

When Recorded Return To:



Corporation Service Company  
P.O. Box 2969  
Springfield, IL 62708

Doc#: 0535602154 Fee: \$34.00  
Eugene "Gene" Moore  
Cook County Recorder of Deeds  
Date: 12/22/2005 09:54 AM Pg: 1 of 6

SPACE ABOVE THIS LINE RESERVED  
FOR RECORDER'S USE ONLY

1197-0032-0007 CPLB 0501

ASSIGNMENT OF MORTGAGE AND  
ASSIGNMENT OF LEASE ASSIGNMENT

700864-02/11/19

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 under the laws of the Cayman Islands ("Assignor"), appearing herein through Robert C. Blanz, its Senior Vice President, having its address at c/o M&C Corporate Services Limited, P.O. Box 309, Ugland 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, Assignment of Leases and Rents and Fixture Filing dated as of August 4, 2004 from ELSTON DEVELOPMENT L.L.C. (the "Borrower"), as mortgagor, for the benefit of Caplease, LP (the "Lender"), as mortgagee (the "Mortgage"), as Doc # 0423310118 on August 20, 2004 in the Official Records of the Recorder of Deeds in the County of Cook, State of Illinois (the "Official Records"), which was amended by that certain First Amendment to Mortgage, Security Agreement, Assignment of Leases and Rents and Fixture Filing and Omnibus Amendment dated December 17, 2004 and recorded as Doc # 0435739091 on December 22, 2004 in the Official Records, and that certain Assignment of Lease and Rents dated as of August 4, 2004, from the Borrower, as assignor, to Lender, as assignee (the "Lease Assignment", and together with the Mortgage, the "Recorded Documents"), recorded as Doc # 0423310119 on August 20, 2004 in the Official Records, the Recorded Documents were subsequently assigned by Assignment of Mortgage and Assignment of Lease Assignment dated as of March 3, 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 Loan No. [ --- ]

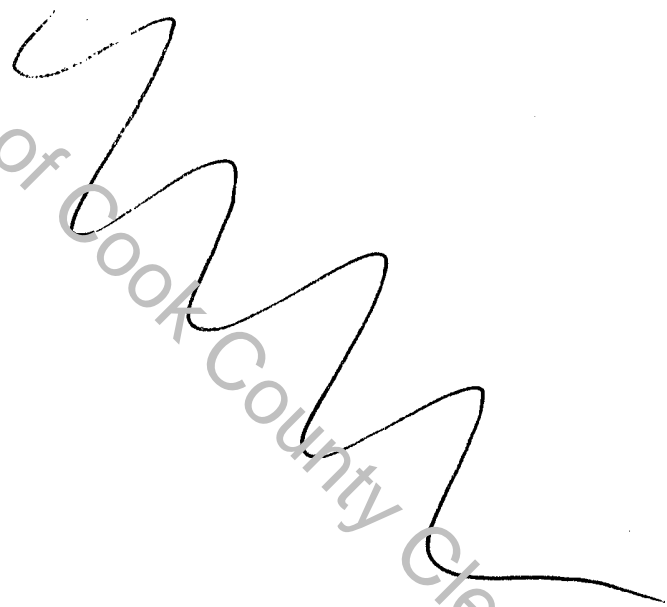


# UNOFFICIAL COPY

## 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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## SCHEDULE I

### LEGAL DESCRIPTION

#### Legal Description

##### Parcel 1

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 919.25 feet to the point of beginning; Thence continue South  $44^{\circ} 59' 59''$  East along said Southwesterly line 280.89 feet to the Westerly line of the Chicago and Northwestern Railway Company right of way; Thence South  $16^{\circ} 30' 34''$  East along said Westerly line of said right of way 439.44 feet to the North line of West Armitage Avenue; Thence North  $89^{\circ} 20' 44''$  West along said North line 144.37 feet to the Northeasterly line of Chicago and Northwestern Railway Company right of way; Thence Northwesterly along said Northeasterly right of way line being an arc of a circle convex Northeasterly and having a radius of 3538.26 feet for a distance of 339.30 feet (the chord of said arc having a bearing of North  $43^{\circ} 17' 15''$  West and a distance of 339.17 feet) Thence North  $48^{\circ} 38' 53''$  West along said right of way line 183.40 feet; Thence North  $50^{\circ} 25' 39''$  West along said right of way line 42.30 feet to a point on said Northeasterly line 695.54 feet (as measured on said Northeasterly line) Southeasterly of the East line of North Wood Street; Thence North  $45^{\circ} 03' 01''$  East 316.20 feet to the point of beginning (except therefrom Lots 14 and 34 in Hurford's Subdivision of Original Lot 1 in Block 21 in Sheffield's Addition to Chicago in said Section 31) in Cook County, Illinois.

Excepting therefrom:

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 941.33 feet to the point of beginning; thence South  $44^{\circ} 59' 59''$  East, along the Southwesterly line of North Elston Avenue, 20.02 feet to the Northwesterly line of vacated North Hobson Avenue; thence South  $45^{\circ} 03' 01''$  West, along the Northwesterly line of vacated North Hobson Avenue, 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 point of beginning, in Cook County, Illinois.

##### Parcel 2

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 20, 2004 as document No. 0423310116.

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## ENDORSEMENT CONTINUED

### Permanent Index Number:

14-31-211-028 (affects part & other ppty)  
14-31-211-029 (affects part & other ppty)  
14-31-219-001 (affects part)  
14-31-219-002 (affects part)  
14-31-219-003 (affects part)  
14-31-219-004 (affects part)  
14-31-219-005 (affects part)  
14-31-219-012 (affects part)  
14-31-219-013 (affects part)  
14-31-219-014 (affects part)  
14-31-219-015 (affects part)  
14-31-219-016 (affects part)  
14-31-219-017 (affects part)  
14-31-219-018 (affects part)  
14-31-219-019 (affects part)  
14-31-219-020 (affects part and other ppty)  
14-31-219-029 (affects part)  
14-31-219-031 (affects part)  
14-31-219-032 (affects part)  
14-31-219-034 (affects part)  
14-31-219-035 (affects part)  
14-31-219-039 (affects part)  
14-31-219-040 (affects part)  
14-31-219-041 (affects part)  
14-31-219-042 (affects part)  
14-31-219-043 (affects part)  
14-31-219-045 (affects part)  
14-31-219-046 (affects part)  
14-31-219-047 (affects part)

Case Number: 04-07343D

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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