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IL

Doc#: 0610231077 **Fee:** \$56.50
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 04/12/2008 12:28 PM Pg: 1 of 17

This Instrument was prepared by and after
recording return to:

Parasec
Attn: T. J. Majors
640 Bercut Drive, Suite A
Sacramento, CA 95814

Space above for recorder's use only

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

by

SBA CMBS-1 DEPOSITOR LLC, Assignor

to

LASALLE BANK NATIONAL ASSOCIATION, as Trustee, Assignee

DATED AS OF NOVEMBER 18, 2005

17 pgs

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THIS ASSIGNMENT OF MORTGAGE, FIXTURE FILING AND ASSIGNMENT OF LEASES AND RENTS (this "Assignment") dated as of NOVEMBER 18, 2005, by and between SBA CMBS-1 DEPOSITOR LLC, a Delaware limited liability company ("Assignor") to LASALLE BANK NATIONAL ASSOCIATION, as Trustee ("Assignee").

Preliminary Statement

- A. SBA Senior Finance, Inc., a Florida corporation ("Borrower"), the several banks and other financial institutions or entities from time to time parties thereto (the "Assigning Lenders"), Lehman Brothers Inc. and Deutsche Bank Securities Inc. as joint advisors and joint lead arrangers and bookrunners, General Electric Capital Corporation as co-lead arranger and co-syndication agent, TD Securities (USA) Inc. as documentation agent, and Lehman Commercial Paper Inc., as Administrative Agent ("Agent"), are parties to that certain Amended and Restated Credit Agreement, dated as of January 30, 2004 (as amended and restated, and as the same may be further amended, supplemented, restated, replaced or otherwise modified from time to time, the "Existing Credit Agreement").
- B. Pursuant to the Existing Credit Agreement and subject to the terms and conditions as set forth therein, the Assigning Lenders have made various extensions of credit to the Borrower.
- C. As of the date hereof, the Assigning Lenders have assigned to Assignor their rights and obligations under the Existing Credit Agreement, including all of the loans and other extensions of credit made by them hereunder, and Assignor and SBA Properties, Inc. have amended and restated the Existing Credit Agreement pursuant to that certain Amended and Restated Loan Agreement, dated as of November 18, 2005 (the "Credit Agreement").
- D. In connection with the Credit Agreement, Assignor, as agent for itself and for the ratable benefit of the Assigning Lenders, is the holder of those certain mortgages described on Schedule I attached hereto (the "Mortgages") which Mortgages encumber the property more fully and particularly described in the Mortgages and on Exhibit B attached hereto.
- E. In connection with the Trust and Servicing Agreement dated as of even date herewith among Assignor, Midland Loan Services, Inc., and Assignee, Assignor desires to assign the Mortgages to Assignee.

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NOW, THEREFORE, Assignor agrees and gives notice as follows:

1. (a) Assignor hereby assigns, transfers, sets over, conveys, releases and quitclaims to Assignee all of Assignor's right, title and interest in and to the Mortgages. This assignment is made without representation or warranty of any kind.

(b) From and after the date hereof, Assignee shall have the sole right to exercise any and all rights and remedies as "beneficiary," "lender," "mortgagee", or other holder of the Mortgages. Without limiting the generality of the preceding sentence, Assignee shall have the sole and exclusive right and authority to do any of the following, all in accordance with and pursuant to the Credit Agreement and the Mortgages: (a) exercise the power of sale or foreclose under the Mortgages; (b) exercise any rights and remedies under the Mortgages; (c) agree to any modification, amendment, restatement or supplementation of the Mortgages; (d) assign or release the Mortgages; or (e) take or omit to take any other actions as holder of the Mortgages.

2. This Assignment may be executed by one or more of the parties to this Assignment on any number of separate counterparts with the same effect as if the signature thereto and hereto were upon the same instrument, and all of said counterparts taken together shall be deemed to constitute one and the same instrument.

3. Any provision of this Assignment which is prohibited or unenforceable in any jurisdiction or court shall, as to such jurisdiction or court, be ineffective to the extent of such prohibition or unenforceability without invalidating the remaining provisions hereof, and any such prohibition or unenforceability in any jurisdiction or court shall not invalidate or render unenforceable such provision in any other jurisdiction or court.

