

STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD

2017 005217

2017 JAN 24 AM 9:16

MICHAEL B. BROWN
RECORDER

RECORDATION REQUESTED BY:
FIRST MIDWEST BANK
HIGHLAND GROVE
5231 HOHMAN AVENUE
HAMMOND, IN 46320

WHEN RECORDED MAIL TO:
First Midwest Bank
Gurnee Branch
P.O. Box 9003
Gurnee, IL 60031-2502



**Document is
NOT OFFICIAL!**

**This Document is the property of
the Lake County Recorder!**

215022253-73364

21500/43324

STOP
MODIFICATION OF MORTGAGE

THIS MODIFICATION OF MORTGAGE dated December 2, 2016, is made and executed between MARK 76, LLC, whose address is 8607 WEST 85TH AVENUE, SCHERERVILLE, IN 463752509 (referred to below as "Grantor") and FIRST MIDWEST BANK, whose address is 5231 HOHMAN AVENUE, HAMMOND, IN 46320 (referred to below as "Lender").

MORTGAGE. Lender and Grantor have entered into a Mortgage dated January 4, 2008 (the "Mortgage") which has been recorded in LAKE County, State of Indiana, as follows:

Recorded January 14, 2008 as Document No. 2008-003107, in Lake County, State of Indiana.

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

See EXHIBIT "A", which is attached to this Modification and made a part of this Modification as if fully set forth herein.

The Real Property or its address is commonly known as 20-30 SIBLEY STREET, HAMMOND, IN 463201724. The Real Property tax identification number is 45-02-36-152-011.000-023; 45-02-36-152-012.000-023.

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

To delete the definition of "Note" therein its entirety and insert in lieu thereof the following: "Note. The

#23⁰⁰
1 reference
100692698
CAB

**MODIFICATION OF MORTGAGE
(Continued)**

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word "Note" means the promissory notes dated December 2, 2016 in the original principal amount of \$1,000,000.00 and dated May 10, 2013 in the original principal amount of \$400,000.00 from Mark 76, LLC to Lender and the promissory note dated January 3, 2013 in the original principal amount of \$1,614,797.05 from State & State LLC to Lender, together with all renewals of, extensions of, modifications of, refinancings of, consolidations of and substitutions for the promissory note or agreement. The maturity date of this Note is January 3, 2018. **NOTICE TO GRANTOR: THE NOTE CONTAINS A VARIABLE INTEREST RATE**".

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 endorser 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 not 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 DECEMBER 2, 2016.

GRANTOR:

