

UNOFFICIAL COPY

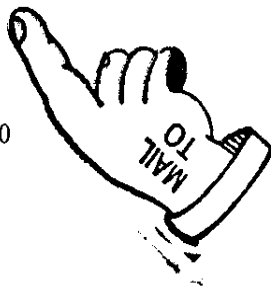
THIS DOCUMENT PREPARED BY AND
UPON RECORDATION RETURN TO:

DRRS
55 S. Valle Verde Dr. #235-192
Henderson, NV 89012



Doc#: 0431412123
Eugene "Gene" Moore Fee: \$36.50
Cook County Recorder of Deeds
Date: 11/09/2004 03:18 PM Pg: 1 of 7

AMO File No. 1024.021
File Id. Number: 591-0347-000
Loan Number: 40370
Cook County, Illinois
PIN: 17-10-311-003-000



**ASSIGNMENT OF MORTGAGE AND SECURITY AGREEMENT
AND
ASSIGNMENT OF ASSIGNMENT OF LEASES AND RENTS**

SY
P1
MY
BMR

KNOW THAT

BEAR STEARNS COMMERCIAL MORTGAGE, INC., a New York corporation,
having an address of 383 Madison Avenue, New York, NY 10179, ("Assignor"),

For valuable consideration paid by:

LASALLE BANK NATIONAL ASSOCIATION IN ITS CAPACITY AS
TRUSTEE FOR THE REGISTERED HOLDERS OF BEAR STEARNS COMMERCIAL
MORTGAGE SECURITIES INC., COMMERCIAL MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2004-PWR4, having an address of 175 S. LaSalle Street, Suite
1625, Chicago, Illinois 60603, ("Assignee"),

the receipt and sufficiency of which is hereby acknowledged, Assignor does hereby grant, bargain, sell, convey, assign, transfer, and set over, without recourse, representation and warranty, except as set forth in that certain related Mortgage Loan Purchase Agreement, all of Assignor's right, title and interest, of any kind whatsoever, including that of mortgagee, beneficiary, payee, assignee or secured party (as the case may be), in and to the following:

Mortgage and Security Agreement ("Mortgage") dated March 25, 2004 by TBG State Street LLC, a Delaware limited liability company ("Borrower") to Assignor and recorded on March 26, 2004, as Document Number 0408644158, with the Cook County Recorder, Illinois ("County Recorder"); and

Assignment of Leases and Rents ("Assignment of Leases") dated March 25, 2004 by Borrower to Assignor and recorded on March 26, 2004, as Document Number 0408644159, with said County Recorder;

UNOFFICIAL COPY

covering the premises more specifically described on EXHIBIT "A";

TOGETHER with the bonds or notes or obligations described in said Mortgage and Assignment of Leases, and the moneys due and to grow due thereon with the interest, and any and all other related security instruments which secure the indebtedness and/or obligations secured by said Mortgage and Assignment of Leases.

TO HAVE AND TO HOLD the same unto the Assignee and to the successors, legal representatives and assigns of the Assignee forever.

IN WITNESS WHEREOF, the Assignor has caused these presents to be effective as of June 30, 2004.

(The remainder of this page has been intentionally left blank.)

Property of Cook County Clerk's Office

UNOFFICIAL COPY

IN WITNESS WHEREOF, the Assignor has caused these presents to be duly executed as of the day and year first above written.

ASSIGNOR:

**BEAR STEARNS COMMERCIAL MORTGAGE,
INC.**, a New York corporation

By: _____

Name:

Richard A. Ruffer Jr.

Title:

Managing Director


Upon recordation please return to:

Property of Cook County Clerk's Office

UNOFFICIAL COPY

STATE OF NEW YORK)
) SS:
 COUNTY OF NEW YORK)

On the 23 day of March, 2004 before me, the undersigned, a Notary Public in and for said State, personally appeared Richard A. Kuttler, Jr. 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 individuals, or the entity upon behalf of which the individual acted, executed the instrument.



