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2002-04-30 09:27:13

Cook County Recorder 63.00



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(Space Above This Line for Recorder's Use Only)

Prepared by and
Recording requested by

Reed Smith LLP
375 Park Avenue
New York, New York 10152
Attention: Joseph M. Marger, Esq.

D1 7953927

**RELEASE AND TERMINATION OF
AMENDED AND RESTATED ASSIGNMENT OF LEASE, RENTS AND PROFITS**

(Property location: Schaumburg, Illinois; Matteson, Illinois)

C.C. MORTGAGE SECURITIES, LLC, having an address at c/o Reed Smith LLP, 375 Park Avenue, New York, New York 10152, as beneficiary (by assignment) under that certain Amended and Restated Deed of Trust, Mortgage and Security Agreement, dated as of September 26, 2001, from BB Property Company, as "Grantor", to the trustee named herein and TEACHERS INSURANCE AND ANNUITY ASSOCIATION OF AMERICA (and assigned to C.C. MORTGAGE SECURITIES, LLC pursuant to that certain Assignment of Mortgage and Loan Documents, dated as of January 28, 2002), as "Beneficiary" thereunder, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, hereby releases, terminates and discharges that certain Amended and Restated Assignment of Lease, Rents and Profits described on Exhibit A annexed hereto and made a part hereof, with respect to the land described on Exhibit B annexed hereto and made a part hereof.

[signatures on the following page]

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IN WITNESS WHEREOF, the undersigned has duly executed this Release and Termination of Amended and Restated Assignment of Lease, Rents and Profits as of the 28th day of January, 2002.

C.C. MORTGAGE SECURITIES, LLC

By: 

Name: John J. Park

Title: President

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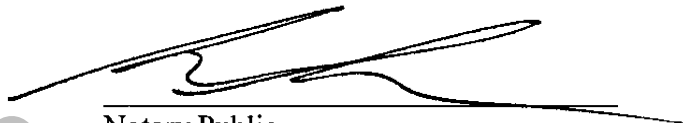
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ACKNOWLEDGMENT

STATE OF NEW YORK)
)
COUNTY OF NEW YORK)

On the 28th day of January in the year 2002 before me, the undersigned, a notary public in and for said State, personally appeared John J. Park personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.



Notary Public

WERNER S. ACHATZ
Notary Public, State of New York
No. 31-5052566
Qualified in New York County
Commission Expires Jan. 21, 2006

My Commission Expires: 1-21-06
[Affix Notary Seal]

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EXHIBIT A

Amended and Restated Assignment of Lease, Rents and Profits, dated as of September 26, 2001, made by BB Property Company to Teachers Insurance and Annuity Association of America ("TIAA"), and recorded as Instrument No. 0020063409 in the Real Property Records of Cook County, Illinois

Notwithstanding the foregoing, no indemnification provision or any other provisions which specifically states that it is to survive payment in full of the Loan (as defined in the above-mentioned Amended and Restated Assignment of Lease, Rents and Profits) shall be deemed extinguished by virtue of this Termination.

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EXHIBIT B

SCHAUMBURG, ILLINOIS:

That part of Out Lot "D" in "Schaumburg Industrial Park", being a Subdivision of the Southeast Quarter of Section 11, part of the Northeast Quarter of Section 11, part of the Southwest Quarter of Section 12, part of the Northwest Quarter of Section 13, and part of the Northeast Quarter (1/4) of Section 14, Township 41 North, Range 10, East of the Third Principal Meridian, the plat of which was recorded June 10, 1969 as Document No. 20866510 bounded by the line described as follows:

COMMENCING at the Southeast corner of Out Lot "D" aforesaid;

THENCE South 87 degrees 16 minutes 56 seconds West along the south line of said Out Lot "D", a distance of 1312.00 feet for a point of beginning;

THENCE continuing South 87 degrees 16 minutes 56 seconds West along the south line of said Out Lot "D", a distance of 440 feet;

THENCE North 02 degrees 43 minutes 04 seconds West, a distance of 600 feet;

THENCE North 87 degrees 16 minutes 56 seconds East, a distance of 440 feet;

THENCE South 02 degrees 43 minutes 04 seconds East, a distance of 600 feet to the point of beginning, excepting therefrom the South 20 feet thereof in Cook County, Illinois.

