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Doc#: 0523548012 Fee: \$38.00  
Eugene "Gene" Moore  
Cook County Recorder of Deeds  
Date: 08/23/2005 10:40 AM Pg: 1 of 8

Return Documents to:  
Elle Campbell OSLT2004-5  
Law Title - National Div.  
2000 W. Galena Blvd. #200 1 of 2  
Aurora, IL 60506  
(accommodation recording only)

## ASSIGNMENT OF MORTGAGE AND OTHER RECORDED DOCUMENTS

Dated as of: July 21, 2005

from

MERRILL LYNCH MORTGAGE LENDING, INC., in its capacity as the sole lender

having an address

250 Vesey Street, 16<sup>th</sup> Floor, 4 World Financial Center, New York, New York 10080

to

MERRILL LYNCH MORTGAGE LENDING, INC., on behalf of all noteholders

having an address

250 Vesey Street, 16<sup>th</sup> Floor, 4 World Financial Center, New York, New York 10080

Loan # 20059213002  
(Westin Chicago River North)

This instrument was prepared by ~~and when recorded should be returned to:~~

Dechert LLP  
One Market  
Spear Tower, Suite 1600  
San Francisco, CA 94105  
Attn: Joseph B. Heil, Esq.

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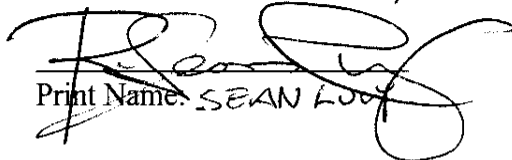
## ASSIGNMENT OF MORTGAGE AND OTHER RECORDED DOCUMENTS

KNOW ALL MEN BY THESE PRESENTS, that the undersigned MERRILL LYNCH MORTGAGE LENDING, INC., a Delaware corporation, having an address of 4 World Financial Center, New York, New York 10080, in its capacity as the sole lender ("Assignor"), for good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, effective as of July 21, 2005, does hereby assign and transfer, without recourse, to MERRILL LYNCH MORTGAGE LENDING, INC., a Delaware corporation, having an address of 4 World Financial Center, New York, New York 10080, on behalf of the holders of each of the promissory notes referred to on Exhibit C attached hereto and made a part hereof, all of Assignor's right, title and interest in, to and under those recorded documents identified on Exhibit B attached hereto and made a part hereof, relating to the real property described on Exhibit A attached hereto and made a part hereof, subject to the terms of that certain A/B Co-Lender Agreement dated as of July 21, 2005, by and between Merrill Lynch Mortgage Lending, Inc. and Merrill Lynch Capital, a division of Merrill Lynch Business Financial Services, Inc.

Dated as of the 21<sup>st</sup> day of July, 2005.

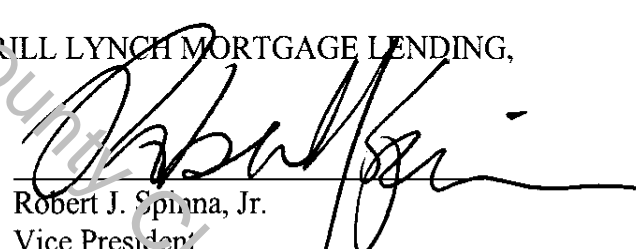
Witness:

  
 Print Name: Kyle Gilroy

  
 Print Name: SEAN LOO

ASSIGNOR:

MERRILL LYNCH MORTGAGE LENDING,  
 INC.

By:   
 Robert J. Spina, Jr.  
 Vice President



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## EXHIBIT A

### Legal Description of the Property

THOSE PARCELS OF LAND IN THE CITY OF CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, LOCATED AT 320 N. DEARBORN STREET, CHICAGO, COOK COUNTY, ILLINOIS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

