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2002-08-23 15:56:02

ASSIGNMENT OF MORTGAGE AND OTHER LOAN DOCUMENTS

Cook County Recorder

33.00



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THIS DOCUMENT PREPARED BY
AND AFTER RECORDING RETURN TO:

KATTEN MUCHIN ZAVIS ROSENMAN
525 West Monroe Street
Suite 1600
Chicago, Illinois 60661-3693
Attn: Howard M. Richard

210062

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

ASSIGNMENT OF MORTGAGE
AND OTHER LOAN DOCUMENTS

FOR VALUE RECEIVED, STATE STREET BANK AND TRUST COMPANY, Trustee under that certain Pooling and Servicing Agreement dated December 1, 1997 ("the Pooling Agreement") relating to Commercial Mortgage Pass-Through Certificates, Series 1997-SPIICE, by and through its attorney-in-fact, Midland Loan Services, Inc. ("Assignor"), conveys, assigns, transfers, and sets over unto ELZIE L. HIGGINBOTTOM, as Agent for Elzie L. Higginbottom, The Westmoor Corporation and Block 17 Lender Associates (collectively, "Assignee"), without recourse, representation or warranty except as specifically set forth in that certain Payoff Agreement dated July 1, 2002 among Midland Loan Services, Inc., 200 North Dearborn Limited Partnership and Assignee, all the right, title and interest of Assignor in and to:

(1) That certain Mortgage dated May 1, 1987 from American National Bank and Trust Company of Chicago, not personally but as Trustee under Trust No. 66121 ("Borrower"), recorded May 12, 1987 with the Cook County Recorder of Deeds as Document No. 87254852 (the "Mortgage"), encumbering the real estate legally described in Exhibit A annexed hereto;

(2) The \$29,640,600 mortgage note ("Note") of Borrower dated May 1, 1987 secured by the Mortgage; and

(3) Any and all other documents governing, evidencing or securing the indebtedness evidenced by the Note or secured by the Mortgage.

This Assignment shall be governed in all respects by the laws of the State of Illinois and shall be binding upon and shall inure to the benefit of the parties hereto and their respective successors and assigns.

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IN WITNESS WHEREOF, Assignor has caused this Assignment to be executed and delivered as of ~~July~~ 7, 2002.
August

ASSIGNOR:

STATE STREET BANK AND TRUST COMPANY, Trustee for Commercial Mortgage Pass-through Certificates Series 1997-SPICE

By: MIDLAND LOAN SERVICES, INC.
Master Servicer under the Pooling Agreement,

By: [Signature]
Name: C.J. Sipple
Title: Executive Vice President

STATE OF Kansas

COUNTY OF Johnson

On the 7 day of August in the year 2002 before me, the undersigned, personally appeared C.J. Sipple, 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 he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

[Signature]
Notary Public

INGRID L. BERGMANN
NOTARY PUBLIC - State of Kansas
My Appt. Exp. 6-11-06

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NOTARY PUBLIC, State of Kansas
My Appl. Exp. _____

Exhibit A - Legal Description

***PARCEL 1:

All of Sublots 1 through 7 and the Alley in the Assessor's Division of Lot 5 in Block 17 in the Original Town of Chicago;

ALSO

Lot 6 (except the East 20 feet thereof) in said Block 17

ALSO

All of Sub-Lots 1 through 8 in the Subdivision of Lot 8 in said Block 17;

All in the Southeast quarter of Section 9, Township 39 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois,

PARCEL 2:

The North 111.00 feet of the East half of Lot 7 (as such East half is measured along the South line of Lot 7) lying above a horizontal plane having an elevation of +22.00 feet above Chicago City Datum, all in Block 17 in the Original Town of Chicago, in the Southeast quarter of Section 9, Township 39 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois

AND

The South 16.00 feet of the North 127.00 feet of the East half of Lot 7 (as such East half is measured along the South line of Lot 7) lying above a horizontal plane having an elevation of +14.66 feet above Chicago City Datum, all in Block 17 in the Original Town of Chicago, in the Southeast quarter of Section 9, Township 39 North, Range 14, East of the Third Principal Meridian in Cook County, Illinois

AND

That part of the East half of Lot 7, (as such East half is measured along the South line of Lot 7) except the North 127.00 feet thereof, lying above a horizontal plane having an elevation of +12.66 feet above Chicago City Datum, all in Block 17 in the Original Town of Chicago, in the Southeast quarter of Section 9, Township 39 North, Range 14, East of the Third Principal Meridian in Cook County, Illinois

AND

The East 20 feet of Lot 6 and the West half of Lot 7 (as such West half is measured along the South line of Lot 7) lying above a horizontal plane having an elevation of +29.00 feet above Chicago City Datum, all in Block 17 in the Original Town of Chicago in the Southeast quarter of Section 9, Township 39 North, Range 14 East of the Third Principal Meridian in Cook County, Illinois.***

PARCEL 3:

Perpetual easements by and set forth in Quit Claim Deed In Trust dated May 1, 1967 from City of Chicago, as Grantor, in favor of American National Bank and Trust Company of Chicago, as Trustee under Trust Agreement dated November 26, 1985 and known as Trust #66121 recorded as Document No. 87254850 on May 12, 1987 with the Cook County Recorder of Deeds establishing which easements are identified in Exhibit B of said deed and are as follows:

