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PARTIAL RELEASE OF MORTGAGE (Illinois)



Doc#: 0512927023
Eugene "Gene" Moore Fee: \$44.50
Cook County Recorder of Deeds
Date: 05/09/2005 10:14 AM Pg: 1 of 11

(The Above Space for Recorder's Use Only)

FOR THE PROTECTION OF THE OWNER, THIS RELEASE SHALL BE FILED WITH THE RECORDER OF DEEDS OR THE REGISTRAR OF TITLES IN WHOSE OFFICE THE MORTGAGE OR DEED OF TRUST WAS FILED.

KNOW ALL MEN BY THESE PRESENTS, that USA COMMERCIAL MORTGAGE COMPANY, A Nevada Corporation, and those individuals or entities listed on Exhibit A hereto ("Lenders"), for an in consideration of the payment of a portion of the indebtedness secured by the Mortgage hereinafter mentioned and of the sum of One Dollar (\$1.00), the receipt whereof is hereby acknowledged, does hereby REMISE, RELEASE, CONVEY, AND QUIT CLAIM, but only as to the real estate described in this Release of Mortgage, unto **BROOKMERE, LLC**, an Illinois limited liability company, its legal representatives, successors and assigns, all the right, title, interest, claim or demand whatsoever it may have acquired in, through or by a certain Mortgage, Assignment of Rents and Security Agreement dated October 29, 2003, and recorded in the Office of the Recorder of Deeds of Cook County, Illinois, as Document No. 0331127011, a certain Assignment of Rents and Leases Dated October 29, 2003, and recorded in the Office of the Recorder of Deeds of Cook County, Illinois, as Document No. 0331127012, a certain Mortgage, Assignment of Rents and Security Agreement dated October 29, 2003, and recorded in the Office of the Recorder of Deeds of Cook County, Illinois, as Document No. 0331127013, a certain Assignment of Rents and Leases Dated October 29, 2003, and recorded in the Office of the Recorder of Deeds of Cook County, Illinois, as Document No. 0331127014, a certain Amendment To Construction Loan Agreement, Promissory Note, Mortgages and Security Agreements, Assignments of Rents and Leases and Other Loan Documents dated March 23, 2004, and recorded in the Office of the Recorder of Deeds of Cook County, Illinois, as Document No. 0410027008, a certain Amendment recorded in the Office of the Recorder of Deeds of Cook County, Illinois, as Document No. 0420327026,* and that certain Amendment recorded in the Office of the Recorder of Deeds of Cook County, Illinois as Document No. 0500744003 affecting the real estate described herein, situated in the County of Cook, State of Illinois, to wit:

SEE ATTACHED EXHIBIT B

Together with all the appurtenances and privileges thereunto belonging or appertaining.

Dated this 26 day of April, 2005.

USA COMMERCIAL MORTGAGE COMPANY,
individually and as attorney in fact for Lender

BY:

Joseph D. Milanowski, President

*and that certain Amendment recorded in the Office of the Recorder of Deeds of Cook County, Illinois, as Document No. 0426719038

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STATE OF NEVADA)
) ss
 COUNTY OF CLARK)

I, the undersigned, a Notary Public, in and for the County and State aforesaid, **DO HEREBY CERTIFY**, that Joseph D. Milanowski personally known to me to be the President of the USA Commercial Mortgage Company, personally known to me to be the President of USA Commercial Mortgage Company and personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that as such President, he signed and delivered the said instrument, pursuant to authority, as his free and voluntary act, and as the free and voluntary act of USA Commercial Mortgage Company, for the uses and purposes therein set forth.

Given under my hand and official seal, this 26 day of April, 2005.

