

# UNOFFICIAL COPY



Doc#: 0418327031  
Eugene "Gene" Moore Fee: \$32.50  
Cook County Recorder of Deeds  
Date: 07/01/2004 10:36 AM Pg: 1 of 5

## UCC FINANCING STATEMENT

FOLLOW INSTRUCTIONS (front and back) CAREFULLY

A. NAME & PHONE OF CONTACT AT FILER (optional)

B. SEND ACKNOWLEDGMENT TO: (Name and Address)

STEVEN N. ZARIS  
MCCARTHY DUFFY  
180 NORTH LASALLE STREET, SUITE 1400  
CHICAGO IL 60601

THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY

### 1. DEBTOR'S EXACT FULL LEGAL NAME - insert only one debtor name (1a or 1b) - do not abbreviate or combine names

|   |                                   |                                 |  |   |
|---|-----------------------------------|---------------------------------|--|---|
| 1a. ORGANIZATION'S NAME<br>SOUTHPOINT PLAZA # LLC |                                   |                                 |  |   |
| OR  |                                   |                                 |  |   |
| 1b. INDIVIDUAL'S LAST NAME                        |                                   | FIRST NAME                      | MIDDLE NAME                                  | SUFFIX  |
| 1c. MAILING ADDRESS<br>401 HUEHL, SUITE 1A        |                                   | CITY<br>NORTHBROOK              | STATE<br>IL                                  | POSTAL CODE<br>60062  |
| COUNTRY<br>USA                                    |                                   |                                 |  |   |
| 1d. SEE INSTRUCTIONS                              | ADD'L INFO RE ORGANIZATION DEBTOR | 1e. TYPE OF ORGANIZATION<br>LLC | 1f. JURISDICTION OF ORGANIZATION<br>ILLINOIS | 1g. ORGANIZATIONAL ID #, if any<br>00948802 <input type="checkbox"/> NONE |

### 2. ADDITIONAL DEBTOR'S EXACT FULL LEGAL NAME - insert only one debtor name (2a or 2b) - do not abbreviate or combine names

|                            |                                   |                          |                                  |   |
|----------------------------|-----------------------------------|--------------------------|----------------------------------|---|
| 2a. ORGANIZATION'S NAME    |                                   |                          |                                  |   |
| OR                         |                                   |                          |                                  |   |
| 2b. INDIVIDUAL'S LAST NAME |                                   | FIRST NAME               | MIDDLE NAME                      | SUFFIX  |
| 2c. MAILING ADDRESS        |                                   | CITY                     | STATE                            | POSTAL CODE   |
| COUNTRY                    |                                   |                          |                                  |   |
| 2d. SEE INSTRUCTIONS       | ADD'L INFO RE ORGANIZATION DEBTOR | 2e. TYPE OF ORGANIZATION | 2f. JURISDICTION OF ORGANIZATION | 2g. ORGANIZATIONAL ID #, if any <input type="checkbox"/> NONE |

### 3. SECURED PARTY'S NAME (or NAME of TOTAL ASSIGNEE of ASSIGNOR/S/P) - insert only one secured party name (3a or 3b)

|  |  |                    |             |                      |
|--|--|--------------------|-------------|----------------------|
| 3a. ORGANIZATION'S NAME<br>BERKSHIRE LIFE INSURANCE COMPANY OF AMERICA |  |                    |             |                      |
| OR   |  |                    |             |                      |
| 3b. INDIVIDUAL'S LAST NAME   |  | FIRST NAME         | MIDDLE NAME | SUFFIX               |
| 3c. MAILING ADDRESS<br>700 SOUTH STREET                                |  | CITY<br>PITTSFIELD | STATE<br>MA | POSTAL CODE<br>01201 |
| COUNTRY<br>USA   |  |                    |             |                      |

