LAKE COUNTY, INDIANA; THENCE SOUTH 41 DEGREES 43 MINUTES 05 SECONDS WEST, ALONG THE NORTHERLY LINE OF SAID LOT 1 AND LOT 1 EXTENDED A DISTANCE OF 517.50 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 388.69 FEET TO A POINT WHICH LIES ALONG THE NORTH LINE OF LOT 27 AS SHOWN IN BLOCK 3 OF BROADFIELD TOWNHOMES ADDITION, IN THE TOWN OF MERILLVILLE, AS RECORDED IN PLAT BOOK 74 PAGE 62, IN THE OFFICE OF THE RECORDER OF LAKE COUNTY, INDIANA; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 165.00 FEET TO THE NORTHWEST CORNER OF LOT 28 IN SAID BLOCK 3; THENCE NORTH 51 DEGREES 25 MINUTES 67 SECONDS WEST A DISTANCE OF 124.52 FEET TO THE NORTHEAST CORNER OF LOT 30 IN SAID BLOACK 3; THENCE NORTH 33 DEGREES 55 MINUTES 38 SECONDS WEST A DISTANCE OF 110.00 FEET TO THE NORTHERNMOST CORNER OF LOT 31 IN SAID BLOCK 3, THENCE 66 DEGREES 04 MINUTES 22.5 SECONDS WEST, ALONG THE NORTHERLY LINE OF SAID LOT 31, A DISTANCE OF 145.00 FEET; THENCE NORTH 33 DEGREES 55 MINUTES 38.6 SECONDS WEST, A DISTANCE OF 80.00 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF EAST 92ND DRIVE (80 FEET WIDE), AS SHOWN IN THE RECORDED PLAT OF SAID BLOCK THREE AND THE PLAT OF BLOCK ONE OF BROADFILED TOWNHOMES ASSOCIATION TO THE TOWN OF MERRILLVILLE, AS RECORDED IN PLAT BOOK 87 PAGE 85, IN THE OFFICE OT THE RECORDER OF LAKE COUNTY, INDIANA; THENCE SOUTH 56 DEGREES 04 MINUTES 21.5 SECONDS WEST, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 566.822 FEET TO A POINT WHICH LIES ON THE EASTERLY RIGHT-OF-WAY LINE OF CONNECTICUT AVENUE (FORMERLY BROADFIELD DRIVE, 80 FEET WIDE), AS SHOWN IN THE PLAT OF PHASE ONE BROADFILED CENTER, DEVELOPMENT PLAN, AS RECORDED IN PLAT BOOK 48, PAGE 82, IN THE OFFICE OF THE RECORDER OF LAKE COUNTY, INDIANA; THENCE NORTHWESTERLY ALONG A CURVE WHICH IS CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 440.00 FEET (THE CHORD OF WHICH BEARS NORTH 54 DEGREES 34 MINUTES 17.9 SECONDS WEST, A DISTANCE OF 234.109 FEET), AN ARC DISTANCE OF 236.963 FEET THENCE NORTH 70 DEGREES 00 MINUTES 00 SECONDS WEST ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 150.00 FEET, TO A POINT OF CURVE THENCE NORTHERLY, ALONG SAID EASTERLY RIGHT-OF-WAY LINE ALONG A CURVE WHICH IS CONCAVE TO THE EAST, HAVING A RADIUS OF 460.0 FEET (THE CHORD OF WHICH BEARS NORTH 25 DEGREES 00 MINUTES 00 SECONDS WEST A DISTANCE OF 650.54 FEET), AN ARC DISTANCE OF

