

# UNOFFICIAL COPY

## RECORDATION REQUESTED BY:

Midwest Bank and Trust Company  
c/o Brian Masterton  
501 West North Ave.  
Melrose Park, Illinois 60160



Doc#: 0827354001 Fee: \$38.00  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 09/29/2008 11:02 AM Pg: 1 of 2

## WHEN RECORDED MAIL TO:

Midwest Bank and Trust Company  
c/o Brian Masterton  
501 West North Ave.  
Melrose Park, Illinois 60160

## Acknowledgement of Mortgage

WHEREAS, Omni Investments, LLC, as grantor, and Midwest Bank and Trust Company, as lender, made and executed a Mortgage dated September 28, 2005 and recorded October 19, 2005 as document number 0529235448 in the Office of the Recorder of Deeds of Cook County, Illinois in a principal sum not to exceed \$465,000.00 (hereinafter the "mortgage") (see attached Exhibit One), and made and executed an Assignment of Rents dated September 28, 2005 and recorded October 19, 2005 as document number 0529235449 in the Office of the Recorder of Deeds of Cook County, Illinois (hereinafter "Assignment of Rents") (see attached Exhibit Two).

WHEREAS, the Mortgage and Assignment of Rents are secured against the Real Property legally described as "LOTS 1 THROUGH 28 IN ZIONVILLE ESTATES SUBDIVISION, PART OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 36 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS" and commonly described as Lots 1-28 in Zionville Estates, N.E. corner of Wallace Avenue and 154<sup>th</sup> Street, South Holland, Illinois with real property tax identifications numbers of 29-09-315-013-0000 thru 29-09-315-028-0000 and 29-09-316-028 thru 29-09-316-039-0000.

WHEREAS, certain litigation concerning the Real Property arose between Omni Investments, LLC, Zion Travelers Missionary Baptist Church, and various other parties. Litigation involving the Real Property was filed in the Circuit Court of Cook County, Chancery Division as case number 02CH19170, Dalton Brothers, Inc. v. Zion Travelers Missionary Baptist Church, *et al.* and this matter was later consolidated with cases 02CH19812 and 02CH20948.

WHEREAS, in the court action referenced above, an equitable judgment lien was entered in favor of Omni Investments, LLC.

WHEREAS, subsequently a judgment of foreclosure and sale of was entered in favor of Omni Investments, LLC permitting the property to be sold at public auction. The judgment of foreclosure set forth the following terms: That out of the proceeds of such sale, the Selling Officer's distribution shall be made in the following order of priority: (1) the Selling Officer shall be paid its reasonable fees and costs; (2) any and all amounts due to Midwest Bank & Trust Company pursuant to its mortgage recorded as document no. 0529235448; (3) the reasonable expenses of sale; (4) out of the remainder of such proceeds, the amount found due to Omni Investments, LLC in this Judgment plus interest at the statutory judgment rate from January 9, 2007, shall be paid to Omni Investments, LLC; (5) if Omni Investments, LLC is the successful bidder at said sale, it shall have no duty to payoff the mortgage of Midwest Bank & Trust and the amount due to Omni

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Investments, LLC plus all costs, advances and fees hereunder with interest incurred between entry of Judgment and confirmation of sale shall be taken as a credit on its bid.

WHEREAS, the property was sold at public auction on February 28, 2007 and Omni Investments, LLC was the highest bidder at the judicial sale. The judicial sale was confirmed by court order on March 13, 2007.


WHEREAS, on April 12, 2007, a judicial deed was recorded as document number 0710249003 in the Office of the Recorder of Deeds of Cook County granting ownership of the Real Property to Omni Investments, LLC.

WHEREAS, Midwest Bank and Trust Company was not party to any of the referenced court actions.

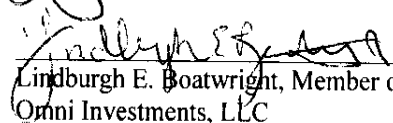
To resolve any uncertainty surrounding the lien position and validity of the Midwest Bank and Trust Company Mortgage, Omni Investments, LLC affirmatively agrees, acknowledges, and states as follows:

1. That the above recitals are a material part of and are incorporated into the terms and provisions of this Acknowledgement.
2. That the Midwest Bank and Trust Company Mortgage and accompanying Assignment of Rents (collectively hereinafter "Security Instrument") are valid and subsisting liens secured against the Real Property.
3. That the Security Instrument was not extinguished by the above-referenced foreclosure action.
4. That Omni Investments, LLC is obligated to keep all of the promises made in the Security Instrument, including the promise to pay the full amount owed.
5. That Omni Investments, LLC will comply with all other covenants, agreements, and requirements of the Security Instrument.
6. That this Acknowledgement shall bind, and inure to the benefit of, the respective subsidiaries, parents and affiliated corporations/companies, and successors and assigns of Omni Investments, LLC and Midwest Bank and Trust Company.

IN WITNESS WHEREOF, Omni Investments, LLC has executed this Acknowledgement consisting of two (2) pages on the date(s) subscribed below.

  
 \_\_\_\_\_  
 Bardan Azari, Member of Omni Investments, LLC

Dated: \_\_\_\_\_, 2007

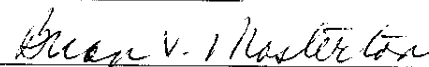
  
 \_\_\_\_\_  
 Lindburgh E. Boatwright, Member of  
 Omni Investments, LLC


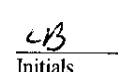
Dated: \_\_\_\_\_, 2007

STATE OF ILLINOIS            )  
   ) SS  
 COUNTY OF COOK            )

I, the undersigned, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY that the above signed Members are personally known to me to be the Members of the Omni Investments, LLC, and personally known to me to be the same person whose name(s) is/are subscribed to the foregoing instrument, appeared before me this day in person, and severally acknowledged that as such Members, they signed and delivered the said instrument, pursuant to authority given by the limited liability company, as its free and voluntary act, and as the free and voluntary act of said limited liability company, for the uses and purposes therein set forth.

Given under my hand and notary seal, this \_\_\_\_\_ of \_\_\_\_\_, 2007.

  
 \_\_\_\_\_  
 Notary Public  
 My commission expires: 6/7/08

      
 Initials                    Initials