### 4. This FINANCING STATEMENT covers the following collateral:

SEE EXHIBIT "A"

|  |  |                     |               |              |          |                |
|--|--|---------------------|---------------|--------------|----------|----------------|
| 5. ALTERNATIVE DESIGNATION (if applicable):  | LESSEE/LESSOR  | CONSIGNEE/CONSIGNOR | BAILEE/BAILOR | SELLER/BUYER | AG. LIEN | NON-UCC FILING |
| 6. <input checked="" type="checkbox"/> This FINANCING STATEMENT is to be filed (or recorded) in the REAL ESTATE RECORDS. Attach Addendum (if applicable) | 7. Check to REQUEST SEARCH REPORT(S) on Debtor(s) (optional) |                     | All Debtors   |              | Debtor 1 | Debtor 2       |
| 8. OPTIONAL FILER REFERENCE DATA   |  |                     |               |              |          |                |

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## Instructions for UCC Financing Statement (Form UCC1)

Please type or laser-print this form. Be sure it is completely legible. Read all Instructions, especially Instruction 1; correct Debtor name is crucial. Follow Instructions completely.

Fill in form very carefully; mistakes may have important legal consequences. If you have questions, consult your attorney. Filing office cannot give legal advice. Do not insert anything in the open space in the upper portion of this form; it is reserved for filing office use.

When properly completed, send Filing Office Copy, with required fee, to filing office. If you want an acknowledgment, complete item B and, if filing in a filing office that returns an acknowledgment copy furnished by filer, you may also send Acknowledgment Copy; otherwise detach. If you want to make a search request, complete item 7 (after reading Instruction 7 below) and send Search Report Copy, otherwise detach. Always detach Debtor and Secured Party Copies.

If you need to use attachments, you are encouraged to use either Addendum (Form UCC1Ad) or Additional Party (Form UCC1AP).

A. To assist filing offices that might wish to communicate with filer, filer may provide information in item A. This item is optional.

B. Complete item B if you want an acknowledgment sent to you. If filing in a filing office that returns an acknowledgment copy furnished by filer, present simultaneously with this form a carbon or other copy of this form for use as an acknowledgment copy.

