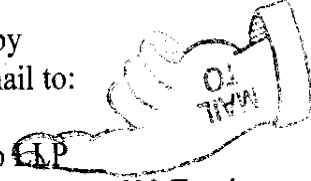




Doc#: 0503948288  
Eugene "Gene" Moore Fee: \$30.50  
Cook County Recorder of Deeds  
Date: 02/08/2005 03:08 PM Pg: 1 of 4

Recording requested by  
and when recorded, mail to:



Locke Liddell & Sapp LLP  
3400 JPMorgan Chase Tower, 600 Travis  
Houston, Texas, 77002  
Attn: Geri Gathings

## ASSIGNMENT OF MORTGAGE, ASSIGNMENT OF LEASES AND RENTS, SECURITY AGREEMENT and FINANCING STATEMENT

THIS ASSIGNMENT OF MORTGAGE, ASSIGNMENT OF LEASES AND RENTS, SECURITY AGREEMENT and FINANCING STATEMENT dated as of July 12, 2004 (the "Assignment") is made by TRICON CAPITAL CORP. (the "Assignor") having its address at c/o JPMorgan Chase Bank, 707 Travis, 3<sup>rd</sup> Floor North, Houston, Texas 77002, Attn: Manager, TRICON Capital Corp. in favor of YUM! CAPITAL LLC (the "Assignee") having its address at 707 Travis, 3<sup>rd</sup> Floor North, Houston, Texas 77002.

### RECITALS

- A. NATRON CORPORATION, a Delaware corporation, ("Borrower") executed and delivered to TACO BELL CORP., a California corporation ("Taco Bell"), one or more mortgages (whether one or more, the "Mortgages") as set forth on Schedule 1 to secure payment of certain indebtedness owed or to be owing by the Borrower to Taco Bell, which Mortgages have been recorded as set forth in Schedule 1.
- B. Taco Bell assigned to Assignor all of its right, title and interest in, to and under the Mortgages and the Notes (as defined in the Mortgages) and other indebtedness secured thereby in those assignments set forth in Schedule 1.
- C. Assignor, Citicorp North America, Inc. ("Citicorp") and Taco Bell entered into a certain Sale Agreement dated as of July 12, 2004, whereby Citicorp sold certain assets to Tricon. Tricon subsequently sold certain of these assets, including those assets assigned herein, to Assignee pursuant to the Supplemental Transfer Agreement by and between Assignor, Assignee, Yum! Brands, Inc. and JPMorgan Chase Bank dated as of July 12, 2004.
- D. Citicorp assigned to Assignor all of its right, title and interest in, to and under the Mortgages and the Notes and other indebtedness secured thereby in an Assignment of Mortgage, Assignment of Leases and Rents, Security Agreement and Financing Statement dated as of July 12, 2004 recorded \_\_\_\_\_, 2004, with the Office of the County Recorder of Cook County, State of Illinois, as Instrument/File No. \_\_\_\_\_ of the Official Records of said County.
- E. The Assignor now desires to grant, bargain, sell, assign, and convey to the Assignee all of the Assignor's right, title and interest in, to, and under the Mortgages and the Notes and other indebtedness secured thereby.

NATRON CORPORATION  
COOK CO. ILLINOIS

5/16  
P4  
5/20  
MYE

# UNOFFICIAL COPY

NOW THEREFORE, the undersigned, Assignor, for good and valuable consideration paid to the undersigned by Assignee, receipt of which is acknowledged, Assignor sells, assigns, transfers, and sets over to Assignee, and Assignee's successors and assigns, those certain Mortgages as set forth on Schedule 1, together with the Notes secured by the Mortgages and described in the Mortgages, and all sums of money due and to become due on the Notes.

TO HAVE AND TO HOLD the Mortgage and the Note and other indebtedness secured thereby and all rights, titles and interests, liens, privileges, claims, demands and equities existing and to exist in connection therewith unto the Assignee, its successors and assigns forever.

IN WITNESS WHEREOF, the undersigned have executed and delivered this Assignment on the day and year first above written.

