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This form was prepared by and after recording return to:

Thomas F. McGuire Arnstein & Lehr LLP 120 S. Riverside Plaza, Suite 1200 Chicago, Illinois 60606 (312) 876-7100

CORRECTED

ASSIGNMENT OF MORTGAGE

AND SECURITY AGREEMENT

AND ASSIGNMENT OF RENTS



Doc#: 0416749003

Eugene "Gene" Moore Fee: \$28.50 Cook County Recorder of Deeds Date: 06/15/2004 10:01 AM Pg: 1 of 3

For Value received, JOHN W. COX, Executor of the Estate of RUTH L. COX, deceased ("Assignor") whose address is 815 Stone Carryon Circle, Inverness, Illinois 60010, does hereby grant, sell, assign, transfer and convey unto JOHN W. COX and CORNERSTONE NATIONAL BANK & TRUST COMPANY Co-trustees of the Trust created under the Will of Ruth L. Cox, deceased ("Assignee") whose adoress is 1 West Northwest Highway, Palatine, Illinois 60067, all rights and interests Assignor has in, under and pursuant to the following, all of which are dated February 19, 2003 and have been duly executed and delivered (individually and collectively the "Documents"):

- (i) a certain Mortgage Note ("Note") in the original principal amount of Four Hundred Fifty Thousand Dollars (\$450,000.00), payable to the order of Assignor, of which JOHN W. COX, not personally but as Trustee of THE JOHN W. COX TRUST UNDER A TRUST AGREEMENT DATED FEBRUARY 5, 2002 ("Maker") is the maker and obligor,
- (ii) a certain Guaranty Agreement ("Guaranty") in favor of Assignor and pursuant to which JOHN W. COX, individually, has guaranteed the payment of the Note;
- (iii) a certain Mortgage and Security Agreement ("Mortgage") by Maker in favor of Assignor securing payment of the Maker's obligations under the Note, which Mortgage creates, among other things, a mortgage lien against the real estate commonly known as 815 Stone Canyon Circle, Inverness, Cook County, Illinois 60010 and as legally described herein ("Real Estate"), and which Mortgage was recorded on February 28, 2003, as Document No. #0030285483 with the Recorder's Office of Cook County, State of Illinois; and

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a certain Assignment of Rents and Leases ("Assignment of Rents") by Maker in favor of Assignor pursuant to which all rights of Maker under all leases and rents with respect to the Real Estate have been assigned as security for the payment and performance by Maker of the obligations under the Note and which Assignment of Rents was recorded on February 28, 2003, as Document No #0030285484 with the Recorder's Office of Cook County, State of Illinois.

> SEE EXHIBIT "A" ATTACHED **HERETO** AND INCORPORATED HEREIN BY REFERENCE FOR THE LEGAL DESCRIPTION OF THE REAL ESTATE

Address:

815 Stone Canyon Circle

Inverness, IL 60010

01-12-303-015 Vol. 001 (includes this and other

property)

This Assignment includes all prefersts and obligations described in each of the applicable Documents and the money due and to become due thereunder with interest, and all rights accrued or to accrue thereunder.

TO HAVE AND TO HOLD the same unto Assignee, its successors and assigns, forever, subject only to the respective terms and conditions of the Note, Guaranty, Mortgage and Assignment of Rents.

IN WITNESS WHEREOF, the Assignor has signed this Assignment of Mortgage and Security Agreement on this 22nd day of December, 2303

> JOHN W. COX, as Executor of the Estate of RUTH L. COX, deceased

State of Illinois

SS

County of Cook

Signed and sworn to before me on the 22 day of December, 2003, by JOHN W. COX, as Executor of the Estate of RUTH L. COX, deceased.

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#### **EXHIBIT A**

### **Legal Description of Premises**

LOT 9-B IN WEATHERSTONE OF INVERNESS, BEING DESCRIBED AS:

THAT PART OF LOT 9 IN WEATHERSTONE OF INVERNESS, BEING A SUBDIVISION OF THAT PART OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 12, TOWNSHIP 42 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN LYING EAST OF THE CENTERLINE OF BARRINGTON ROAD AND WEST OF A LINE RUNNING NORTH FROM A POINT IN THE SOUTH LINE OF SAID SECTION, 528.00 FEET WEST OF THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER TO A POINT IN THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION, 526.50 FEET WEST OF THE NORTH AND SOUTH QUARTER SECTION LINE OF SAID SECTION 12, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 9; THENCE SOUTH 00 DEGREES 30 MINUTES 42 SECONDS WEST, 49.04 FEET; THENCE NORTH 89 DEGREES 29 MINUTES 18 SECONDS WEST 75.25 FEET; THENCE NORTH 00 DEGREES 30 MINUTES 42 SECONDS EAST 49.04 FEET; THENCE SOUTH 89 DEGREES 29 MINUTES 18 SECONDS EAST 75.25 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS

PIN:

No. 01-12-303-015 Vol. 001 (includes this and other property) a Clarks Office

ADDRESS: 815 Stone Canyon Circle

Inverness, IL 60010

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