722.57 FEET; THENCE NORTH 20 DEGREES 00 MINUTES 00 SECONDS EAST, ALONG SAID EASTERLY RIGHT-OF-WAY LINE A DISTANCE OF 100.00 FEET; THENCE SOUTH 85 DEGREES 56 MINUTES 43 SECONDS EAST; A DISTANCE OF 364.01 FEET; THENCE NORTHERLY ALONG A CURVE CONCAVE TO THE WEST, HAVING A RADIUS OF 840.00 FEET, (THE CHORD OF WHICH BEARS NORTH 08 DEGREES 51 MINUTES 32 SECONDS EAST, A DISTANCE OF 381.95 FEET) AN ARC DISTANCE OF 385.32 FEET; THENCE EASTERLY ALONG A CURVE WHICH IS CONCARE TO THE SOUTH, HAVING A RADIUS OF 485.00 FEET, (THE CHORD OF WHICH BEARS SOUTH 89 DEGREES 39 MINUTES 16 SECONDS EAST, A DISTANCE OF 637.78 FEET), AN ARC DISTANCE OF 570.00 FEET; THENCE 34 DEGREES 00 MINUTES 52 SECONDS EAST, A DISTANCE OF 400.00 FEET TO A POINT WHICH LIES ON THE SOUTHERLY RIGHT-OF-WAY OF GREENFIELD DRIVE, AS SHOWN IN THE RECORDED PLAT OF SAID PHASE ONE, BROADFIELD CENTER, DEVELOPMENT PLAN; THENCE SOUTHEASTERLY ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE ON A CRUVE WHICH IS CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 866.00 FEET (THE CHORD OF WHICH BEARS SOUTH 45 DEGREES 26 MINUTES 46 SECONDS EAST, A DISTANCE OF 324.27 FEET), AN ARC DISTANCE OF 326.11 FEET TO A POINT OF REVERSE CURVE; THENCE SOUTHEASTERLY ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF GREENFIELD DRIVE, AS SHOWN IN PLAT BOOK 77, PAGE 97, IN THE OFFICE OF THE RECORDER OF LAKE COUNTY, INDIANA, ON A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 790.00 FEET (THE CHORD OF WHICH BEARS SOUTH 44 DEGREES 03 MINUTES 18 SECONDS EAST, A DISTANCE OF 259.50 FEET), AN ARC DISTANCE OF 260.68 FEET; THENCE SOUTH 53 DEGREES 30 MINUTES 29 SECONDS EAST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 303.10 FEET TO A POINT OF CURVE; THENCE SOUTHEASTERLY ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE ON A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 710.00 FEET (THE CHORD OF WHICH BEARS SOUTH 50 DEGREES 53 MINUTES 42 SECONDS EAST, A DISTANCE OF 84.74 FEET) AN ARC DISTANCE OF 84.78 FEET, TO THE POINT OF BEGINNING OF THIS DESCRIPTION, ALL IN THE TOWN OF MERRILLVILLE, LAKE COUNTY, INDIANA THEREFROM THE FOLLOWINF DESCRIBED PARCEL OF LAND:

PART OF THE SOUTHWEST 1/4 OF SECTION 27, TOWNSHIP 35 NORTH RANGE 8 WEST OF THE SECOND PRINCIPAL MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF LOT 28 BLOCK THREE OF BROADFIELD TOWNHOMES ADDITION, A SUBDIVISION OF TRACT "D" BROADFIELD CENTER IN THE TOWN OF MERRILLVILLE, LAKE COUNTY, INDIANA, AS RECORDED IN PLAT BOOK 74 PAGE 62 IN THE OFFICE OF THE RECORDER OF LAKE COUNTY INDIANA; THENCE NORTH 00 DEGREES 00 SECONDS WEST ALONG THE NORTHERLY EXTENSION OF THE WEST LINE OF SAID LOT 28, A DISTANCE OF 5.00 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, 5.00 FEET NORTH OF AND PARALLEL TO THE NORTH LINE OF SAID LOT 28, A DISTANCE OF 70.00 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE 6.00 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 28, A DISTANCE OF 70.00 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 6.00 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 28; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, ALONG THE NORTH LINE OF SAID LOT 28, A DISTANCE OF 70.00 FEET TO THE POINT OF BEGINNING, ALL IN THE TOWN OF MERRILLCILLE, LAKE COUNTY, INDIANA

COMMONLY KNOWN AS: VACANT LAND, BROADFIELD PARK, MERRILLVILLE, IN

The Real Property or its address is commonly known as 93rd ave. & Broadway Ave., Merrillville, IN 46410. The Real Property tax identification number is 08-15-0519-0007; 08-15-0506-0002; 08-15-0126-0006; 08-15-0575-0001; 08-15-0575-0003; 08-15-0575-0006; 08-15-0575-0007; 08-15-0575-0008; 08-15-0575-0011; 08-15-0575-0012; 08-15-0575-0013; 08-15-0575-0014; 08-15-0575-0015; 08-15-0768-0001; 08-15-0768-0002.