4. Neither this Assignment nor any terms hereof may be amended, supplemented or modified except by a written instrument executed by the parties hereto. This Assignment shall be binding upon and shall inure to the benefit of the parties hereto and their respective successors and assigns.

5. This Assignment shall be governed by, and construed in accordance with, the laws of the State of Illinois, without regard to such State's laws of conflicts of laws.

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IN WITNESS WHEREOF, this Assignment has been duly executed by Assignor and Assignee as of the day and year first above written.

SBA CMBS-1 DEPOSITOR LLC,
as Assignor

By: T. P. H.

Name: Thomas P. Hunt

Title: Senior Vice President

Address: _____

Tax Identification Number: _____

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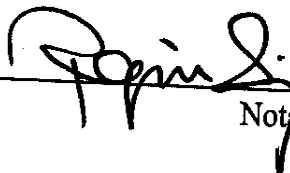
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STATE OF NEW YORK

COUNTY OF NEW YORK

I, Regina Liang, certify that Thomas P. Hunt, Senior Vice President of CMBS-I DEPOSITOR LLC, a limited liability company of the State of NY, who appeared before me this day in person, and acknowledged that Thomas P Hunt signed and delivered the instrument as said limited liability company's free and voluntary act for the uses and purposes therein set forth.

GIVEN under my hands and official seal this 18 day of November, 2005.



Notary Public

My Commission Expires:

REGINA LIANG
NOTARY PUBLIC, State of New York
No. 01273130401
Qualified in Nassau County
Commission Expires July 10, 2009

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ASSIGNMENT

SCHEDULE I Security Instruments

The following Security Instruments are recorded in all public records of

County: Cook
State: IL
Site Code: IL01597-B

- A. Mortgage/Deed of Trust/Deed to Secure Debt
- Mortgagor/Trustor/Grantor: SBA Properties, Inc.
Mortgagee/Beneficiary/Grantee/Lender: General Electric Capital Corporation
Dated: 6/30/2003
Recording Date: 7/23/2003
Document Number: 176019
Book:
Page:
- B. Assignment of Mortgage/Deed of Trust/Deed to Secure Debt
- Mortgagor/Trustor/Grantor: SBA Properties, Inc.
Mortgagee/Beneficiary/Grantee/Lender: General Electric Capital Corporation
Dated: January 30, 2004
Recording Date: 3/25/2004
Recording Information: Doc #0408512045
- C. Amendment of Mortgage/Deed of Trust/Deed to Secure Debt
- Mortgagor/Trustor/Grantor: SBA Properties, Inc.
Mortgagee/Beneficiary/Grantee/Lender: General Electric Capital Corporation
Dated: January 30, 2004
Recording Date: 3/25/2004
Recording Information: Doc #0408512046

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D. Assignment of Mortgage/Deed of Trust/Deed to Secure Debt

Assignor: Lehman Commercial Paper, Inc.

Assignee: SBA CMBS-1 DEPOSITOR LLC

Dated: November 18, 2005

Recorded: To be recorded immediately prior hereto.

E. Amendment of Mortgage/Deed of Trust/Deed to Secure Debt

Assignor: SBA CMBS-1 DEPOSITOR LLC

Assignee: LASALLE BANK, NATIONAL ASSOCIATION, AS TRUSTEE

Dated: November 18, 2005

Recorded: To be recorded immediately prior hereto.

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SCHEDULE I
Security Instruments

The following Security Instruments are recorded in all public records of

County: Kane
State: IL
Site Code: IL01976-A

- A. Mortgage/Deed of Trust/Deed to Secure Debt
- Mortgagor/Trustor/Grantor: SBA Properties, Inc.
Mortgagee/Beneficiary/Grantee/Lender: General Electric Capital Corporation
Dated: 4/1/2004
Recording Date: 6/1/2004
Document Number: Inst#2004K069624
Book:
Page:
- B. Assignment of Mortgage/Deed of Trust/Deed to Secure Debt
- Mortgagor/Trustor/Grantor: SBA Properties, Inc.
Mortgagee/Beneficiary/Grantee/Lender: General Electric Capital Corporation
Dated: January 30, 2004
Recording Date:
Recording Information:
- C. Amendment of Mortgage/Deed of Trust/Deed to Secure Debt
- Mortgagor/Trustor/Grantor: SBA Properties, Inc.
Mortgagee/Beneficiary/Grantee/Lender: General Electric Capital Corporation
Dated: January 30, 2004
Recording Date:
Recording Information:

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D. Assignment of Mortgage/Deed of Trust/Deed to Secure Debt

Assignor: Lehman Comercial Paper, Inc.