Linda Stewart

Notary Public

My commission expires: 2/4/07

This document was prepared by and mail to:

Edward J. Halper
 Michael Best & Friedrich
 401 North Michigan Avenue
 Suite 1900
 Chicago, IL 60611



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EXHIBIT "A"

LENDERS

Names	Amount
Liberty Resource Management Corp.	\$100,000.00
Marcia C. Albiol & Henry Albiol, joint tenants with right of survivorship	\$50,000.00
Stanley Alexander Trustee of the Stanley Alexander Trust	\$50,000.00
Juan P. Arraiz & Dorothy L. Arraiz Trustees of The Arraiz Family 1993 Trust	\$25,000.00
Mark J. Arraiz	\$30,000.00
X-Factor, Inc.	\$110,000.00
Kenneth R. Becker & Joanne T. Becker, husband & wife, Grace Becker & Sarah Becker, their minor children with right of survivorship	\$100,000.00
Bay Area Capital, LLC	\$50,000.00
Stanley Belnap & Gloria Belnap, husband & wife, as joint tenants with right of survivorship	\$100,000.00
Tracy Belnap, Stanley W. Belnap & Gloria C. Belnap	\$50,000.00
Kip Bishofberger, an unmarried man & Betty Bishofberger, a married woman dealing with her sole & separate property, as joint tenants with the right of survivorship	\$25,000.00
Thomas Bishofberger & Betty Bishofberger Trustees of the Bishofberger Char. Rem. Trust UAD 11/3/94	\$25,000.00
Daryl L. Blanck & Yvonne M. Blanck Trustees of the Daryl Blanck & Yvonne Blanck Trust dated 3/23/94	\$25,000.00
John Borkoski & Kathleen Borkoski, husband & wife, as joint tenants with right of survivorship	\$50,000.00
James Brady & Evelyn Brady, husband & wife	\$50,000.00
Marshall J. Brecht & Janet L. Brecht Trustees of the Marshall J. Brecht Trust dated 2/5/86	\$150,000.00
Hannah Brehmer & Marti Brehmer, joint tenants with right of survivorship	\$35,000.00
Ashley Brooks	\$100,000.00
Elizabeth Florence Brown & Janie Tammadge	\$50,000.00
Roger C. Bruce, a single man	\$50,000.00
Fertitta Enterprises, Inc.	\$1,000,000.00
Cynthia Burdige a single woman & Daniel Drubin, a married man dealing with his sole & separate property, as joint tenants with right of survivorship	\$135,000.00
Cynthia Burdige Trustee of the Cynthia Burdige Trust U/A dated 4/13/00	\$25,000.00
Mark E. Burke & Joyce J. Burke Trustees of the Mark E. Burke & Joyce J. Burke Revocable Living Trust	\$25,000.00
Queen Butcher Trustee of the Separate Property Subtrust of the Butcher Family Trust dated 8/30/95	\$50,000.00
Jillian Campbell & Patsy Rieger, as joint tenants with right of survivorship	\$15,000.00
Pierre G. Candau, a married man dealing with his sole & separate property	\$40,000.00
Frank Capodici & Marie Capodici Trustees of the Frank & Marie Capodici Family Trust dated 12/8/03	\$50,000.00

