

LOANID: 1197-0042-000T CPLS0501  
PREPARED AND RECORDING  
REQUESTED BY:  
Roger L. Carpenter  
LaSalle Bank N.A.  
135 S. LaSalle St., Suite 1625  
Chicago, IL 60603

**UNOFFICIAL COPY**



Doc#: 0535602153 Fee: \$34.00  
Eugene "Gene" Moore  
Cook County Recorder of Deeds  
Date: 12/22/2005 09:52 AM Pg: 1 of 6

AND WHEN RECORDED MAIL TO:

Corporation Service Company  
801 Adlai Stevenson Drive  
Springfield, IL 62703  
Phone: (217) 544-5900

766864-002MB1

SPACE ABOVE FOR RECORDER'S USE ONLY

**ASSIGNMENT OF  
MORTGAGE, SECURITY AGREEMENT,  
ASSIGNMENT OF LEASES AND RENTS AND FIXTURE  
FILING AND ASSIGNMENT OF ASSIGNMENT OF  
LEASE AND RENTS**

THIS AREA FOR

RECORDER'S

USE ONLY

**BOX 314**

This Instrument Prepared By and  
When Recorded Return To:

**UNOFFICIAL COPY**

Dechert LLP  
4000 Bell Atlantic Tower  
1717 Arch Street  
Philadelphia, Pennsylvania 19103-2793  
Attention: Helene S. Jaron, Esq.

SPACE ABOVE THIS LINE RESERVED  
FOR RECORDER'S USE ONLY

**ASSIGNMENT OF MORTGAGE AND  
ASSIGNMENT OF LEASE ASSIGNMENT**

Be it known that on the date hereinafter set forth, before the undersigned Notary Public, and in the presence of the undersigned witnesses personally appeared:

CAPLEASE CDO 2005-1, LTD., an exempted company incorporated with limited liability under the laws of the Cayman Islands ("Assignor"), appearing herein through Michael J. Heneghan, its Senior Vice President, having its address at c/o M&C Corporate Services Limited, P.O. Box 309, Uglund House, South Church Street, George Town, Grand Cayman, Cayman Islands, who did declare that it made and entered into and does hereby make and enter into this Assignment of Mortgage and Assignment of Lease Assignment under the following terms and conditions:

Assignor, for good and valuable consideration the receipt and sufficiency of which are hereby acknowledged, hereby absolutely sells, transfers, assigns, delivers, sets-over and conveys to SEE EXHIBIT B a SEE EXHIBIT B ("Assignee"), having a principal place of business at SEE EXHIBIT B without representation, warranty, or recourse, all of Assignor's right, title and interest in and to:

That certain Mortgage, Security Agreement and Assignment of Leases and Rents and Fixture Filing dated as of September 24, 2004 from ELSTON DEVELOPMENT L.L.C. (the "Borrower"), as mortgagor, for the benefit of Caplease, LP (the "Lender"), as mortgagee (the "Mortgage"), recorded on October 1, 2004 as Doc #0427527129 in the Official Records of Cook County, Illinois (the "Official Records"), and that certain Assignment of Lease and Rents dated as of September 24, 2004, from the Borrower, as assignor, to Lender, as assignee (the "Lease Assignment", and together with the Mortgage, the "Recorded Documents"), recorded on October 1, 2004 as Doc #0427527130 in the Official Records, the Recorded Documents were subsequently assigned by Assignment of Mortgage and Assignment of Lease Assignment dated as of March 4, 2005, by Lender, as assignor, to Assignor, as assignee, recorded [in Liber ---, Page ---] [as Instrument No. \* ] in the Official Records, which encumber or relate to the real estate legally described on Exhibit A attached hereto and made a part hereof (herein, the "Mortgaged Premises"), together with all amendments, supplemental agreements, releases, reconveyances, consolidations and other agreements relating to any of the foregoing.

Loan No. [          ]  
270800.1.BOSHRTHAR\_49

\* 0521318126

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This Assignment of Mortgage and Assignment of Lease Assignment shall be governed by the laws of the State in which the Mortgaged Premises is located.

Dated: March 4, 2005

CAPLEASE CDO 2005-1, LTD., an exempted company incorporated with limited liability under the under the laws of the Cayman Islands

By: Michael J. Heneghan  
Name: Michael J. Heneghan  
Title: Senior Vice President

"Seller"

STATE OF NEW YORK }  
  }ss.:  
COUNTY OF NEW YORK }

On the 4th day of March, 2005, before me personally came Michael J. Heneghan, to me known, who, being by me duly sworn, did depose and say that he is the Senior Vice President of CAPLEASE CDO 2005-1, LTD., an exempted company incorporated with limited liability under the under the laws of the Cayman Islands, the exempted company described in and which executed the foregoing instrument; and that he signed his name thereto be authority of the board of directors of said exempted company.