Assignee: SBA CMBS-1 DEPOSITOR LLC

Dated: November 18, 2005

Recorded: To be recorded immediately prior hereto.

E. Amendment of Mortgage/Deed of Trust/Deed to Secure Debt

Assignor: SBA CMBS-1 DEPOSITOR LLC

Assignee: LASALLE BANK, NATIONAL ASSOCIATION, AS TRUSTEE

Dated: November 18, 2005

Recorded: To be recorded immediately prior hereto.

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ASSIGNMENT

SCHEDULE I Security Instruments

The following Security Instruments are recorded in all public records of

County: Lake
State: IL
Site Code: IL01601-B

- A. Mortgage/Deed of Trust/Deed to Secure Debt
- Mortgagor/Trustor/Grantor: SBA Properties, Inc.
Mortgagee/Beneficiary/Grantee/Lender: General Electric Capital Corporation
Dated: 6/30/2003
Recording Date: 7/23/2003
Document Number: 5312808
Book: 103153
Page: 29
- B. Assignment of Mortgage/Deed of Trust/Deed to Secure Debt
- Mortgagor/Trustor/Grantor: SBA Properties, Inc.
Mortgagee/Beneficiary/Grantee/Lender: General Electric Capital Corporation
Dated: January 30, 2004
Recording Date: 2/26/2004
Recording Information: 5507095
- C. Amendment of Mortgage/Deed of Trust/Deed to Secure Debt
- Mortgagor/Trustor/Grantor: SBA Properties, Inc.
Mortgagee/Beneficiary/Grantee/Lender: General Electric Capital Corporation
Dated: January 30, 2004
Recording Date: 2/26/2004
Recording Information: 5507096

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D. Assignment of Mortgage/Deed of Trust/Deed to Secure Debt

Assignor: Lehman Comercial Paper, Inc.

Assignee: SBA CMBS-1 DEPOSITOR LLC

Dated: November 18, 2005

Recorded: To be recorded immediately prior hereto.

E. Amendment of Mortgage/Deed of Trust/Deed to Secure Debt

Assignor: SBA CMBS-1 DEPOSITOR LLC

Assignee: LASALLE BANK, NATIONAL ASSOCIATION, AS TRUSTEE

Dated: November 18, 2005

Recorded: To be recorded immediately prior hereto.

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SCHEDULE I Security Instruments

The following Security Instruments are recorded in all public records of

County: La Salle
State: IL
Site Code: IL02344-B

- A. Mortgage/Deed of Trust/Deed to Secure Debt
- Mortgagor/Trustor/Grantor: SBA Properties, Inc.
Mortgagee/Beneficiary/Grantee/Lender: General Electric Capital Corporation
Dated: 6/30/2003
Recording Date: 7/10/2003
Document Number: R2003-23243
Book:
Page:
- B. Assignment of Mortgage/Deed of Trust/Deed to Secure Debt
- Mortgagor/Trustor/Grantor: SBA Properties, Inc.
Mortgagee/Beneficiary/Grantee/Lender: General Electric Capital Corporation
Dated: January 30, 2004
Recording Date: 2/23/2004
Recording Information: R2004-04241
- C. Amendment of Mortgage/Deed of Trust/Deed to Secure Debt
- Mortgagor/Trustor/Grantor: SBA Properties, Inc.
Mortgagee/Beneficiary/Grantee/Lender: General Electric Capital Corporation
Dated: January 30, 2004
Recording Date: 2/23/2004
Recording Information: R2004-04242

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D. Assignment of Mortgage/Deed of Trust/Deed to Secure Debt

Assignor: Lehman Comercial Paper, Inc.