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Peter W. Capone & Deidre D. Capone, husband & wife, as joint tenants with the right of survivorship	\$50,000.00
Merle L. Capra & Maryly J. Capra Trustees of the Capra 1998 Trust	\$25,000.00
James B. Cardwell Trustee of the Cardwell Charitable Trust	\$100,000.00
James Cardwell & Reba Cardwell Trustees of the Cardwell Family Trust	\$150,000.00
Daniel Carlton & Takeko Carlton Trustees for the Daniel O. Carlton & Takeko Carlton Revocable Trust dated 4/30/97	\$70,000.00
Daniel Carlton & Zora N. Carlton	\$15,000.00
Michael W. Carlton & Helen I. Carlton, joint tenants with right of survivorship	\$30,000.00
Doyne J. Carson & Elsie L. Carson Trustees of the Carson Family Trust dated 9/16/93	\$25,000.00
Maurice A. Cauchois & Jacqueline M. Cauchois Trustees of the M & J Cauchois Family Trust dated 2/25/93	\$30,000.00
Barbara A. Cecil Trustee of the Walk The Land, LLC 401 K Plan	\$40,000.00
First Savings Bank Custodian For Anthony Christian IRA	\$30,000.00
Irwin Cohen & Marilyn T. Cohen Trustees of the Cohen Living Trust dated 3/6/90	\$200,000.00
Shirley M. Collins as her sole & separate property as Trustee of The Collins Family Trust dated 1/29/93	\$35,000.00
Howard Connell & Lorene Connell, husband & wife, as joint tenants with right of survivorship	\$100,000.00
First Savings Bank Custodian For John Cooke IRA	\$30,000.00
James B. Corison Trustee of the James B. Corison Trust dated 12/3/98	\$100,000.00
Iris G. Corley Trustee of the Iris G. Corley Trust date 19/19/84	\$50,000.00
Robert J. Cowen Trustee of the Robert J. Cowen Trust dated 11/7/97	\$50,000.00
Robert Allan Cowman & Terry Lee Cowman Co-Trustees of the Charles Robert Cowman & Geneva Cowman Joint Revocable Inter Vivos Trust	\$50,000.00
Maureen DaCosta, a single woman	\$50,000.00
Davis Investments	\$200,000.00
First Savings Bank Custodian For Joseph Davis IRA	\$20,000.00
Pat Davis & Susan Davis, husband & wife, as joint tenants with right of survivorship	\$100,000.00
DeHart/Hooks, L.P.	\$60,000.00
James D. Dery & Ann R. Dery, husband & wife	\$100,000.00
Panagiotis Dovanidis, a single man & Dimitra Dovanidou, a married woman dealing with her sole & separate property, as joint tenants with right of survivorship	\$30,000.00
Daniel Drubin & Laura Drubin, husband & wife, as joint tenants with right of survivorship	\$130,000.00
First Savings Bank Custodian For Daniel Drubin IRA	\$25,000.00
James J. Duffy Jr. Trustee of the Duffy 1986 Trust dated 6/18/86	\$50,000.00
John Dutkin Trustee of the John Dutkin Revocable Living Trust dated 1/17/00	\$25,000.00
Edward D. Earl, an unmarried man	\$25,000.00
First Savings Bank Custodian for Robert D. Earp IRA	\$50,000.00
John D. Eichhorn & Jill A. Eichhorn, husband & wife, as joint tenants with right of survivorship	\$150,000.00
Frank G. Eliano Trustee for the benefit of The Frank G. Eliano 1995 Revocable	