Property Address: 900 E. Golf Road, Schaumburg, Illinois
PIN: 07-11-400-010

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MATTESON, ILLINOIS:

PARCEL 1:

THE RECIPROCAL AND NON-EXCLUSIVE EASEMENTS FOR INGRESS AND EGRESS AND FOR THE INSTALLATION, OPERATION, MAINTENANCE, REPAIR, REPLACEMENT, RELOCATION AND REMOVAL OF STORM AND SANITARY SEWERS, WATER LINES AND GAS MAINS, ELECTRICAL POWER LINES, TELEPHONE LINES AND OTHER UTILITY LINES, CREATED AND GRANTED AS APPURTENANCES TO THE AFOREDESCRIBED PARCEL 3 AND OTHER PROPERTY ALL CREATED, DEFINED AND LIMITED BY THAT CERTAIN TOTAL SITE AGREEMENT DATED MARCH 7, 1972 AND RECORDED MARCH 21, 1972 AS DOCUMENT 21846182 BY AND BETWEEN CHICAGO TITLE AND TRUST COMPANY, A CORPORATION OF ILLINOIS, AS TRUSTEE UNDER TRUST AGREEMENT DATED JUNE 4, 1971 AND KNOWN AS TRUST NUMBER 57420, CARSON PIRIE SCOTT AND COMPANY, A DELAWARE CORPORATION, J. C. PENNEY PROPERTIES, INC., A DELAWARE CORPORATION, MONTGOMERY WARD DEVELOPMENT CORPORATION, A DELAWARE CORPORATION, WIEBOLDT STORES, INC., AN ILLINOIS CORPORATION, AND CHICAGO TITLE AND TRUST COMPANY, A CORPORATION OF ILLINOIS, AS TRUSTEE UNDER TRUST AGREEMENT DATED JULY 30, 1971 AND KNOWN AS TRUST NUMBER 57866, IN, ON, OVER, UPON AND UNDER LOTS 2, 3 (EXCEPT THAT PART OF LOT 3 CONDEMNED IN CASE NUMBER 83LO52236), 4, 5, 8, 9, 10, 11 AND 12 IN LINCOLN MALL SUBDIVISION AFORESAID AS SHOWN ON THE PLOT PLAN ATTACHED TO THE SAID TOTAL SITE AGREEMENT AS AMENDED AND MODIFIED BY THAT CERTAIN EASEMENT RELOCATION AGREEMENT, FIRST AMENDMENT TO TOTAL SITE AGREEMENT AND HIGHWAY EASEMENT REVOCATION AND DRAINAGE GRANT EASEMENT, RECORDED ON SEPTEMBER 9, 1977 IN THE OFFICE OF THE RECORDER OF DEEDS FOR COOK COUNTY, ILLINOIS AS DOCUMENT 24099069.

PARCEL 2:

NON-EXCLUSIVE EASEMENT FOR THE BENEFIT OF PARCEL 3 AND OTHER PROPERTY AS CREATED BY GRANT OF EASEMENT DATED MAY 4, 1990 AND RECORDED MAY 4, 1990 AS DOCUMENT 90207754 FOR INSTALLATION, USE, OPERATION, MAINTENANCE, REPAIR AND REPLACEMENT OF THE OUTFALL FACILITIES AND OTHER DRAINAGE FACILITIES OVER THE FOLLOWING DESCRIBED LAND: THE SOUTH 100 FEET OF THE NORTH 153.49 FEET OF LOT 21 LYING WESTERLY OF THE CENTERLINE OF BUTTERFIELD CREEK IN BLOCK 2 IN MATTESON FARMS, A SUBDIVISION IN THE WEST 2 OF THE SOUTH EAST 1/4 OF SECTION 22, TOWNSHIP 35 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 3:

LOT 2 IN THE RESUBDIVISION OF LOT 9 IN LINCOLN MALL, BEING A SUBDIVISION OF PART OF THE SOUTHWEST 1/4 OF SECTION 22, TOWNSHIP 35 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 30, 1978 AS DOCUMENT 24693781, IN COOK COUNTY, ILLINOIS.

PARCEL 4:

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NON-EXCLUSIVE EASEMENT FOR THE BENEFIT OF PARCEL 3, CREATED BY DOCUMENT DATED MARCH 7, 1972 AND RECORDED MARCH 24, 1972 AS DOCUMENT NUMBER 21846183 BY AND BETWEEN CHICAGO TITLE AND TRUST COMPANY, TRUST NUMBER 57420, CARSON PIRIE SCOTT & COMPANY, J.C. PENNEY PROPERTIES INC., MONTGOMERY WARD DEVELOPMENT CORP. AND WIEBOLDT STORES, INC., IN, TO, OVER AND ACROSS THE COMMON AREA PORTION, FOR INGRESS AND EGRESS, FOR PASSAGE AND ACCOMMODATION OF PEDESTRIANS, OVER, UPON AND ACROSS LOTS 1, 3, 4, 5 AND 6 IN LINCOLN MALL SUBDIVISION.

Property Address: 4707 Lincoln Mall Drive, Matteson, Illinois

PIN: 31-22-300-039-0000

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