MODIFICATION. Lender and Grantor hereby modify the Mortgage as follows:

Maturity date of loan has been extended from August 9, 2013 to August 9, 2014

Grantor name has been amended to The Chicago Trust Company, N.A. as Successor Trustee to First National Bank of Illinois, Trust No. 6079.

CONTINUING VALIDITY. Except as expressly modified above, the terms of the original Mortgage shall remain unchanged and in full force and effect and are legally valid, binding, and enforceable in accordance with their respective terms. Consent by Lender to this Modification does not waive Lender's right to require strict performance of the Mortgage 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 Mortgage (the "Note"). It is the intention of Lender to retain as liable all parties to the Mortgage 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 Mortgage 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.

GRANTOR ACKNOWLEDGES HAVING READ ALL THE PROVISIONS OF THIS MODIFICATION OF MORTGAGE AND GRANTOR AGREES TO ITS TERMS. THIS MODIFICATION OF MORTGAGE IS DATED AUGUST 9, 2013.

GRANTOR:

THE CHICAGO TRUST COMPANY, N.A. AS SUCCESSOR TRUSTEE TO FIRST NATIONAL BANK OF ILLINOIS, Trustee of The Chicago Trust Company, N.A. as Successor Trustee to First National Bank of Illinois, Trust No. 6079

SEE SIGNATURE SHEET ATTACHED HERETO

By: AND INCORPORATED BY REFERENCE HEREIN

Authorized Signer for The Chicago Trust Company, N.A. as Successor Trustee to First National Bank of Illinois

LENDER:

OLD PLANK TRAIL COMMUNITY BANK, NA

X

Authorized Signer

TRUST ACKNOWLEDGMENT

STATE OF _____)
) SS
COUNTY OF _____)

On this _____ day of _____, 20 _____, before me, the undersigned Notary Public, personally appeared _____, _____ of **The Chicago Trust Company, N.A. as Successor Trustee to First National Bank of Illinois, Trustee of The Chicago Trust Company, N.A. as Successor Trustee to First National Bank of Illinois, Trust No. 6079,** and known to me to be an authorized trustee or agent of the trust that executed the Modification of Mortgage and acknowledged the Modification to be the free and voluntary act and deed of the trust, by authority set forth in the trust documents or, by authority of statute, for the uses and purposes therein mentioned, and on oath stated that he or she is authorized to execute this Modification and in fact executed the Modification on behalf of the trust.

By_____ Residing at_____

Notary Public in and for the State of_____ My commission expires_____

LENDER ACKNOWLEDGMENT

STATE OF Illinois)
) SS
COUNTY OF Will)

On this 9 day of August, 20 13, before me, the undersigned Notary Public, personally appeared Robert Pirko and known to me to be the VP _____, authorized agent for **OLD PLANK TRAIL COMMUNITY BANK, NA** that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of **OLD PLANK TRAIL COMMUNITY BANK, NA,** duly authorized by **OLD PLANK TRAIL COMMUNITY BANK, NA** through its board of directors or otherwise, for the uses and purposes therein mentioned, and on oath stated that he or she is authorized to execute this said instrument and in fact executed this said instrument on behalf of **OLD PLANK TRAIL COMMUNITY BANK, NA.**

By Debra J. Fahey Residing at_____

Notary Public in and for the State of Illinois My commission expires 10/28/14

"OFFICIAL SEAL"
DEBRA J. FAHEY
NOTARY PUBLIC, STATE OF ILLINOIS
My Commission Expires 10/28/2014

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law (_____).

