UNOFFICIAL CO13/004 47 002 Page 1 of

Block:

County:

Volume:

Lot:

2002-05-01 08:58:59 Section: Cook County Recorder 51.50

0020494581

RECORD AND RETURN TO:

U.S. Trust Mortgage Service

Company

Congress Park North

190 Congress Park Drive

Suite 100

Delray Beach, Florida 33445 Attn: Stanley Matuszewski

COOK COUNTY esident

RECORDER

EUGENE "GENE" MOORE BRIDGEVIEW OFFICE

ASSIGNMENT OF MORTGAGE

This Assignment of Mortgage is made and entered into as of the 17th day of April , 2002 , by UNITED STATES TRUST COMPANY OF NEW YORK, a New York state chartered Federal Reserve member bank, having its principal place of business at 114 West 47th Street New York, New York 10036 (the "Assignor"), and U.S. Trust Mortgage Service Company, a Florida state chartered corporation, baving its principal place of business at Congress Park North, 100 Congress Park Drive, Suite 100, Delray Beach, Florida 33445 ("Assignee").

WITNESSETH: 0020494580

That for good and valuable consideration, Assignor does hereby assign to Assignee all of Assignor's right, title, and interest in and to the nortgages as set forth on Schedule A, attached hereto and made a part hereof, and the Notes secured thereby, together with all of Assignor's right, title, and interest in and to the real property described in Schedule B attached hereto and made a part hereof.

[For assignments of New York mortgages only delete if applicable:] This Assignment is not subject to the requirements of Section 275 of the Real Property Law Lecause it is an assignment within the Secondary mortgage market.

WITNESS the signature of the Assigror effective the date and year first above written.

UNITED STATES TRUST COMPANY OF NEW YORK

By: Name: Wendy M. Glace
Title: Senior Vice President

STATE OF NEW YORK )

ss.:

COUNTY OF NEW YORK

on the day of m, in the year 2002 before me, the undersigned personally appeared Wendy M. Grace personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Signature and Office of individual

taking acknowledgment

ELIZABETH CAPUANO
Notary Public, State of New York
No. 02CA6064903
Qualified In Westchester County
Commission Expires October 01, 2008

Drusty

74163;1

# **UNOFFICIAL COPY**

Property of Cook County Clerk's Office

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Ought Commission E., I.e. Column 61, 2008

UNOFFICIAL COPY

Schedule A (Mortgage)

Mortgage dated April 17, 2002, in the amount of \$500,000.00, made by James J. Higgins and Patricia L. Higgins in favor of United States Trust Company of New York to be recorded simultaneously herewith.

Property of County Clerk's Office

Schedule B (Description)

04-14-301-122-000

## THE LAND REPERRED TO IN THIS COMMITMENT IS DESCRIBED AS FOLLOWS:

AN UNDIVIDED 1/151 INTEREST IN (I) THAT CERTAIN GROUND LEASE DATED AS OF NOVEMBER 22, 1996 BY AND BETWEEN COLE TAYLOR BANK, AS SUCCESSOR TRUSTEE TO HARRIS TRUST AND SAVINGS PANK UNDER TRUST AGRESSIN DATED APRIL 29, 1991 AND KNOWN AS TRUST NO. 94707, 15 JESSOR ("LESSOR"), AND RKZ VENTURE GROUP, L.L.C., AS LESSEE, AND RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS OF COOK COUNTY, ILLINOIS ON DECEMBER 9, 199, 45 DOCUMENT NO. 96-927,871 AS AMENDED BY THAT CERTAIN FIRST AMENDMENT TO GROUND LEASE DATED AS OF JANUARY 6, 1997 BY AND BETHEN LESSOR AND RKZ VENTURE GROU. L.L.C., AND RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS OF COOK COUNTY, ILLING 19 ON FEERBARY 28, 1997 AS DOCUMENT NO. 97-141,059 AS AMENDED BY THAT CERTAIN JOING A TO GROUND LEASE DATED AS OF NOVEMBER 7, 1997 BY THE ROYAL RIDGE HOMEOWNERS ASSOCITION, AN ILLIPOIS NOT FOR PROPIT CORPORATION, AND RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS OF COOK COUNTY, ILLIPOIS ON NOVEMBER 12, 1997 AS DOCUMENT NO. 197-846.934 AND AS FORTHER AMENDED FROM TIME TO TIME (COLLECTIVELY, THE "GT. FRO LEASE"); AND (XI) THE LEASEROLD ESTATE IN THE PREMISES LEGALLY DESCRIBED IN TAID GROUND LEASE AND BY THIS REFERENCE MADE A PART HEREOF; BACH WITH RESPECT TO THE BUILDING SITE IDENTIFIED AND LEGALLY DESCRIBED Sugar Car to Far AS FOLLOWS -

LOT 1 IN ROYAL RIDGE SUBDIVISION, SFING A SUBDIVISION OF PART OF THE WEST 1/2 OF SECTION 14, TOWNSHIP 42 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, PURSHANT TO THE PART THEREOF RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS OF COOK COUNTY, ILLINOIS, ON MOVEMBER 3, 1997 AS DOCUMENT NO. 97-818,381