1. An exclusive easement for the construction, installation, support, remodeling, use, operation, repair, maintenance and replacement of a service drive and loading berth on, over, under, across and along that portion of West Haddock Place in Cook County, City of Chicago, State of Illinois, lying West of the West line of North Dearborn Street and East of the East line of Garvey Court located approximately as shown on Sheet A1-2PL ("Site Plan-Parcels") revised to February 3, 1987 prepared by Lisec & Biederman as Job No. 1173.
2. An exclusive easement for the construction, installation, support, remodeling, use, operation, repair, maintenance and replacement of a wall and footings in that portion of West Haddock Place in Cook County, City of Chicago, State of Illinois lying East of the East line of Garvey Court in the City of Chicago, Cook County, State of Illinois and West of the West line of North Dearborn Street in the City of Chicago, Cook County, State of Illinois located approximately as shown on Sheet A1-2PL ("Site Plan-Parcels") revised to February 3, 1987 prepared by Lisec & Biederman as Job No. 1173.
3. An exclusive easement for the construction, installation, support, remodeling, use, operation, repair, maintenance and replacement of caissons, caisson bells and caisson shafts in the following areas located approximately as shown on Sheet A1-2PL ("Site Plan-Parcels") revised to February 3, 1987 prepared by Lisec & Biederman as Job No. 1173:
 - (a) In that portion of the South half of West Haddock Place lying West of the West line of North Dearborn Street and East of the East line of North Clark Street, in the City of Chicago, County of Cook, and State of Illinois;
 - (b) In that portion of the North 7 feet of West Lake Street lying West of the West line of North Dearborn Street and East of the East line of North Clark Street in the City of Chicago, County of Cook, and State of Illinois; and
 - (c) In that portion of the East half of North Garvey Court lying North of the North line of West Lake Street and South of the South line of West Haddock Place, in the City of Chicago, County of Cook, and State of Illinois.

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4. An exclusive easement for the construction, installation, support, remodeling, use, operation, repair, maintenance and replacement of a wall in that portion of the East half of Garvey Court lying North of the North line of West Lake Street and South of the South line of West Haddock Place in the City of Chicago, County of Cook, and State of Illinois located approximately as shown on Sheet TS-1PL prepared by Lisec & Biederman entitled "Caisson and Basement Plan, Caisson Schedule and Details" revised to February 3, 1987 as part of Job No. 1173.

5. An exclusive easement for the construction, installation, support, remodeling, use, operation, repair, maintenance and replacement of a wall and footings in that portion of North Dearborn Street lying South of the South line of West Haddock Place and North of the North line of West Lake Street in the City of Chicago, County of Cook, and State of Illinois, located approximately as shown on Sheet TS-1PL prepared by Lisec & Biederman entitled "Caisson and Basement Plan, Caisson Schedule and Details" revised to February 3, 1987 as part of Job No. 1173.

6. An exclusive easement for the construction, installation, support, remodeling, use, operation, repair, maintenance and replacement of a wall and footings in that portion of the North 3 feet of West Lake Street lying East of the East line of North Clark Street and West of the West line of North Dearborn Street in the City of Chicago, County of Cook, and State of Illinois, located approximately as shown on Sheets A1-2PL ("Site Plan Parcels"), TS-1PL ("Caisson and Basement Plan, Caisson Schedule and Details, TS-4PL ("Framing Plan - Level 1") and CS-1PL ("Slab or Grade and Foundation Plan") prepared by Lisec & Biederman revised to February 3, 1987 as part of Job No. 1173.

7. An exclusive easement in the City of Chicago, County of Cook, and State of Illinois for the construction, installation, support, remodeling, use, operation, repair, maintenance and replacement of footings in the following property:

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(a) The East 3 feet of North Clark Street lying South of the South line of West Haddock Place and North of the North line of West Lake Street to be located approximately, as shown on Sheet (CS-1PL ("Slab on Grade and Foundation Plan") prepared by Lisec & Biederman revised to February 3, 1987 as part of Job No. 1173; and

(b) That portion of West Haddock Place lying West of the West line of North Dearborn Street and East of the East line of North Garvey Court; in the City of Chicago, County of Cook, and State of Illinois located approximately as shown on Sheets A1-2PL ("Site Plan Parcels"), TS-1PL ("Caisson and Basement Plan, Caisson Schedule and Details, TS-4PL ("Framing Plan - Level 1) and CS-1PL ("Slab on Grade and Foundation Plan") prepared by Lisec & Biederman revised to February 3, 1987 (March 27, 1987 for A1-2PL) as part of Job No. 1173.

8. An nonexclusive easement for the construction, installation, remodeling, use, operation, repair, maintenance and replacement of two (2) "Siamase" water pipe connections in the City of Chicago, County of Cook, and State of Illinois, one located in the North half of that portion of West Lake Street lying West of the West line of North Garvey Court and East of the East line of North Clark Street and the other located in the East half of that portion of North Clark Street lying North of the North line of West Lake Street and South of the South line of West Haddock Place, to be located approximately as shown on Sheet A1-2PL ("Site Plan Details") prepared by Lisec & Biederman as part of Job No. 1173 (revised to March 27, 1987).

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PERMANENT REAL ESTATE INDEX NO. 17-09-422-008, Vol. 510
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PERMANENT REAL ESTATE INDEX NO. 17-09-422-010, Vol. 510
PERMANENT REAL ESTATE INDEX NO. 17-09-422-011, Vol. 510
PERMANENT REAL ESTATE INDEX NO. 17-09-422-012, Vol. 510
PERMANENT REAL ESTATE INDEX NO. 17-09-424-001, Vol. 510
PERMANENT REAL ESTATE INDEX NO. 17-09-424-002, Vol. 510

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