#### PARCEL ONE:

THAT PART OF BLOCK 2 IN ORIGINAL TOWN OF CHICAGO IN SECTION 9, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, AT AND BELOW THE HORIZONTAL PLANE OF +50.00 FEET ABOVE CHICAGO CITY DATUM, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE WEST LINE OF NORTH DEARBORN STREET (ALSO BEING THE EAST LINE OF LOTS 1 AND 8 IN SAID BLOCK 2) AND THE NORTH LINE OF CHICAGO RIVER, AS OCCUPIED; THENCE WEST ALONG THE NORTH LINE OF SAID CHICAGO RIVER, AS OCCUPIED, A DISTANCE OF 187.48 FEET TO A POINT ON A LINE 134.10 FEET EAST (AS MEASURED AT RIGHT ANGLES) OF AND PARALLEL WITH THE EAST LINE OF NORTH CLARK STREET; THENCE NORTH ALONG SAID LINE (SAID LINE ALSO BEING THE EAST FACE OF AN EXISTING CONCRETE FOUNDATION WALL AND ITS NORTHERLY AND SOUTHERLY EXTENSION THEREOF), A DISTANCE OF 305.09 FEET; THENCE EAST AT RIGHT ANGLES TO THE LAST DESCRIBED LINE, A DISTANCE OF 187.37 FEET TO A POINT ON THE WEST LINE OF SAID NORTH DEARBORN STREET; THENCE SOUTH ALONG THE WEST LINE OF SAID NORTH DEARBORN STREET, A DISTANCE OF 311.60 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

#### PARCEL TWO:

THAT PART OF BLOCK 2 IN ORIGINAL TOWN OF CHICAGO IN SECTION 9, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, AT AND ABOVE THE HORIZONTAL PLANE OF +50.00 FEET ABOVE CHICAGO CITY DATUM, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE WEST LINE OF NORTH DEARBORN STREET (ALSO BEING THE EAST LINE OF LOTS 1 AND 8 IN SAID BLOCK 2) AND THE NORTH LINE OF CHICAGO RIVER, AS OCCUPIED; THENCE WEST ALONG THE NORTH LINE OF SAID CHICAGO RIVER, AS OCCUPIED, A DISTANCE OF 185.48 FEET TO A POINT ON A LINE 136.10 FEET EAST (AS MEASURED AT RIGHT ANGLES) OF AND PARALLEL WITH THE EAST LINE OF NORTH CLARK STREET; THENCE NORTH ALONG SAID LINE, A DISTANCE OF 305.16 FEET; THENCE EAST AT RIGHT ANGLES TO THE LAST DESCRIBED LINE, A

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DISTANCE OF 185.37 FEET TO A POINT ON THE WEST LINE OF SAID NORTH DEARBORN STREET; THENCE SOUTH ALONG THE WEST LINE OF SAID NORTH DEARBORN STREET, A DISTANCE OF 311.60 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

## PARCEL THREE:

EASEMENTS APPURTENANT TO AND FOR THE BENEFIT OF PARCELS ONE AND TWO AFORESAID FOR PURPOSES OF INGRESS AND EGRESS FOR PERSONS, VEHICLES AND MATERIALS, TO PERMIT THE CONSTRUCTION, MAINTENANCE, REPAIR, REPLACEMENT, RESTORATION OR RECONSTRUCTION OF THAT PORTION OF ANY IMPROVEMENTS DIRECTLY ABUTTING THE HEREINAFTER DESCRIBED PROPERTY; FOR PEDESTRIAN AND VEHICULAR INGRESS AND EGRESS TO AND FROM THE LAND; TO INSTALL AND MAINTAIN CAISSONS SUPPORTING IMPROVEMENTS TO BE LOCATED ON THE LAND; PERMITTING ENCROACHMENTS, AND PERMITTING GENERAL ATTACHMENT TO THOSE IMPROVEMENTS CONSTRUCTED ON THE HEREINAFTER DESCRIBED PROPERTY WHICH LIE AT OR BELOW THE "PLAZA LEVEL", ALL AS SET FORTH IN THE EASEMENT AND OPERATING AGREEMENT DATED JANUARY 14, 1986 AND RECORDED JANUARY 21, 1986 AS DOCUMENT NUMBER 86025944 AND FILED IN THE OFFICE OF THE REGISTRAR OF TITLES AND MADE BY AND BETWEEN LASALLE NATIONAL BANK, AS TRUSTEE UNDER TRUST AGREEMENT DATED MARCH 1, 1985 AND KNOWN AS TRUST NUMBER 109495, LASALLE NATIONAL BANK, AS TRUSTEE UNDER TRUST AGREEMENT DATED JUNE 29, 1981 AND KNOWN AS TRUST NUMBER 104102, OXFORD PROPERTIES, INC., LASALLE NATIONAL BANK, AS TRUSTEE UNDER TRUST AGREEMENT DATED SEPTEMBER 20, 1985 AND KNOWN AS TRUST NUMBER 110339 AND THE JDC-TISHMAN CHICAGO HOTEL COMPANY, AND AS AMENDED BY FIRST AMENDMENT TO EASEMENT AND OPERATING AGREEMENT DATED AUGUST 23, 1988 AND RECORDED ON AUGUST 24, 1988 AS DOCUMENT NUMBER 88384561 MADE BY AND BETWEEN LASALLE NATIONAL BANK AS TRUSTEE UNDER TRUST AGREEMENT NUMBER 109495, LASALLE NATIONAL BANK AS TRUSTEE UNDER TRUST AGREEMENT NUMBER 164102, LASALLE NATIONAL BANK AS TRUSTEE UNDER TRUST NUMBER 112420, QUAKER TOWER PARTNERSHIP AND BCE DEVELOPMENT PROPERTIES, INC., JDL CHICAGO HOTEL LIMITED PARTNERSHIP, ET AL.