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Trust	\$20,000.00
Richard L. English	\$100,000.00
William H. Favro & Carol M. Favro Trustees of the Favro Trust dated 9/14/00	\$50,000.00
Lewis Fine & Arlene J. Fine	\$60,000.00
First Savings Bank Custodian For Earlene E Fitzner IRA	\$50,000.00
Dennis Flier & Carol Flier Trustees of the Flier Family Trust dated 1/21/98	\$100,000.00
Dennis Flier Trustee of the Dennis Flier, Inc. Defined Benefit Trust dated 6/29/87	\$170,000.00
David Fossati	\$100,000.00
First Savings Bank Custodian For Edward C. Fraser IRA	\$56,000.00
Gregory L. Freeman Trustee of the Lillian M. Freeman Trust dated 5/31/85	\$45,000.00
Gregory L. Freeman, an unmarried man	\$100,000.00
Stanley C. Germain & Dorothy Germain, joint tenants with right of survivorship	\$25,000.00
Roger L. Ghormley & Frances L. Ghormely, husband & wife, as joint tenants with right of survivorship	\$50,000.00
Michele Gilbert Custodian For Lauren J. Gilbert, her minor child	\$25,000.00
Gale Gladstone-Katz Trustee of the Gale Gladstone-Katz Revocable Living Trust dated 12/10/03	\$100,000.00
Robin B. Graham & Celia Allen-Graham Trustees of the Graham Family Trust dated 10/26/78	\$50,000.00
Robin B. Graham Trustee of the Graham Family Marital Trust B dated 2/13/97	\$100,000.00
Bernard Greenblatt Trustee of the Bernard Greenblatt Living Trust dated 7/15/96	\$300,000.00
David M. Greenblatt, an unmarried man & Karl Greenblatt, an unmarried man, as joint tenants with right of survivorship	\$50,000.00
William E. Gregory & Marjorie C. Gregory Trustees for the benefit of Gregory Family Trust UAD 5/25/93	\$37,000.00
Dixie Gross Trustee of the Dixie B. Gross Revocable Trust	\$100,000.00
Clifford D. Hagberg as Personal Representative of the Estate of Florence L. Hagberg	\$100,000.00
Stanley Halfter & Dolores Halfter, husband & wife	\$100,000.00
Reverend Timothy Hall Trustee of the Nash Irrevocable Trust	\$25,000.00
Chriss J. Hammond & Tara M. Hammond, husband & wife, as joint tenants with right of survivorship	\$50,000.00
Darlene Hammond Trustee of the Dar Living Trust dated 2/12/03	\$50,000.00
MLH Family Investment Limited	\$250,000.00
Classic Plumbing	\$250,000.00
Michael Hedlund & Carol Hedlund, as husband & wife, joint tenants with right of survivorship	\$50,000.00
First Savings Bank Custodian For Herbert R. Heider IRA	\$25,000.00
Helms Homes, LLC	\$200,000.00
Jay E. Henman, an unmarried man	\$75,000.00
Marilyn Hilborn Trustee of the Marilyn Hilborn Trust dated 11/18/93	\$30,000.00
Hermaine Hinden & Seymour Hinden Trustees of the Hermaine & Seymour Hinden Living Trust dated 2/22/00	\$30,000.00
William J. Hinson, Jr.	\$25,000.00
Robert Hitchins, an unmarried man	\$25,000.00
William H. Jacobsen, Jr.	\$25,000.00

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Kathy John & Tina Eden, joint tenants with right of survivorship	\$25,000.00
Albert Johnson Jr. & Norma J. Johnson Trustees of the Johnson Family Trust dated 2/17/98	\$40,000.00
K. Ken Kaneda & Brigitte Arend-Kaneda Trustees of the Kaneda Living Trust dated 5/30/02	\$60,000.00
William Kayser & Kristie Kayser, husband & wife, as joint tenants with right of survivorship	\$50,000.00
Arthur E. Kebble & Thelma M. Kebble Trustees of the Arthur E. Kebble & Thelma M. Kebble Family Trust dated 5/19/95	\$25,000.00
Robert J. Kehl & Ruth Ann Kehl, husband & wife, as joint tenants with right of survivorship	\$1,000,000.00
Lawrence A. Kirkham & Kathleen B. Sanginiti Trustees of the Kirkham & Sanginiti Trust dated 2/29/96	\$25,000.00
First Savings Bank Custodian for Eugene F. Koppenhaver IRA	\$25,000.00
Ronald Kreykes & Linda Kreykes, Tenants in Common	\$100,000.00
First Savings Bank Custodian for Arthur I. Kriss IRA	\$100,000.00
Bernard Kruger, a married man dealing with his sole & separate property	\$25,000.00
David Krynzal & Dan Krynzal	\$100,000.00
Roger Lam, a married man as his sole and separate property	\$400,000.00
Melvin Lamph Trustee of the Melvin Lamph Trust dated 2/19/87	\$200,000.00
James Liem Trustee of the Liem Family Trust	\$25,000.00
Daniel Lisek, Claire Lisek & Gayle Harkins Trustees of the Lisek Family Trust dated 1/29/92	\$50,000.00
Boris M. Lokshin & Mindy F. Lokshin Trustees of the Lokshin Family Trust dated 6/3/96	\$200,000.00
Dennis L. London Trustee of the London Trust dated 9/20/99	\$25,000.00
Richard J. Loughlin & Roberta L. Loughlin Trustees of the Loughlin Family Trust	\$200,000.00
Leona Lubliner Trustee of the Leona Lubliner Living Trust U/A dated 7/16/96	\$50,000.00
Richard D. Luthi Trustee of the Richard D. Luthi Trust dated 5/20/95	\$30,000.00
Philip H. Lynch, a single man	\$25,000.00
Barbara Macfarlane Trustee of the Barbara Macfarlane Living Trust Agreement dated 6/4/95	\$25,000.00
Kelly Cooper, an unmarried man & Susan Mack, an unmarried woman, as joint tenants with right of survivorship	\$25,000.00
Andrea T. Mancuso Trustee of the Andrea T. Mancuso Living Trust dated 5/3/95	\$100,000.00
John A. Manney & Kathryn B. Manney, husband & wife, as joint tenants with right of survivorship	\$10,000.00
Zeev Mansdorf & Cila Mansdorf Trustees of the Mansdorf 1993 Trust	\$25,000.00
Lily Markham & Irene Anne Markham-Tafoya	\$15,000.00
JV Marrone Trustee for the benefit of The JV Marrone Revocable Trust dated 12/12/95	\$30,000.00
Jerome Marshall & Rochelle Marshall, husband & wife, as Tenants in Common	\$30,000.00
Sandra O. Masters Trustee of the Charles T. Masters & Sandra O. Masters Family Trust dated 10/9/92	\$125,000.00
James E. Mathieson & Doris R. Mathieson, husband & wife, as joint tenants with right of survivorship	\$20,000.00