1. **Debtor name.** Enter only one Debtor name in item 1, an organization's name (1a) or an individual's name (1b). Enter Debtor's exact full legal name. Don't abbreviate.
  - 1a. **Organization Debtor.** "Organization" means an entity having a legal identity separate from its owner. A partnership is an organization; a sole proprietorship is not an organization, even if it does business under a trade name. If Debtor is a partnership, enter exact full legal name of partnership; you need not enter names of partners as additional Debtors. If Debtor is a registered organization (e.g., corporation, limited partnership, limited liability company), it is advisable to examine Debtor's current filed charter documents to determine Debtor's correct name, organization type, and jurisdiction of organization.
  - 1b. **Individual Debtor.** "Individual" means a natural person; this includes a sole proprietorship, whether or not operating under a trade name. Don't use prefixes (Mr., Mrs., Ms.). Use suffix box only for titles of lineage (Jr., Sr., III) and not for other suffixes or titles (e.g., M.D.). Use married woman's personal name (Mary Smith, not Mrs. John Smith). Enter individual Debtor's family name (surname) in Last Name box, first given name in First Name box, and all additional given names in Middle Name box.  
For both organization and individual Debtors: Don't use Debtor's trade name, DBA, AKA, FKA, Division name, etc. in place of or combined with Debtor's legal name; you may add such other names as additional Debtors if you wish (but this is neither required nor recommended).
  - 1c. An address is always required for the Debtor named in 1a or 1b.
  - 1d. Reserved for Financing Statements to be filed in North Dakota or South Dakota only. If this Financing Statement is to be filed in North Dakota or South Dakota, the Debtor's taxpayer identification number (tax ID#) — social security number or employer identification number must be placed in this box.
  - 1e, f, g. "Additional information re organization Debtor" is always required. Type of organization and jurisdiction of organization as well as Debtor's exact legal name can be determined from Debtor's current filed charter document. Organizational ID #, if any, is assigned by the agency where the charter document was filed; this is different from tax ID #; this should be entered preceded by the 2-character U.S. Postal identification of state of organization if one of the United States (e.g., CA12345, for a California corporation whose organizational ID # is 12345); if agency does not assign organizational ID #, check box in item 1g indicating "none."
2. If an additional Debtor is included, complete item 2, determined and formatted per instruction 1. To include further additional Debtors, attach either Addendum (Form UCC1Ad) or Additional Party (Form UCC1AP) and follow Instruction 1 for determining and formatting additional names.
3. Enter information for Secured Party or Total Assignee, determined and formatted per Instruction 1. To include further additional Secured Parties, attach either Addendum (Form UCC1Ad) or Additional Party (Form UCC1AP) and follow instruction 1 for determining and formatting additional names. If there has been a total assignment of the Secured Party's interest prior to filing this form, you may either (1) enter Assignor S/P's name and address in item 3 and file an Amendment (Form UCC3) [see item 5 of that form]; or (2) enter Total Assignee's name and address in item 3 and, if you wish, also attaching Addendum (Form UCC1Ad) giving Assignor S/P's name and address in item 12.
4. Use item 4 to indicate the collateral covered by this Financing Statement. If space in item 4 is insufficient, put the entire collateral description or continuation of the collateral description on either Addendum (Form UCC1Ad) or other attached additional page(s).
5. If filer desires (at filer's option) to use titles of lessee and lessor, or consignee and consignor, or seller and buyer (in the case of accounts or chattel paper), or bailee and bailor instead of Debtor and Secured Party, check the appropriate box in item 5. If this is an agricultural lien (as defined in applicable Commercial Code) filing or is otherwise not a UCC security interest filing (e.g., a tax lien, judgment lien, etc.), check the appropriate box in item 5, complete items 1-7 as applicable and attach any other items required under other law.
6. If this Financing Statement is filed as a fixture filing or if the collateral consists of timber to be cut or an extracted collateral, complete items 1-5, check the box in item 6, and complete the required information (items 13, 14 and/or 15) on Addendum (Form UCC1Ad).
7. This item is optional. Check appropriate box in item 7 to request Search Report(s) on all or some of the Debtors named in this Financing Statement. The Report will list all Financing Statements on file against the designated Debtor on the date of the Report, including this Financing Statement. There is an additional fee for each Report. If you have checked a box in item 7, file Search Report Copy together with Filing Officer Copy (and Acknowledgment Copy). Note: Not all states do searches and not all states will honor a search request made via this form; some states require a separate request form.
8. This item is optional and is for filer's use only. For filer's convenience of reference, filer may enter in item 8 any identifying information (e.g., Secured Party's loan number, law firm file number, Debtor's name or other identification, state in which form is being filed, etc.) that filer may find useful.

*Note:* If Debtor is a trust or a trustee acting with respect to property held in trust, enter Debtor's name in item 1 and attach Addendum (Form UCC1Ad) and check appropriate box in item 17. If Debtor is a decedent's estate, enter name of deceased individual in item 1b and attach Addendum (Form UCC1Ad) and check appropriate box in item 17. If Debtor is a transmitting utility or this Financing Statement is filed in connection with a Manufactured-Home Transaction or a Public-Finance Transaction as defined in applicable Commercial Code, attach Addendum (Form UCC1Ad) and check appropriate box in item 18.

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## EXHIBIT A

### UCC-1 FINANCING STATEMENT

All of Debtor's estate, right, title and interest, whether now or hereafter acquired, in and to that certain real estate situated in the County of Cook, State of Illinois, as more particularly described in **Exhibit B** attached hereto and made a part hereof (collectively, the "**Premises**"), together with the following described property, except for any personal property owned by any tenant or other party with the legal right to use or occupy all or any portion of the Premises (the Premises together with the following described property being hereinafter referred to collectively as the "**Mortgaged Property**"), all of which other property is hereby pledged on a parity; with the Premises and not secondarily:

1. The beneficial interest under LaSalle Bank, N.A. Land Trust No. 59155 established by Trust Agreement dated September 1, 1983,
2. All improvements, tenements, easements, fixtures and appurtenances belonging to Debtor and the Premises and all rents, issues and profits thereof for so long and during all such times as Debtor may be entitled thereto (which are pledged primarily and not secondarily),
3. All apparatus, machinery, devices, fixtures, communication devices, systems, fittings, appurtenances, equipment, appliances, furniture, furnishings, appointments, accessories, landscaping, plants and all other items of personal property in which Debtor now or hereafter has any interest whatsoever, and used in the operation or maintenance of the Premises or any business or operation conducted thereon. All fixtures and equipment now or thereafter installed for use in the equipment now or thereafter installed for use in the operation of the buildings, structures and improvements now or thereafter on the Premises, including, but not limited to, all lighting, heating, cooling, ventilating, air conditioning, plumbing, sprinkling, incinerating, refrigerating, air-cooling, lifting, fire extinguishing, cleaning, entertaining, security, communicating and electrical and power systems, and the machinery, appliances, fixtures and equipment pertaining thereto, all awnings, ovens, stoves, refrigerators, dishwashers, disposals, carpeting, switchboards, engines, motors, tanks, pumps, screens, storm doors and windows, shades, floor coverings, ranges, washers, dryers, disposals, cabinets, partitions, conduits, ducts and compressors, and all elevators and escalators and the machinery and appliances, fixtures and equipment pertaining thereto, other than any such items that are owned by tenants of all or any portion of the Premises,
4. All similar apparatus, equipment or articles hereafter owned by Debtor and placed in the Premises by Debtor or its successors or assigns and all policies of insurance covering any or all of the Mortgaged Property,
5. Any and all goods, tangible and intangible, personal property of any kind, nature or description (including without limitation, any and all accounts, contract rights, franchises, licenses, permits, documents, instruments and general intangibles) of Debtor, whether now owned or hereafter acquired, or in which Debtor now has or shall hereafter acquire any right, title or interest whatsoever (whether by bill of sale, lease, conditional sales contract, or other title retention document or

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otherwise), and any and all replacements and substitutions thereof or therefor, arising from or out of the Premises,

6. All of the assets and property of Debtor not previously listed in subparagraphs (1), (2), (3), (4) and (5) above,

7. Any and all additions and accessories to all of the foregoing and any and all proceeds, renewals, replacements and substitutions of all of the foregoing, and

8. All judgments, insurance proceeds, award of damages and settlements which may result from any damage to all or any portion of the Premises and the Mortgaged Property, or any part thereof, or to any rights appurtenant thereto.

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## EXHIBIT B

### Legal Description

Lot 1 of the Southpoint Consolidation of Lots 11 to 18, both inclusive, in Block 2 in Kedzie and Keeney's Addition to Evanston in the West ½ of the Southeast ¼ of Section 19, Township 41 North, Range 14 East of the Third Principal Meridian, in Cook County, Illinois, per plat recorded March 7, 1984 as Document No. 26,996,718.

Property of Cook County Clerk's Office

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Cook County Recorder of Deeds  
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A. NAME & PHONE OF CONTACT AT FILER (optional)

B. SEND ACKNOWLEDGMENT TO: (Name and Address)

STEVEN N. ZARIS  
MCCARTHY DUFFY  
180 NORTH LASALLE STREET, SUITE 1400  
CHICAGO IL 60601

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### 1. DEBTOR'S EXACT FULL LEGAL NAME - insert only one debtor name (1a or 1b) - do not abbreviate or combine names

|   |                                   |                                 |  |   |
|---|-----------------------------------|---------------------------------|--|---|
| 1a. ORGANIZATION'S NAME<br>SOUTHPOINT PLAZA # LLC |                                   |                                 |  |   |
| OR  |                                   |                                 |  |   |
| 1b. INDIVIDUAL'S LAST NAME                        |                                   | FIRST NAME                      | MIDDLE NAME                                  | SUFFIX  |
| 1c. MAILING ADDRESS<br>401 HUEHL, SUITE 1A        |                                   | CITY<br>NORTHBROOK              | STATE<br>IL                                  | POSTAL CODE<br>60062  |
| COUNTRY<br>USA                                    |                                   |                                 |  |   |
| 1d. SEE INSTRUCTIONS                              | ADD'L INFO RE ORGANIZATION DEBTOR | 1e. TYPE OF ORGANIZATION<br>LLC | 1f. JURISDICTION OF ORGANIZATION<br>ILLINOIS | 1g. ORGANIZATIONAL ID #, if any<br>00948802 <input type="checkbox"/> NONE |