**ASSIGNOR:**

TRICON CAPITAL CORP

By: JPMorgan Chase Bank,  
as Master Servicer

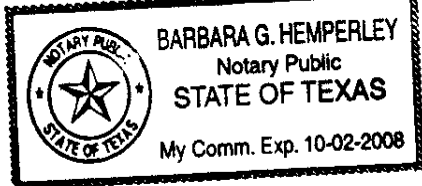
By: Valerie M. Sangra  
Name: \_\_\_\_\_

Title: \_\_\_\_\_

State of Texas §  
County of Harris §

The foregoing instrument was acknowledged before me this 2 day of December, 2004, by Valerie M. Sangra as V.P. of JPMorgan Chase Bank, a New York banking corporation, on behalf of said corporation acting in its capacity as master servicer for TRICON Capital Corp., a Delaware non-stock corporation.

Witness my hand and official seal.



Barbara G. Hemperley  
Notary Public  
My term of office expires on the 2 day of October 2008.

This instrument was prepared by:  
Jeffrey M. Smith  
Locke Liddell & Sapp LLP  
3400 JPMorgan Chase Tower, 600 Travis  
Houston, Texas, 77002

# UNOFFICIAL COPY

## Schedule 1

### Mortgages

1. Mortgage, Assignment of Leases and Rents, Security Agreement and Financing Statement executed and delivered by Borrower, to Taco Bell Corp., as Mortgagee, dated as of December 14, 1995 and recorded December 21, 1995, with the Office of the County Recorder of Cook County, State of Illinois, as Instrument Number 95889418 of the Official Records of said County. Such Mortgage, Assignment of Leases and Rents, Security Agreement and Financing Statement assigned by Taco Bell Corp. to Citicorp North America, Inc. in an Assignment of Mortgage dated as of December 14, 1995 recorded December 21, 1995 with the Office of the County Recorder of Cook County, State of Illinois, as Instrument Number 95889419 of the Official Records of said County.

The lease covered by the Mortgage and the real property described in the lease more particularly described on Exhibit A.

**UNOFFICIAL COPY****EXHIBIT A****LEGAL DESCRIPTION:****PARCEL 1:**

ALL THAT PART OF LOT 2 IN SHERYL'S RESUBDIVISION OF OUTLOT "S" IN BLOCK 99 IN VILLAGE OF PARK FOREST AREA NUMBER 4, BEING A SUBDIVISION IN THE EAST 1/2 OF SECTION 35 AND IN THE WEST 1/2 OF SECTION 36, TOWNSHIP 35 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTHERLY OF A LINE THAT IS 20.0 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE, EXTENDED OF LOT 4, EXCEPTING THEREFROM ALL THAT PART TAKEN FOR STREET PURPOSES, IN COOK COUNTY, ILLINOIS.

**PARCEL 2:**

THAT PART OF THE WEST 11.00 FEE OF LOT 3 IN SHERYL'S RESUBDIVISION OF OUTLOT "S" IN BLOCK 99 IN THE VILLAGE OF PARK FOREST AREA NO. 4, BEING A SUBDIVISION IN THE EAST 1/2 OF SECTION 35 AND IN THE WEST 1/2 OF SECTION 36, TOWNSHIP 35 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN IN THE COUNTY OF COOK, STATE OF ILLINOIS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT BEING THE INTERSECTION OF THE NORTH LINE OF LOT 4 EXTENDED EAST WITH THE WEST LINE OF LOT 3 AND BEING THE "TRUE POINT OF BEGINNING".

THENCE IN A SOUTHERLY DIRECTION ON AND ALONG SAID WEST LINE OF LOT 3 A DISTANCE OF 20 FEET.

THENCE 90 DEGREES LEFT A DISTANCE OF 11.00 FEET.

THENCE 90 DEGREES LEFT PARALLEL WITH AND 11.00 FEET PERPENDICULAR FROM SAID WEST LINE OF LOT 3, A DISTANCE OF 89.29 FEET TO A POINT BEING THE BEGINNING OF A 25 FT RADIUS CURVE TO THE LEFT.

THENCE ON AND ALONG THE ARC OF SAID CURVE A DISTANCE OF 24.61 FET TO A POINT BEING THE INTERSECTION WITH THE WEST LINE OF SAID LOT 2.

THENCE IN A SOUTHERLY DIRECTION ON AND ALONG SAID WEST LINE A DISTANCE OF 90.00 FEET TO THE POINT OF BEGINNING.

PROPERTY ADDRESS: 413 SAUK TRAIL ROAD, PARK FOREST, ILLINOIS 60466

INDEX #: PART OF 31-35-202-010-0000 AND PART OF 31-35-202-013-0000