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Burton M. Sack, a married man dealing with his sole & separate property	\$250,000.00
Samuels Foundation, Inc.	\$65,000.00
Taylor Samuels Trustee of the Samuels 1999 Trust	\$35,000.00
Steven G. Sapourn, a married man dealing with his sole & separate property	\$40,000.00
First Savings Bank Custodian For Robert A. Schell IRA	\$150,000.00
Nina M. Schwartz Trustee of the NMS Living Trust dated 12/27/01	\$25,000.00
A. Andrew Schwarzman & Maria T. Cotch, joint tenants with right of survivorship	\$25,000.00
Mary Sexenian Trustee of the Mary Sexenian Trust dated 4/3/96	\$50,000.00
Alice Shepherd, a single woman	\$30,000.00
The Sheriff Family, LLC	\$100,000.00
First Trust Co. of Onaga Custodian For Michael Shubic IRA	\$45,000.00
First Trust Company of Onaga Custodian For Ruby Simon, IRA	\$37,000.00
Ruby Simon, a single woman	\$135,000.00
Leon E. Singer & Suzy Singer Trustees of the Leon E. Singer & Suzy Singer Revocable Trust dated 6/30/99	\$50,000.00
Robert D. Sleeper & Mary A. Sleeper Trustees of the Robert & Mary Sleeper Family Trust dated 3/30/90	\$70,000.00
Herbert Slovis, a single man & Julie B. Slovis, a single woman as joint tenants with right of survivorship	\$100,000.00
Daniel R. Smith & Diann L. Smith, husband & wife, as joint tenants with right of survivorship	\$10,000.00
Wormack E Smith III & Christina C Smith	\$200,000.00
Bruce Sonnenberg & Rosemary Sonnenberg, as joint tenants with right of survivorship	\$100,000.00
First Trust Company of Onaga Custodian For Robert Speckert IRA	\$180,000.00
Robert Speckert Trustee of the Robert S. Speckert Rev. Living Trust dtd 6/11/92	\$50,000.00
Rosalind L. Stark Trustee of the Rosalind L. Stark Separate Property Trust dated 4/11/02	\$25,000.00
Bert A. Stevenson Trustee of the Stevenson Pension Trust dated 1/7/54	\$300,000.00
Harold Sturza & Elyse Smerling, joint tenants with right of survivorship	\$25,000.00
Robert A Susskind, an unmarried man	\$500,000.00
Robert Swedelson & Donna Swedelson Trustees of the Swedelson Family Trust dated 12/23/92	\$25,000.00
Preswick Corp.	\$300,000.00
Wayne P. Tarr & Elizabeth G. Tarr, as joint tenants with right of survivorship	\$100,000.00
KTaylorGO Investments, LTD	\$200,000.00
Robert M. Taylor & Lettie Ladelle Taylor	\$25,000.00
William Taylor & Lyla Taylor Trustees of the Taylor Family Trust dated 12/23/86	\$25,000.00
Gary Tebbutt	\$5,000.00
First Savings Bank Custodian For Louise Teeter IRA Rollover	\$60,000.00
Norman Teeter, a single man	\$60,000.00
Robert G. Teeter	\$25,000.00
Gerry Topp	\$50,000.00
Walter C. Tripp Trustee of the Tripp Family Trust	\$25,000.00
Thomas G. Turner & Diane M. Turner, joint tenants with right of survivorship	\$25,000.00
John P. Ulrich, married, as his sole & separate property	\$35,000.00