Assignee: SBA CMBS-1 DEPOSITOR LLC

Dated: November 18, 2005

Recorded: To be recorded immediately prior hereto.

E. Amendment of Mortgage/Deed of Trust/Deed to Secure Debt

Assignor: SBA CMBS-1 DEPOSITOR LLC

Assignee: LASALLE BANK, NATIONAL ASSOCIATION, AS TRUSTEE

Dated: November 18, 2005

Recorded: To be recorded immediately prior hereto.

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SCHEDULE I Security Instruments

The following Security Instruments are recorded in all public records of

County: Massac
State: IL
Site Code: IL06636-A

- A. Mortgage/Deed of Trust/Deed to Secure Debt
- Mortgagor/Trustor/Grantor: SBA Properties, Inc.
Mortgagee/Beneficiary/Grantee/Lender: General Electric Capital Corporation
Dated: 6/30/2003
Recording Date: 7/22/2003
Document Number: 32136
Book: 666
Page: 22
- B. Assignment of Mortgage/Deed of Trust/Deed to Secure Debt
- Mortgagor/Trustor/Grantor: SBA Properties, Inc.
Mortgagee/Beneficiary/Grantee/Lender: General Electric Capital Corporation
Dated: January 30, 2004
Recording Date: 2/24/2004
Recording Information: 40472, Vol 693, Pg 28
- C. Amendment of Mortgage/Deed of Trust/Deed to Secure Debt
- Mortgagor/Trustor/Grantor: SBA Properties, Inc.
Mortgagee/Beneficiary/Grantee/Lender: General Electric Capital Corporation
Dated: January 30, 2004
Recording Date: 2/24/2004
Recording Information: 40473, Vol 673, Pg 43-60

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D. Assignment of Mortgage/Deed of Trust/Deed to Secure Debt

Assignor: Lehman Comercial Paper, Inc.

Assignee: SBA CMBS-1 DEPOSITOR LLC

Dated: November 18, 2005

Recorded: To be recorded immediately prior hereto.

E. Amendment of Mortgage/Deed of Trust/Deed to Secure Debt

Assignor: SBA CMBS-1 DEPOSITOR LLC

Assignee: LASALLE BANK, NATIONAL ASSOCIATION, AS TRUSTEE

Dated: November 18, 2005

Recorded: To be recorded immediately prior hereto.

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SCHEDULE I Security Instruments

The following Security Instruments are recorded in all public records of

County: Massac
State: IL
Site Code: IL06917-B

A. Mortgage/Deed of Trust/Deed to Secure Debt

Mortgagor/Trustor/Grantor: SBA Properties, Inc.
Mortgagee/Beneficiary/Grantee/Lender: General Electric Capital Corporation
Dated: 6/30/2003
Recording Date: 7/22/2003
Document Number: 32136
Book: 666
Page: 22

B. Assignment of Mortgage/Deed of Trust/Deed to Secure Debt

Mortgagor/Trustor/Grantor: SBA Properties, Inc.
Mortgagee/Beneficiary/Grantee/Lender: General Electric Capital Corporation
Dated: January 30, 2004
Recording Date: 2/24/2004
Recording Information: 40472, Vol 693, Pg 28

C. Amendment of Mortgage/Deed of Trust/Deed to Secure Debt

Mortgagor/Trustor/Grantor: SBA Properties, Inc.
Mortgagee/Beneficiary/Grantee/Lender: General Electric Capital Corporation
Dated: January 30, 2004
Recording Date: 2/24/2004
Recording Information: 40473, Vol 673, Pg 43-60

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D. Assignment of Mortgage/Deed of Trust/Deed to Secure Debt

Assignor: Lehman Comercial Paper, Inc.
Assignee: SBA CMBS-1 DEPOSITOR LLC
Dated: November 18, 2005

Recorded: To be recorded immediately prior hereto.

E. Amendment of Mortgage/Deed of Trust/Deed to Secure Debt

Assignor: SBA CMBS-1 DEPOSITOR LLC
Assignee: LASALLE BANK, NATIONAL ASSOCIATION, AS TRUSTEE
Dated: November 18, 2005

Recorded: To be recorded immediately prior hereto.

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