COMMONLY KNOWN AS TECHNY PARCEL E-1 LOCATED ON THE EAST SIDE OF WADKEGAN ROAD. SOUTH OF TECHNY ROAD, IN MORTHBROOK, ILLINOIS

EACH WITH RESPECT SOLELY TO THE BUILDING SITE" ID INTIFIED AND LEGALLY DESCRIBED AS FOLLOWS:

BUILDING SITE 115 BEING THAT PART OF LOT 1 IN THE PLANNED UNIT DEVELOPMENT OF ROYAL RIDGE, BEING A SUBDIVISION OF PART OF THE WEST 1/2 OF SECTION 14, TOWNSHIP 42 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAY THEREOF RECORDED NOVEMBER 3, 1998 AS DOCUMENT NO. 97-818381, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF LOT 1; THERCE NORTH 1 DEGREE 04 MINUTES 54 SECONDS EAST ALONG THE BAST LINE OF SAID LOT 1 A DISTANCE OF 987.30 FEBT; THE T NORTH 88 DEGREES SS MINUTES OF SECONDS WEST 137 AS FEBT TO THE EXTERIOR (ON) 82 OF A CONCRETE FOUNDATION FOR A RESIDENCE KNOWN AS (847 BALLORAL LANE) TO THE POINT OF BEGINNING; THENCE ALONG A LINE FOLLOWING THE NEXT NINETEEN (18) COURSES AND DISTANCES COINCIDENT WITH THE EXTERIOR FOUNDATION WALL OF SAID RESIDE C.; 1) SOUTH 11 DEGREES 04 MINUTES 54 SECONDS WEST 48 77 FEET; 2) NORTH 78 DEGREES 55 MINUTES 06 SECONDS WEST 23.55 FEET; 3) NORTH 11 DEGREES 04 MINUTES 54 STONDS EAST 22.56 FEET; 4) NORTH 78 DEGREES 55 MINUTES 06 SECONDS WEST 20.92 FEET; 5). SOUTH 11 DEGREES 04 MINUTES 54 SECONDS WEST 20.00 FEET; 6) WORTH 76 DEGREES 55

CONTINUED ON NEXT PAGE

Schedule B (Description)

MINUTES OF SECONDS WEST 12.17 PEET; 7) NORTH 11 DEGREES 04 MINUTES 54 SECONDS EAST 10.66 FRET; 8) NORTH 76 DEGREES 55 MINUTES 06 SECONDS WEST 2.67 PEET) 3) NORTH 11 DEGREES 04 MINUTES 54 SECONDS EAST 15.83 PEET; 10) SOUTH 78 DEGREES 55 MINUTES 06 SECONDS EAST 1.17 PEET; 11) NORTH 11 DEGREES 04 MINUTES 54 SECONDS EAST 23.02 FEET; 12) SOUTH 78 DEGREES 55 MINUTES 06 SECONDS EAST 20.00 PEET; 13) SOUTH 11 DEGREES 04 MINUTES 54 SECOND 1/12 DEGREES 04 MINUTES 54 SECOND 1/12 T.50 FEET; 14) SOUTH 78 DEGREES 55 MINUTES 06 SECONDS EAST 3.00 PEET; 15) SOUTH 11 DEGREES 04 MINUTES 54 SECONDS WEST 2.33 FEET; 16) SOUTH 78 DEGREES 55 MINUTES 06 SECONDS EAST 14.62 FEET; 17) SOUTH 33 DEGREES 55 MINUTES 06 SECONDS EAST 8.27 FEET; 18) SOUTH 11 DEGREES 04 MINUTES 54 SECONDS WEST 5.62 FEET; THENCE SOUTH 78 DEGREES 55 MINUTES 06 SECONDS EAST 11.17 FEET TO THE PLACE OF BEGINNING, IN COOK COUNT!, FILLEOIS

## PARCEL 2:

FEE SIMPLE TITLE IN AND TO THE BUILDING AND ALL IMPROVEMENTS: (BUT EXCLUDING THE LAND) LOCATED ON THE BUILDING SITE LEGALLY DESCRIBED IN PARCEL I ABOVE (INCLUDING ANY PORTION OF SUCH BUILDING AND IMPROVEMENTS WHICH IS LOCATED ON PORTIONS OF THE COMMON AREA (AS DEFINED IN THAT CERTAIN DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS, EASEMEMENTS AND RIGHTS FOR THE ROYAL WITES SUBDIVISION DATED AS OF NOVEMBER 3, 1997 AND RECORDED WITH THE OFFICE OF THE RECEDER OF DEEDS OF COOK COUNTY, ILLINOIS ON NOVEMBER 3, 1997 AS DOCCESSIT NO 97-820,00. (THE "DECLARATION")), WHICH IMPROVEMENTS CONSIST OF A DWELLING UNIT (AS DEFINED IN SAID DECLARATION) WITH THE COMMON STREET ADDRESS SHOWN IN PARCEL 1 ABOVE, SUBJECT TO (H) TERMS AND PROVISIONS OF THE GROUND LEASE.

## PARCEL 3:

EASEMENTS APPURTENANT TO PARCELS 1 AND 2 FOR THE BYLEFIT OF SUCH PARCELS AS SET FORTH IN THE AFORESAID DECLARATION.