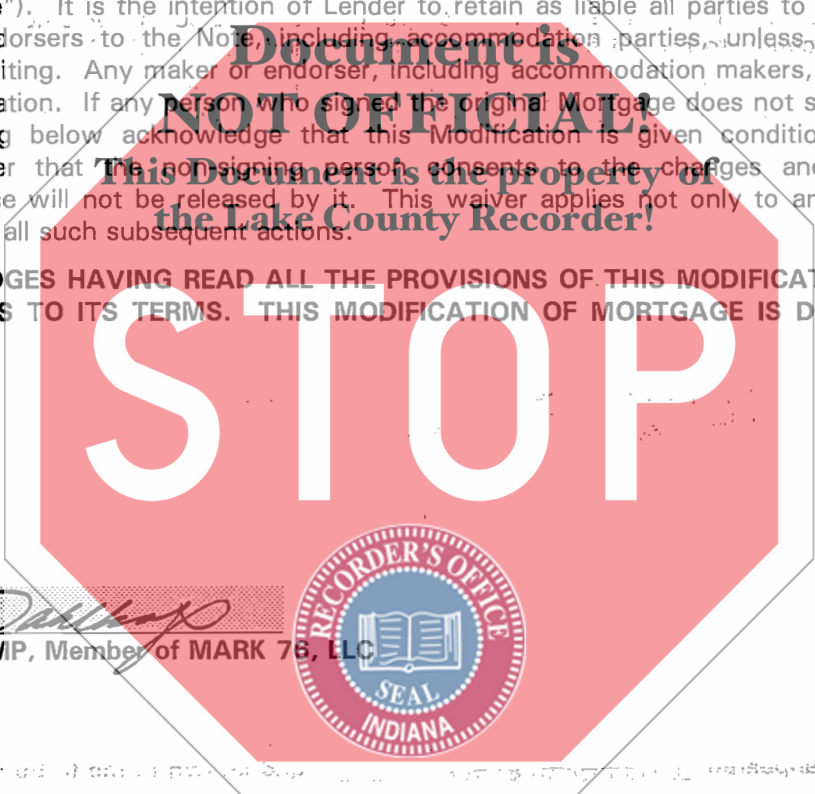
MARK 76, LLC

By: *Mark W. Dahlkamp*
MARK W. DAHLKAMP, Member of MARK 76, LLC

LENDER:

FIRST MIDWEST BANK

x *Phyllis Genei*
Authorized Signer



MODIFICATION OF MORTGAGE
(Continued)

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LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF INDIANA)

) SS

COUNTY OF LAKE)

On this 16th day of December, 2016, before me, the undersigned Notary Public, personally appeared MARK W. DAHLKAMP, Member of MARK 76, LLC, and known to me to be a member or designated agent of the limited liability company that executed the Modification of Mortgage and acknowledged the Modification to be the free and voluntary act and deed of the limited liability company, by authority of statute, its articles of organization or its operating agreement, 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 limited liability company.

By Annette Luna Residing at Lake County, Indiana

Notary Public in and for the State of Indiana My commission expires 10/06/2023



ANNETTE LUNA
Lake County
My Commission Expires
October 6, 2023

LENDER ACKNOWLEDGMENT

STATE OF INDIANA)

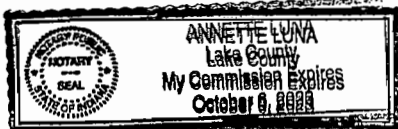
) SS

COUNTY OF LAKE)

On this 16th day of December, 2016, before me, the undersigned Notary Public, personally appeared Phillip Greiner and known to me to be the Vice President, authorized agent for FIRST MIDWEST BANK that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of FIRST MIDWEST BANK, duly authorized by FIRST MIDWEST BANK 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 FIRST MIDWEST BANK.

By Annette Luna Residing at Lake County, Indiana

Notary Public in and for the State of Indiana My commission expires 10/06/2023



ANNETTE LUNA
Lake County
My Commission Expires
October 6, 2023

**MODIFICATION OF MORTGAGE
(Continued)**

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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 (Sandy Howeman).

This Modification of Mortgage was prepared by: FIRST MIDWEST BANK



EXHIBIT "A"

Parcel 1 Part of Lot 21, Jacob Rimbach's Third Addition to Hammond, as per plat thereof, recorded in Plat Book 5, page 8 in the Office of the Recorder of Lake County, Indiana, described as follows: Commencing at the Northwest corner of said Lot 21, said point of commencement being on the present South line of Sibley Street; thence South 63 degrees 15 minutes 30 seconds East along said South line of Sibley Street, 21.15 feet; thence South 24 degrees 43 minutes 30 seconds West 46.96 feet; thence North 52.19 feet to the place of beginning.

