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RECORDING REQUESTED BY AND  
WHEN RECORDED MAIL TO:

Sidley Austin Brown & Wood LLP  
1501 K Street, NW  
Washington, D.C. 20005  
Attn: William E. Sudow, Esq.

Doc#: 0518702191  
Eugene "Gene" Moore Fee: \$32.00  
Cook County Recorder of Deeds  
Date: 07/06/2005 01:16 PM Pg: 1 of 5

Property of Cook County

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## ASSIGNMENT OF ASSIGNMENT OF LEASES AND RENTS: END USER LEASE

THIS ASSIGNMENT OF ASSIGNMENT OF LEASES AND RENTS: END USER LEASE (this "Assignment") is made as of the 28 day of June, 2005, by SB ARLINGTON FUNDING COMPANY, INC., a Delaware corporation ("Assignor") to and for the benefit of ING REAL ESTATE FINANCE (USA) LLC, a Delaware limited liability company, having an address at 230 Park Avenue, 12<sup>th</sup> Floor, New York, New York 10169, its successors and assigns, as Administrative Agent on behalf of the Lenders now or hereafter party to that certain First Amended and Restated Loan and Security Agreement of even date herewith (as amended, modified or supplemented from time to time, the "Loan Agreement") by and among Assignor, certain other borrower parties, Administrative Agent and the Lenders (such Lenders, individually and collectively, the "Lender"). SB Arlington Project Corporation, a Delaware corporation ("Project Company") and SBC Services, Inc., a Delaware corporation ("Tenant"), have entered into a certain lease, dated as of the 24 day of May 1996, (such lease, together with all amendments and modifications thereof, hereinafter being referred to as the "End User Lease") pursuant to which Tenant leased all or a portion of the Premises (as defined in the Mortgage, which Premises includes the land more particularly described in Exhibit A attached hereto and by this reference made a part hereof) owned by Assignor. Pursuant to that certain Assignment of Leases and Rents: End User Lease, dated as of the date hereof, by and between Project Company and Assignor (the "Underlying Assignment"), Project Company has collaterally assigned to Assignor its interest in all current and future leases, subleases and other agreements affecting the use, enjoyment, or occupancy of all or any part of the Mortgaged Property, including the End User Lease (but excluding the Finance Lease (as defined therein) and the other Project Documents (as defined in the Finance Lease)), and the rents and other amounts due and payable under such leases, including the End User Lease. The Underlying Assignment has been granted to Assignor as part of the collateral securing Assignor's financing arrangements with Project Company evidenced by the Finance Lease. All rent and other payments due under the End User

*Assignment of Assignment of Leases and Rents: End User Lease (SB Arlington)*

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Lease shall be paid in accordance with the terms of this Assignment and that certain direction letter from Project Company to Tenant, dated as of the date hereof. All capitalized terms not defined herein shall have the respective meanings set forth in the Loan Agreement.

THIS ASSIGNMENT is made for the purposes of securing:

A. The payment of the indebtedness evidenced by that certain First Amended and Restated Promissory Note dated as of the date hereof made by Assignor and the other Borrowers to the order of Lender in the principal sum of \$424,482,000 (as the same may be amended, restated, extended or otherwise modified from time to time, the "Note"), and the other Obligations, which Obligations are secured by, among other things, that certain Mortgage, Assignment of Leases and Rents, Security Agreement and Fixture Filing of even date herewith made by Assignor in favor of Lender (as amended, modified or supplemented from time to time, the "Mortgage"), covering the Mortgaged Property described therein and to be recorded in the official land records of Cook County, Illinois (the "Official Records").

B. The performance and discharge of each and every obligation, covenant and agreement of Assignor contained herein and in the other Loan Documents.

Assignor, as the holder of the Underlying Assignment and for valuable consideration hereby endorses, assigns, sells, transfers and delivers to the Lender, all right, title and interest of Assignor in, to and under the Underlying Assignment given by the Project Company to Assignor and to be recorded prior to the Mortgage in the Official Records, covering all current and future leases, subleases and other agreements (other than the Finance Lease and the other Project Documents) affecting the use, enjoyment, or occupancy of all or any part of the Mortgaged Property.

Together with any and all other liens, privileges, security interests, rights, entitlements, equities, claims and demands as to which Assignor hereunder possesses or to which Assignor is otherwise entitled under the instrument described above.