### 2. ADDITIONAL DEBTOR'S EXACT FULL LEGAL NAME - insert only one debtor name (2a or 2b) - do not abbreviate or combine names

|                            |                                   |                          |                                  |   |
|----------------------------|-----------------------------------|--------------------------|----------------------------------|---|
| 2a. ORGANIZATION'S NAME    |                                   |                          |                                  |   |
| OR                         |                                   |                          |                                  |   |
| 2b. INDIVIDUAL'S LAST NAME |                                   | FIRST NAME               | MIDDLE NAME                      | SUFFIX  |
| 2c. MAILING ADDRESS        |                                   | CITY                     | STATE                            | POSTAL CODE   |
| COUNTRY                    |                                   |                          |                                  |   |
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### 3. SECURED PARTY'S NAME (or NAME of TOTAL ASSIGNEE of ASSIGNOR/S/P) - insert only one secured party name (3a or 3b)

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|--|--|--------------------|-------------|----------------------|
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| 3c. MAILING ADDRESS<br>700 SOUTH STREET                                |  | CITY<br>PITTSFIELD | STATE<br>MA | POSTAL CODE<br>01201 |
| COUNTRY<br>USA   |  |                    |             |                      |

### 4. This FINANCING STATEMENT covers the following collateral:

SEE EXHIBIT "A"

|  |  |                     |               |              |          |                |
|--|--|---------------------|---------------|--------------|----------|----------------|
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5. If filer desires (at filer's option) to use titles of lessee and lessor, or consignee and consignor, or seller and buyer (in the case of accounts or chattel paper), or bailee and bailor instead of Debtor and Secured Party, check the appropriate box in item 5. If this is an agricultural lien (as defined in applicable Commercial Code) filing or is otherwise not a UCC security interest filing (e.g., a tax lien, judgment lien, etc.), check the appropriate box in item 5, complete items 1-7 as applicable and attach any other items required under other law.
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## EXHIBIT A

### UCC-1 FINANCING STATEMENT

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4. All similar apparatus, equipment or articles hereafter owned by Debtor and placed in the Premises by Debtor or its successors or assigns and all policies of insurance covering any or all of the Mortgaged Property,
5. Any and all goods, tangible and intangible, personal property of any kind, nature or description (including without limitation, any and all accounts, contract rights, franchises, licenses, permits, documents, instruments and general intangibles) of Debtor, whether now owned or hereafter acquired, or in which Debtor now has or shall hereafter acquire any right, title or interest whatsoever (whether by bill of sale, lease, conditional sales contract, or other title retention document or

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otherwise), and any and all replacements and substitutions thereof or therefor, arising from or out of the Premises,

6. All of the assets and property of Debtor not previously listed in subparagraphs (1), (2), (3), (4) and (5) above,

7. Any and all additions and accessories to all of the foregoing and any and all proceeds, renewals, replacements and substitutions of all of the foregoing, and

8. All judgments, insurance proceeds, award of damages and settlements which may result from any damage to all or any portion of the Premises and the Mortgaged Property, or any part thereof, or to any rights appurtenant thereto.

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## EXHIBIT B

### Legal Description

Lot 1 of the Southpoint Consolidation of Lots 11 to 18, both inclusive, in Block 2 in Kedzie and Keeney's Addition to Evanston in the West ½ of the Southeast ¼ of Section 19, Township 41 North, Range 14 East of the Third Principal Meridian, in Cook County, Illinois, per plat recorded March 7, 1984 as Document No. 26,996,718.

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