Parcel 2: That part of Lots 19, 20, 21 and 22, Drackert's Second Addition to Hammond, as per plat thereof, recorded in Plat Book 3, page 79, in the Office of the Recorder of Lake County, Indiana, described as follows: Beginning at a point on the Northeast line of said Lot 20, 28.28 feet Southeast of the Northwest corner of Lot 19; running thence South 26 degrees 44 minutes 30 seconds West 56.15 feet, more or less, to a point on the West line of Lot 19, 62.84 feet South of the Northwest corner of said Lot 19; thence South on the West line of said Lot 19, 121 feet more or less, to the Southwest corner of said Lot 19; thence South 65 degrees 0 minutes 30 seconds East along the South line of Lots 19, 20 and 21 of Drackert's 2nd Addition to Hammond aforesaid, 55.62 feet; thence North 24 degrees 43 minutes 20 seconds East 115.62 feet, more or less, to a point on the West line of Lot 21 of Jacob Rimbach's Third Addition to Hammond which point is 29.19 feet South of the Northwest corner of said Lot 21, of Jacob Rimbach's Third Addition to Hammond aforesaid; thence North 52.19 feet along said West line of Lot 21 of Jacob Rimbach's Third Addition to Hammond to the Northwest corner of said Lot 21, of Jacob Rimbach's Third Addition to Hammond aforesaid; thence North 63 degrees 15 minutes 30 seconds West 83.14 feet to the place of beginning.

Parcel 3: Lots 19, 20 and 21, except that part of Lot 21 described as follows: Commencing at the Northwest corner of said Lot 21, running thence Southeasterly along the South line of Sibley Street, as it existed prior to 1925, 25.66 feet; thence Southwesterly 56.97 feet to a point on the West line of said Lot 21, which point is 63.31 feet South of the Northwest corner of said lot; thence North along the West line of said lot to the point of beginning, of Jacob Rimbach's Third Addition to Hammond, being a Subdivision in the Northwest quarter of Section 36, Township 37 North, Range 10 West of the Second Principal Meridian, and excepting that part taken for widening of Sibley Street.

Parcel 4: That part of Lots 21 and 22 of Drackert's Second Addition to Hammond, being a Subdivision in the Northwest quarter of Section 36, Township 37 North, Range 10 West of the Second Principal Meridian, described as follows: Commencing at the Southeast corner of said Lot 21, thence Northwesterly on the South line of said Lots 21 and 22, 51.32 feet, thence Northeasterly 115.62 feet to a point on the East line of said Lot 22, which point is 126.72 feet North of the Southeast corner of said Lot 22, thence South 126.72 feet to the point of beginning, all in Lake County, Indiana.

Parcel 5: The Easterly half of that part of the Alley vacated by Ordinance 8289, An Ordinance Vacating a Portion of an Alley in the 100 Block of Sibley Boulevard, Southeast of the intersection of State Line Avenue and Sibley Boulevard within the City of Hammond, Lake County, Indiana, passed by the Common Council of the City of Hammond on July 10, 2000, and signed by the Mayor on July 12, 2000, a copy of which was recorded July 26, 2000, as document 2000 052856, and re-recorded August 3, 2000, as document 2000 053209, in the Office of the Recorder of Lake County, Indiana, which vacated the land described as follows:

That part of Drackert's Second Addition, a Subdivision in the City of Hammond, Indiana, as per plat thereof, recorded in Plat Book 2, page 79, (re-recorded in Plat Book 3, page 79), and Document No. 740105, recorded in Book 1366, page 562, in the Office of the Recorder of Lake County, Indiana, being more particularly described as follows:

Beginning at the Southwest Corner of Lot 19 of said Drackert's Second Addition, which point also being the East line of a 12 foot public alley; thence North 64 degrees 48 minutes 25 seconds West, 13.26 feet to the West line of said 12 foot public alley; thence North 00 degrees 00 minutes 00 seconds East, along said West line, 118.20 feet; thence North 26 degrees 43 minutes 56 seconds East, along the Northwesterly line of said Alley as per Document No. 740105, 58.95 feet, to the South line of widened Sibley Street (Sibley Street was widened 10 feet after Plat was recorded); thence South 63 degrees 15 minutes 58 seconds East, along said Southwesterly line, 12.00 feet, to the East line of said 12 foot public alley; thence South 26 degrees 43 minutes 56 seconds West, along said East line, 56.10 feet, to the West line of said Lot 19; thence South 00 degrees 00 minutes 00 seconds East, along said West line, 120.99 feet, to the point of beginning.