THIS ASSIGNMENT AND THE OBLIGATIONS ARISING HEREUNDER SHALL BE GOVERNED BY AND CONSTRUED IN ACCORDANCE WITH, THE LAWS OF THE STATE OF NEW YORK APPLICABLE TO CONTRACTS MADE AND PERFORMED IN THE STATE OF NEW YORK AND ANY APPLICABLE LAWS OF THE UNITED STATES OF AMERICA EXCEPT THAT AT ALL TIMES THE PROVISIONS FOR THE CREATION, PERFECTION AND ENFORCEMENT OF THE LIENS AND SECURITY INTERESTS CREATED PURSUANT TO THIS ASSIGNMENT SHALL BE GOVERNED BY THE LAWS OF THE STATE WHERE THE PROPERTY IS LOCATED, EXCEPT THAT THE SECURITY INTERESTS IN ACCOUNT COLLATERAL SHALL BE GOVERNED BY THE LAWS OF THE STATE OF NEW YORK OR THE STATE WHERE THE SAME IS HELD, AT THE OPTION OF LENDER.

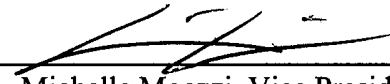
[SIGNATURE APPEARS ON THE FOLLOWING PAGE]

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IN WITNESS WHEREOF, Assignor has caused this instrument to be executed by its duly authorized officer as of the day and year first above written.

**ASSIGNOR:**

**SB ARLINGTON FUNDING COMPANY, INC.,**  
a corporation incorporated under the laws of the  
State of Delaware, United States of America

By:   
Michelle Moezzi, Vice President

**ACKNOWLEDGEMENT**

STATE OF )

COUNTY OF )

I, John M. DeMilt, a Notary Public in and for the said State, DO  
HEREBY CERTIFY that Michelle Moezzi, as Vice President of SB Arlington Funding  
Company, Inc., a Delaware corporation, personally known to me to be the same person whose  
name is subscribed to the foregoing instrument as such Vice President of said corporation,  
appeared before me this day in person and acknowledged that she signed and delivered the said  
instrument as her free and voluntary act and as the free and voluntary act of said corporation for  
uses and purposes set forth therein.

Given under my hand and notarial seal this 10 day of June, 2005.

  
Notary Public – Signature

John M. DeMilt  
Notary Public – Printed

My Commission Expires:

\_\_\_\_\_

My County of Residence is:

\_\_\_\_\_

JOHN M. DEMILT  
Notary Public, State of New York  
No. 02DE6002207  
Qualified in Nassau County  
Commission Expires 1-5-8 2006



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## EXHIBIT A

### LEGAL DESCRIPTION ARLINGTON HEIGHTS, IL

THE LAND REFERRED TO IN THIS POLICY IS IN THE STATE OF ILLINOIS, COUNTY OF COOK AND IS DESCRIBED AS FOLLOWS:

PARCEL 1:

LOT 3

(EXCEPTING THEREFROM THAT PART OF LOT 3 DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 3; THENCE SOUTHEASTERLY ALONG A 2541.29 FOOT RADIUS CURVE, BEING ALSO THE NORTHERLY LINE OF SAID LOT 3, THE CENTER OF CIRCLE OF SAID CURVE BEARS ON AN ASSUMED BEARING OF NORTH 47 DEGREES 58 MINUTES-18 SECONDS EAST FROM SAID POINT, CENTRAL ANGLE 2 DEGREES 12 MINUTES 20 SECONDS, 97.82 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTHEASTERLY ALONG SAID CURVE CONCAVE TO THE NORTHEAST RADIUS 2541.29 FEET, CENTRAL ANGLE 11 DEGREES 26. MINUTES 54 SECONDS, 507.78 FEET TO A POINT OF REVERSE CURVATURE; THENCE SOUTHERLY ALONG A 30.00 FOOT RADIUS CURVE CONCAVE TO THE SOUTHWEST, CENTRAL ANGLE 55 DEGREES 04 MINUTES 09 SECONDS, 28.83 FEET TO A POINT ON A 2551.07 FOOT RADIUS CURVE, THE CENTER OF CIRCLE OF SAID CURVE BEARS NORTH 35 DEGREES 00 MINUTE 05 SECONDS EAST FROM SAID POINT; THENCE NORTHWESTERLY ALONG SAID CURVE, RADIUS 2551.07 FEET, CENTRAL ANGLE 8 DEGREES 26 MINUTES 03 SECONDS, 375.52 FEET TO A POINT ON A 2546.12 FOOT RADIUS CURVE, THE CENTER OF CIRCLE OF SAID CURVE BEARS NORTH 42 DEGREES 14 MINUTES 05 SECONDS EAST FROM SAID POINT; THENCE NORTHWESTERLY ALONG SAID CURVE, RADIUS 2546.12 FEET, CENTRAL ANGLE 2 DEGREES 18 MINUTES .00 SECOND, 102.21 FEET; THENCE NORTH 40 DEGREES 00 MINUTE 53 SECONDS WEST 56.36 FEET TO THE POINT OF BEGINNING).