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USA Capital First Trust Deed Fund	\$1,505,140.80
USA Capital Diversified Trust Deed Fund	\$1,632,541.67
Gloria Valair, a single woman	\$50,000.00
Robert R. Wade & Shirley E. Wade, husband & wife, as joint tenants with right of survivorship	\$50,000.00
Norm Webster, a single man	\$25,000.00
Connie Westbrook	\$20,000.00
Thomas H. Wilkinson & Susan L. Wilkinson Trustees of the Thomas H. Wilkinson Living Trust dated 5/21/02	\$50,000.00
Carmel Winkler Trustee of the Winkler Family Trust UTD 3/13/86	\$25,000.00
Rudolf Winkler & Carmel Winkler Trustees for the benefit of Winkler Family Trust dated 3/13/86	\$100,000.00
Mazal Yerushalmi	\$100,000.00
Gregory D. Yonai Trustee of the Gregory D. Yonai Family Trust	\$25,000.00
Spectrum Capital, LLC	\$30,000.00
Franz J. Zimmer Trustee of the Franz J. Zimmer Revocable Trust dated 02/05/97	\$100,000.00
TOTAL	\$20,167,682.47

Property of Cook County Clerk's Office

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EXHIBIT B
LEGAL DESCRIPTION

PIN: 31-1b-203-002

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Legal Description for Parcel 5

All of Lot 5 and that part of Lot 3 in Brookmere Subdivision, being a resubdivision of part of Matteson Commons Subdivision in the East Half of Section 16, Township 35 North, Range 13 East of the Third Principal Meridian, in the Village of Matteson, Cook County, Illinois, according to the plat thereof recorded August 28, 2003 as Document No. 0324019012, described as follows:

Beginning at the southeast corner of said Lot 3; thence North 81 degrees 30 minutes 17 seconds West along the southerly line of said Lot 3 for a distance of 552.94 feet to the southwest corner of said Lot 3; thence northeast 400.17 feet along the west line of said Lot 3, being on a curve concave to the east, having a radius of 610.00 feet and a chord bearing North 23 degrees 03 minutes 06 seconds East, 393.03 feet to a point of compound curvature, thence continuing northeast 237.98 feet along the northwesterly line of said Lot 3, being on a curve concave to the southeast, having a radius of 11,379.16 feet and a chord bearing North 42 degrees 26 minutes 39 seconds East, 237.97 feet; thence South 15 degrees 53 minutes 25 seconds East, 238.24 feet; thence South 39 degrees 51 minutes 50 seconds East, 77.80 feet; thence South 39 degrees 51 minutes 50 seconds East, 50.40 feet; thence South 81 degrees 30 minutes 36 seconds East, 127.06 feet to the east line of said Lot 3, being on the west line of Matteson Avenue; thence South 08 degrees 29 minutes 22 seconds West along the west line of Matteson Avenue, 275.67 feet to the point of beginning.

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Legal Description for Parcel 4

Lots 1 to 146 in First Resubdivision of Lot 4 in Brookmere, being a subdivision of Lot 4 in Brookmere Subdivision in the East $\frac{1}{2}$ of Section 16, Township 35 North, Range 13 East, of the third principal meridian in the Village of Matteson as per plat recorded August 4, 2004 as Document No. 0421744046, Cook County, Illinois.

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