Lorenzo S. Tinio  
Notary Public, New York County,  
State of New York

My Commission expires: \_\_\_\_\_

SEAL

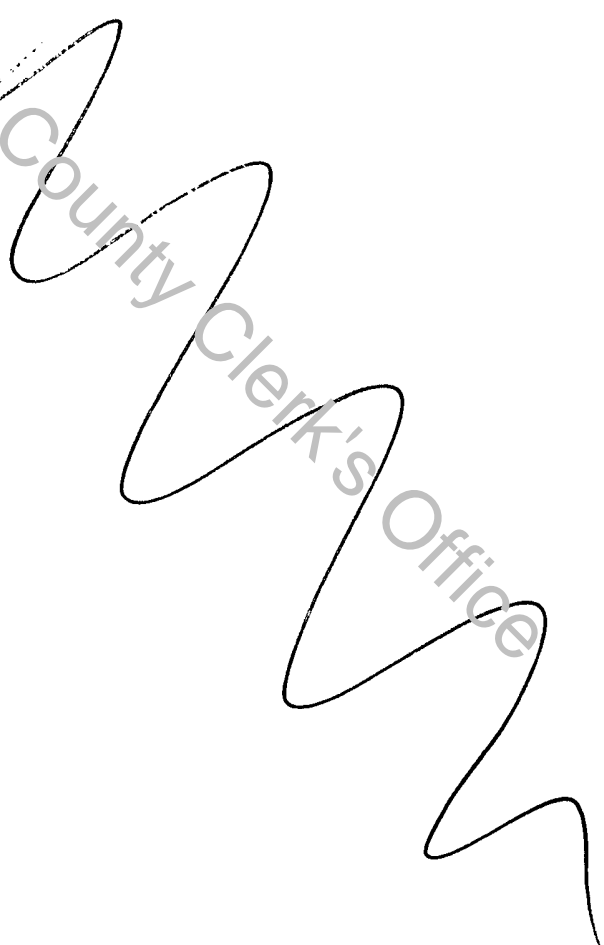
LORENZO S. TINIO  
Notary Public, State of New York  
No. 01TI5088484  
Qualified in New York County  
Commission Expires November 17, 20 05

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## EXHIBIT A

Legal Description

Property of Cook County Clerk's Office

A large, stylized handwritten signature in black ink is written over the diagonal watermark text.

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## EXHIBIT A

### DESCRIPTION OF PREMISES

#### **Parcel I**

That part of various lots; vacated streets and alleys; in various subdivisions in the East Half of the Northeast Quarter of Section 31, Township 40 North, Range 14, East of the Third Principal Meridian, described as follows:

Commencing at the intersection of the South line of West Webster Avenue with the Southwesterly line of North Elston Avenue; Thence South  $44^{\circ} 59' 59''$  East along said Southwesterly line 204.88 feet to the point of beginning; Thence continue South  $44^{\circ} 59' 59''$  East along said Southwesterly line 714.37 feet; Thence South  $45^{\circ} 03' 01''$  West 316.20 feet to the Northeasterly line of the Chicago & Northwestern Railroad right of way; Thence North  $50^{\circ} 35' 39''$  West along said Northeasterly line 695.54 feet to the East line of North Wood Street; Thence North  $00^{\circ} 54' 22''$  East along said East line 75.0 feet to a point 358.29 feet (as measured on said East line) South of the South line of West Webster Avenue; Thence South  $89^{\circ} 05' 38''$  East 42.21 feet; Thence North  $45^{\circ} 00' 01''$  East 300.76 feet to the point of beginning, in Cook County, Illinois.

LESS:

That part of Lot "A" in the consolidation of parts of Original Block 21 in Sheffield's Addition to Chicago in Section 31, Township 40 North, Range 14, East of the Third Principal Meridian, described as follows: Commencing at the intersection of the South line of West Webster Avenue with the Southwesterly line of North Elston Avenue; thence South  $44^{\circ} 59' 59''$  East, along the Southwesterly line of North Elston Avenue, 458.97 feet to the point of beginning; thence South  $45^{\circ} 00' 01''$  West 20.00 feet; thence North  $44^{\circ} 59' 59''$  West 20.00 feet; thence North  $45^{\circ} 00' 01''$  East 20.00 feet to the Southwesterly line of North Elston Avenue; thence South  $44^{\circ} 59' 59''$  East, along the Southwesterly line of North Elston Avenue, 20.00 feet to the point of beginning in Cook County, Illinois.

#### **Parcel II**

Together with non-exclusive easements for ingress, egress and parking as contained in Declaration of Covenants, Conditions, Reciprocal Rights and Easements dated August 4, 2004 and recorded on August 8, 2004 as document No. 0423310116.

PIN #'s

14-31-211-016

14-31-211-017

14-31-211-018

14-31-211-024

14-31-211-027

Property Address:

2100-2160 N. Elston Ave

Chicago, IL 60614

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## EXHIBIT B

ASSIGNEE NAME AND ADDRESS:

LASALLE BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR THE  
NOTEHOLDERS OF CAPLEASE CDO 2005-1  
135 SOUTH LASALLE STREET  
SUITE 1625  
CHICAGO, IL 60603

Property of Cook County Clerk's Office