 Notary Public

ANDREA B. DRESNER
 Notary Public, State of New York
 No. 01DR4875347
 Qualified in New York County
 Certificate Filed in New York County
 Commission Expires Nov. 3, 2006

Property of Cook County Clerk's Office

UNOFFICIAL COPY

EXHIBIT A

LEGAL DESCRIPTION

PARCEL 1:

LOTS 2, 2A, 2B, 2C, 2D, 2E, 2F AND 2G IN ONE NORTH STATE STREET SUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTHWEST FRACTIONAL 1/4 OF SECTION 10, TOWNSHIP 39 NORTH RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 15, 2003 AS DOCUMENT NUMBER 0335619078. ✓

PARCEL 2: INTENTIONALLY DELETED

PARCEL 3:

RIGHT TO CONSTRUCT, MAINTAIN AND USE SUBSURFACE SPACE (VAULTS) UNDER STATE STREET, WABASH AVENUE, MADISON STREET AND HOLDEN COURT PURSUANT TO AN ORDINANCE ENACTED BY THE CITY COUNCIL OF THE CITY OF CHICAGO ON OCTOBER 2, 2002, AND BY VIRTUE OF PERMIT NUMBER 1020555, AND OF ANY SUBSEQUENT ORDINANCE PASSED OR PERMIT ISSUED RELATIVE THERETO, IF ANY.

PARCEL 4:

RIGHT TO USE SUBSURFACE SUBWAY CONNECTION TO WASHINGTON, MADISON AND STATE STREETS SUBWAY STATION PURSUANT TO AN ORDINANCE ENACTED BY THE CITY COUNCIL OF THE CITY OF CHICAGO ON OCTOBER 2, 2002, AND BY VIRTUE OF PERMIT NUMBER 1020555, AND OF ANY SUBSEQUENT ORDINANCE PASSED OR PERMIT ISSUED RELATIVE THERETO, IF ANY.

PARCEL 5:

RIGHT TO MAINTAIN AND USE LOADING DOCK LOCATED ON HOLDEN COURT PURSUANT TO AN ORDINANCE ENACTED BY THE CITY COUNCIL OF THE CITY OF CHICAGO ON OCTOBER 2, 2002, AND BY VIRTUE OF PERMIT NUMBER 1020555, AND OF ANY SUBSEQUENT ORDINANCE PASSED OR PERMIT ISSUED RELATIVE THERETO, IF ANY.

EXH. A-1

UNOFFICIAL COPY

PARCEL 6:

RIGHT TO MAINTAIN AND OPERATE CANOPY(IES) OVER THE SIDEWALK ADJOINING THE PREMISES LOCATED AT 5-9 NORTH STATE STREET/8-10 EAST MADISON STREET PURSUANT TO PERMIT ISSUED BY THE CITY OF CHICAGO AS PERMIT NUMBER 1009687, AND OF ANY SUBSEQUENT ORDINANCE ENACTED OR PERMIT ISSUED RELATIVE THERETO, IF ANY.

PARCEL 7:

EASEMENT FOR THE BENEFIT OF PARCEL 1 AS CREATED BY THE DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS AND EASEMENTS DATED DECEMBER 22, 2003 AND RECORDED ON _____ AS DOCUMENT NUMBER _____ AND RESERVED IN DEED RECORDED AS DOCUMENT NUMBER _____ MADE BY W9/ONS REAL ESTATE LIMITED PARTNERSHIP RELATING TO: A)INGRESS AND EGRESS FOR PERSONS, MATERIAL AND EQUIPMENT IN OVER ON ACROSS AND THROUGH THE OFFICE PARCEL AS ARE REASONABLY NECESSARY FOR INGRESS AND EGRESS TO THE RETAIL PORTION AND TO PERMIT THE USE AND OPERATION OR THE MAINTENANCE (BUT ONLY IF AND WHEN SUCH MAINTENANCE IS REQUIRED OR PERMITTED UNDER THIS DECLARATION) OF (1) THE RETAIL PORTION. (2) ANY FACILITIES LOCATED IN THE RETAIL PORTION WHICH PROVIDED OR ARE NECESSARY TO PROVIDE THE RETAIL PORTION WITH ANY UTILITIES OR OTHER SERVICES NECESSARY TO THE OPERATION OF THE RETAIL PORTION, INCLUDING WITHOUT LIMITATION, RETAIL EASEMENT FACILITIES AND RETAIL OWNED FACILITIES (3) THE SHARED FREIGHT ELEVATORS, AND (4) ANY OTHER AREAS IN THE OFFICE PORTION AS TO WHICH AN EASEMENT FOR USE AND MAINTENANCE HAS BEEN GRANTED TO THE RETAIL OWNER (AS MORE PARTICULARLY DESCRIBED IN SECTION 3.2 THEREOF), OR THE OBLIGATION TO PERFORM A SERVICE HAS BEEN IMPOSED BY SECTION 5.1 B) NON EXCLUSIVE EASEMENTS FOR UTILITY PURPOSES REQUIRED BY THE RETAIL PORTION IN THOSE AREAS OF THE OFFICE PORTION WHERE SUCH UTILITIES ARE CURRENTLY LOCATED C) NON EXCLUSIVE EASEMENT IN ALL STRUCTURAL SUPPORTS LOCATED IN OR CONSTITUTING A PART OF THE OFFICE PORTION FOR SUPPORT OF (1) THE RETAIL PORTION (2) ANY FACILITIES OR AREAS LOCATED IN THE OFFICE PORTION WITH RESPECT TO WHICH THE RETAIL OWNER IS GRANTED AN EASEMENT AND (3) RETAIL OWNED FACILITIES; D)NON EXCLUSIVE EASEMENT OF USE OF ALL OF THE FACILITIES BENEFITING RETAIL PROPERTY; E) NON EXCLUSIVE EASEMENT FOR MAINTENANCE AND USE OF RETAIL EASEMENT FACILITIES; F) NON EXCLUSIVE EASEMENT FOR SUPPORT, ENCLOSURE, USE AND MAINTENANCE OF COMMON WALLS, FLOORS CEILINGS; G) NON EXCLUSIVE EASEMENT PERMITTING THE EXISTENCE OF ENCROACHMENTS IF SUCH ENCROACHMENTS PRESENTLY EXIST AS OF EFFECTIVE DATE (SEE DOCUMENT); H) NON EXCLUSIVE EASEMENT PERMITTING THE EXISTENCE, ATTACHMENT, USE AND MAINTENANCE OF RETAIL OWNED FACILITIES OR FUTURE FACILITIES IN THE OFFICE PORTION AS DESCRIBED THEREIN; I) NON EXCLUSIVE EASEMENT

EXH. A-2

UNOFFICIAL COPY

FOR THE INSTALLATION, USE AND MAINTENANCE OF ANTENNAS, MICROWAVE DISHES AND OR ANY OTHER TYPE OF COMMUNICATION EQUIPMENT ON A PORTION OF THE ROOF AND WITHIN OTHER AREAS OF THE COMMON AREAS OF THE OFFICE PORTION AND UTILITIES SERVING THE SAME AND FOR THE USE AND MAINTENANCE OF FUTURE COMMUNICATION FACILITIES CONNECTING COMMUNICATION FACILITIES OR IN AREAS IN THE RETAIL PORTION TO ANY SUCH ANTENNAS OR OTHER COMMUNICATIONS DEVICES OR EQUIPMENT ON THE ROOF WHICH ARE CURRENTLY AVAILABLE OR BECOME AVAILABLE THROUGH TECHNOLOGICAL ADVANCES; J)NON EXCLUSIVE EASEMENT FOR USE AND MAINTENANCE OF EQUIPMENT AND THE MECHANICAL ROOMS; AND K) EASEMENTS DEPICTED ON THE EXHIBIT ATTACHED THERETO. SAID EASEMENT EXHIBIT IDENTIFIES LOCATION OF CERTAIN EASEMENTS GRANTED IN SAID "DECLARATION".