This Modification of Mortgage was prepared by: _____

THIS INSTRUMENT IS EXECUTED BY THE UNDERSIGNED TRUSTEE, NOT PERSONALLY BUT SOLELY AS TRUSTEE UNDER THE TERMS OF THAT CERTAIN AGREEMENT DATED **JANUARY 25, 2007**, CREATING TRUST NO. **6079** AND IT IS EXPRESSLY UNDERSTOOD AND AGREED BY THE PARTIES HERETO, ANYTHING HEREIN TO THE CONTRARY NOTWITHSTANDING, THAT EACH AND ALL OF THE COVENANTS, UNDERTAKINGS, REPRESENTATIONS AND AGREEMENTS HEREIN MADE ARE MADE AND INTENDED, NOT AS PERSONAL COVENANTS, UNDERTAKINGS, REPRESENTATIONS AND AGREEMENTS OF THE TRUSTEE, INDIVIDUALLY, OR FOR THE PURPOSE OF BINDING IT PERSONALLY BUT THIS INSTRUMENT IS EXECUTED AND DELIVERED BY THE CHICAGO TRUST COMPANY, N.A., AS SUCCESSOR TRUSTEE TO FIRST NATIONAL BANK OF ILLINOIS, SOLELY IN THE EXERCISE OF THE POWERS CONFERRED UPON IT AS SUCH TRUSTEE UNDER SAID AGREEMENT AND NOT PERSONAL LIABILITY OR PERSONAL RESPONSIBILITY IS ASSUMED BY NOR SHALL AT ANY TIME BE ASSERTED OR ENFORCED AGAINST THE CHICAGO TRUST COMPANY, N.A., ON ACCOUNT HEREOF, OR ON ACCOUNT OF ANY COVENANT, UNDERTAKING, REPRESENTATION OR AGREEMENT HEREIN CONTAINED, EITHER EXPRESSED OR IMPLIED, ALL SUCH PERSONAL LIABILITY, IF ANY BEING HEREBY EXPRESSLY WAIVED AND RELEASED BY THE PARTIES HERETO OR HOLDER HEREOF, AND BY ALL PERSONS CLAIMING BY OR THROUGH OR UNDER SAID PARTIES OR HOLDER HEREOF.

IN WITNESS WHEREOF, THE CHICAGO TRUST COMPANY, N.A., AS SUCCESSOR TRUSTEE TO FIRST NATIONAL BANK OF ILLINOIS, HAS CAUSED ITS NAME TO BE SIGNED TO THESE PRESENTS BY ITS **VP & TRUST OFFICER** AND ATTESTED BY ITS **VP & TRUST OFFICER** THIS **9TH** DAY OF **AUGUST, 2013.**

THE CHICAGO TRUST COMPANY, N.A., AS SUCCESSOR TRUSTEE TO FIRST NATIONAL BANK OF ILLINOIS, AS TRUSTEE AFORESAID AND NOT PERSONALLY.

BY: Lisa F. Morris
LISA F. MORRIS, VP & TRUST OFFICER

ATTEST:

Robert T. Bresnahan
ROBERT T. BRESNAHAN, VP & TRUST OFFICER

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

I **THE UNDERSIGNED**, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND IN THE STATE AFORESAID, DO HEREBY CERTIFY, THAT **LISA F. MORRIS, VP & TRUST OFFICER** OF THE CHICAGO TRUST COMPANY, N.A., AND **ROBERT T. BRESNAHAN, VP & TRUST OFFICER** OF SAID CHICAGO TRUST COMPANY, N.A., PERSONALLY KNOWN TO ME TO BE THE SAME PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE AFOREGOING INSTRUMENT AS SUCH **VP & TRUST OFFICER** AND **VP & TRUST OFFICER**, 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 ACT OF SAID NATIONAL BANKING ASSOCIATION, AS TRUSTEE, FOR THE USES AND PURPOSES THEREIN SET FORTH, AND THE SAID **VP & TRUST OFFICER** DID ALSO THEN AND THERE ACKNOWLEDGE THAT **HE**, AS CUSTODIAN OF THE CORPORATE SEAL OF SAID NATIONAL BANKING ASSOCIATION, DID AFFIX THE SAID CORPORATE SEAL OF SAID NATIONAL BANKING ASSOCIATION, TO SAID INSTRUMENT AS **HIS** OWN FREE AND VOLUNTARY ACT, AND AS THE FREE AND VOLUNTARY ACT OF SAID NATIONAL BANKING ASSOCIATION, AS TRUSTEE FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS **30TH** DAY OF **OCTOBER, 2013.**

OFFICIAL SEAL
JEANINE T BERKOWITCH
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 10/11/16

NOTARY PUBLIC