## PARCEL FOUR:

EASEMENTS APPURTENANT TO AND FOR THE BENEFIT OF PARCELS ONE AND TWO AFORESAID FOR PARKING; AND PEDESTRIAN AND VEHICULAR INGRESS AND EGRESS TO AND FROM THE GARAGE CONSTRUCTED ON THE LAND TO CARROLL AVENUE, AS SET FORTH IN THE PARKING AGREEMENT DATED JANUARY 14, 1986 AND RECORDED JANUARY 21, 1986 AS DOCUMENT NUMBER 86025945, MADE BY AND BETWEEN LASALLE NATIONAL BANK, AS TRUSTEE

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UNDER TRUST AGREEMENT DATED SEPTEMBER 20, 1985 AND KNOWN AS TRUST NUMBER 110339, THE JCD-TISHMAN CHICAGO HOTEL COMPANY, LASALLE NATIONAL BANK, AS TRUSTEE UNDER TRUST AGREEMENT DATED MARCH 1, 1985 AND KNOWN AS TRUST NUMBER 109495, OXFORD PROPERTIES, INC. AND LASALLE NATIONAL BANK, AS TRUSTEE UNDER TRUST AGREEMENT DATED JUNE 26, 1981 AND KNOWN AS TRUST NUMBER 104102; SAID PARKING AGREEMENT MODIFIED BY UNRECORDED LETTER AGREEMENT DATED FEBRUARY 1, 2003 BETWEEN 321 NORTH CLARK REALTY L.L.C. AND THR CHICAGO L.L.C., A DELAWARE LIMITED LIABILITY COMPANY.

PARCEL NOS. 17-09-408-011-0000  
17-09-409-004-0000  
17-09-409-005-0000

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## EXHIBIT B

### RECORDED DOCUMENTS

1. Mortgage, Security Agreement, Financing Statement, Fixture Filing and Assignment of Leases, Rents and Security Deposits, dated as of July 21, 2005, executed by THR Chicago LLC (the "Borrower"), as mortgagor, and Merrill Lynch Mortgage Lending, Inc. (the "Lender"), as mortgagee, and recorded on July 26, 2005, in the Real Estate Records of Cook County, Illinois (the "Land Records"), as Instrument No. 0520748002.

2. Assignment of Leases, Rents and Security Deposits, dated as of July 21, 2005, from Borrower, as assignor, to Lender, as assignee, and recorded on July 26, 2005, in the Land Records, as Instrument No. 0520748003.

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## EXHIBIT C

### PROMISSORY NOTES

1. Mortgage Note A, dated July 21, 2005, executed by THR Chicago LLC, as maker, to the order of Merrill Lynch Mortgage Lending, Inc., as payee, in the amount of \$61,000,000.00.

2. Mortgage Note B, dated July 21, 2005, executed by THR Chicago LLC, as maker, to the order of Merrill Lynch Mortgage Lending, Inc., as payee, in the amount of \$23,000,000.00.