IN ARLINGTON PLACE SUBDIVISION, BEING A SUBDIVISION IN SECTION 16, TOWNSHIP 41 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 2:

EASEMENT FOR THE BENEFIT OF PARCEL 1 AS CREATED BY THE RECIPROCAL EASEMENT AGREEMENT BY AND BETWEEN URBS-SCHMITT AND KEPPEL INCORPORATED, AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, AS TRUSTEE UNDER TRUST AGREEMENT DATED JULY 3, 1979 AND KNOWN AS TRUST NUMBER 47058 AND OTHERS, DATED AUGUST 2, 1979 AND RECORDED OCTOBER 1, 1979 AS DOCUMENT 25171074 AND FILED OCTOBER 1, 1979 AS DOCUMENT LR. 3121973 AND AS AMENDED BY INSTRUMENT RECORDED

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JUNE 4, 1981 AS DOCUMENT 25893428 AND FILED AS DOCUMENT LR. 3218008 FOR INGRESS AND EGRESS IN PART OF ARLINGTON PLACE SUBDIVISION AND TEULACH'S SUBDIVISION AS DELINEATED IN SAID AGREEMENT, IN COOK COUNTY, ILLINOIS.

## PARCEL 3:

EASEMENT FOR THE BENEFIT OF PARCEL 1 AS CREATED BY AMENDED AND RESTATED EASEMENT AND OPERATING AGREEMENT AND GRANT OF EASEMENTS BY AND AMONG AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, AS TRUSTEE UNDER TRUST AGREEMENT NUMBER 45170, AND AS TRUSTEE UNDER TRUST AGREEMENT NUMBER 52304, SAID AGREEMENT BEING DATED FEBRUARY 1, 1983 AND RECORDED MARCH 7, 1983 AS DOCUMENT 26527048 AND FILED MARCH 7, 1983 AS DOCUMENT LR. 3296792, OVER, UPON AND ACROSS LOT 1 FOR THE PURPOSE OF USING AND GAINING ACCESS TO A SURFACE WATER DETENTION/RETENTION POND LOCATED IMMEDIATELY EAST OF THE WESTERNMOST LINE OF LOT 1 IN ARLINGTON PLACE SUBDIVISION AFORESAID, AS SHOWN ON DRAWING ATTACHED AS EXHIBIT "A" TO EASEMENT AND OPERATING AGREEMENT DATED DECEMBER 1, 1979 AND RECORDED JANUARY 4, 1980 AS DOCUMENT 25306989 AND FILED JANUARY 4, 1980 AS DOCUMENT LR. 3139276 AND ALSO OVER, UPON AND ACROSS LOT 2 IN ARLINGTON PLACE SUBDIVISION AFORESAID FOR THE PURPOSE OF GAINING ACCESS TO SAID POND LOCATED ON SAID LOT 1 AS SHOWN ON DRAWING ATTACHED AS EXHIBIT "A" TO THE AFORESAID AMENDED AND RESTATED EASEMENT AND OPERATING AGREEMENT AND GRANT OF EASEMENTS IDENTIFIED ABOVE, IN COOK COUNTY, ILLINOIS.

## PARCEL 4:

EASEMENT FOR THE BENEFIT OF PARCEL 1 AS CREATED BY GRANT OF EASEMENT DATED FEBRUARY 1, 1983 AND RECORDED MARCH 7, 1983 AS DOCUMENT 26527049 AND FILED MARCH 7, 1983 AS DOCUMENT LR. 3296793 BY AND BETWEEN AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, AS TRUSTEE UNDER TRUST AGREEMENT NUMBER 47058, AND AS TRUSTEE UNDER TRUST AGREEMENT NUMBER 52304, OVER, UPON AND ACROSS THAT PART OF LOT 2 IN ARLINGTON PLACE SUBDIVISION AFORESAID AS DEPICTED ON EXHIBIT "A", FOR CONSTRUCTING, RUNNING, MAINTAINING AND REPAIRING SANITARY SEWER LINES AND PIPES, IN COOK COUNTY, ILLINOIS.

PROPERTY ADDRESS:  
95 ALGONQUIN ROAD  
ARLINGTON HEIGHTS, ILLINOIS

PIN: 08-16-200-103-0000