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This document prepared by  
and when recorded return to:

Gregory C. Whitehead  
Albert, Whitehead, P.C.  
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Suite 600  
Chicago, Illinois 60602



Doc#: 0921931111 Fee: \$58.00  
Eugene "Gene" Moore RHSP Fee:\$10.00  
Cook County Recorder of Deeds  
Date: 08/07/2009 12:26 PM Pg: 1 of 12

## Amendment to Subordinate Mortgage, Security Agreement and Financing Statement and Assignment of Rents and Leases and Corrective Partial Release

This Amendment to Subordinate Mortgage, Security Agreement and Financing Statement and Assignment of Rents and Leases and Corrective Partial Release is made as of this 27<sup>th</sup> day of July, 2009 by **Roosevelt Square II Limited Partnership**, an Illinois limited partnership ("Mortgagor"), and **Chicago Housing Authority**, an Illinois municipal corporation ("Mortgagee").

WITNESSETH:

WHEREAS, pursuant to that certain Loan Agreement dated as of July 20, 2007, between Mortgagor and Mortgagee (the "Loan Agreement"), Mortgagor executed and delivered to Mortgagee that certain Subordinate Mortgage, Security Agreement and Financing Statement dated as of July 20, 2007 and recorded July 23, 2007 as Document No. 0720433220 in the office of the Recorder of Cook County, Illinois (the "Mortgage") and that certain Assignment of Rents and Leases dated as of July 20, 2007 and recorded July 23, 2007 as Document No. 0720433221 in the office of the Recorder of Cook County, Illinois (the "Assignment") both of which encumbered Mortgagor's interests in certain real property as described in Exhibit A attached hereto (the "Original Description"); and

WHEREAS, the Original Description was based on preliminary dimensions for a vertical subdivision of the affected real property; and

WHEREAS, the building contemplated by the Loan Agreement has now been constructed and the vertical subdivision completed, and the parties desire to amend the legal descriptions in the Mortgage and the Assignment to correspond to the as-built dimensions of the subject property; and

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WHEREAS, Mortgagee is the Landlord under the following ground leases:

(i) Ground Lease with Heartland Housing, Inc., an Illinois not for profit corporation (“HHI”) dated July 20, 2007 and recorded in the office of the Recorder of Cook County, Illinois on July 23, 2007 as Document No. 0720433206 (the Mixed Use Ground Lease), the Lessee’s interest in such Mixed Use Ground Lease being assigned by HHI to Mortgagor pursuant to that certain Assignment, Assumption and Amendment of Ground Lease dated July 20, 2007 and recorded in the office of the Recorder of Cook County, Illinois on July 23, 2007 as Document No. 0720433210;

(ii) Ground Lease with HHI dated July 20, 2007 and recorded in the office of the Recorder of Cook County, Illinois on July 23, 2007 as Document No. 0720433208 (the Retail Ground Lease), the Lessee’s interest in such Retail Ground Lease being assigned by HHI to Mortgagor pursuant to that certain Assignment, Assumption and Amendment of Ground Lease dated July 20, 2007 and recorded in the office of the Recorder of Cook County, Illinois on July 23, 2007 as Document No. 0720433209;

(iii) Ground Lease with HHI dated July 20, 2007 and recorded in the office of the Recorder of Cook County, Illinois on July 23, 2007 as Document No. 0720433207 (the Residential Ground Lease), the Lessee’s interest in such Residential Ground Lease being assigned by HHI to Mortgagor pursuant to that certain Assignment, Assumption and Amendment of Ground Lease dated July 20, 2007 and recorded in the office of the Recorder of Cook County, Illinois on July 23, 2007 as Document No. 0720433211; and

WHEREAS, Mortgagor and Mortgagee have entered into that certain Amendment to Ground Lease dated as of June 26, 2009 and recorded July 27, 2009 in the Office of the Recorder of Cook County, Illinois as Document No. 0920845048 (the “Mixed Use Lease Amendment”) whereby the description of the real property demised by the Mixed Use Ground Lease was corrected to correspond to as-built conditions; and

WHEREAS, Mortgagor, Mortgagee and RS Retail LLC, an Illinois limited liability company (“RSR”) have entered into that certain Assignment and Assumption and Amendment of Ground Lease dated as of June 26, 2009 and recorded July 27, 2009 in the Office of the Recorder of Cook County, Illinois as Document No. 0920845050 (the “Retail Lease Amendment”) whereby the Lessee’s interest in the Retail Ground Lease was assigned to and assumed by RSR and the description of the real property demised by the Retail Ground Lease was corrected to correspond to as-built conditions; and

WHEREAS, the Original Description includes real property demised by the Mixed Use Ground Lease, but excludes real property demised by the Retail Ground Lease; and

WHEREAS, the parties desire to amend the legal descriptions affixed to Mortgage and the Assignment, so as to be consistent with the revised legal description set forth in the Mixed Use Lease Amendment and the Retail Lease Amendment; and

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NOW THEREFORE, in consideration of the sum of Ten and No/100 Dollars and the mutual covenants herein contained, Mortgagor and Mortgagee agree as follows:

1. The legal descriptions attached as Exhibit A to the Mortgage and the Assignment are hereby replaced with the legal description attached hereto as Exhibit B (the "Revised Description").
2. Mortgagee hereby releases from the liens of the Mortgage and the Assignment, such portions of the real property described on the Original Description which are not part of the Revised Description.
3. Mortgagor hereby confirms that the interests granted by the Mortgage and the Assignment are granted as to any portions of the real property described on the Revised Description which are not included on the Original Description.
4. Mortgagor hereby remakes and confirms the representations, warranties, and covenants set forth in the Mortgage and the Assignment and confirms the continuing lien and encumbrance of the Mortgage and the Assignment with respect to the balance of the real property not affected by the Mixed Use Lease Amendment or the Retail Lease Amendment.
5. From and after the date hereof, all references to the "Real Property" in the Mortgage and to the "real property" in the Assignment, or to either of such terms in the Loan Agreement or any other Loan Document, shall refer to the real property described on Exhibit B attached hereto.
6. Capitalized terms used but not defined herein shall have the meanings ascribed to such terms in the Loan Agreement.

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IN WITNESS WHEREOF, the parties have executed this Amendment as of the date set forth above.

**MORTGAGOR:**

ROOSEVELT SQUARE II LIMITED PARTNERSHIP,  
an Illinois limited partnership

BY: ROOSEVELT SQUARE RENTAL II LLC,  
an Illinois limited liability company

By: LR ABLA LLC,  
a Delaware limited liability company,  
its sole member

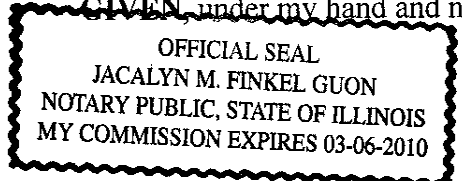
By: LR Development Company LLC,  
a Delaware limited liability company d/b/a Related Midwest LLC,  
its sole member

By: [Signature]  
Name: Kerry Dickson  
Title: Senior Vice President

STATE OF ILLINOIS     )  
  ) SS  
COUNTY OF COOK     )

I, Jacalyn M. Guon, a Notary Public in and for the County and State aforesaid, do hereby certify that Kerry Dickson, as Senior Vice President of LR Development Company LLC d/b/a Related Midwest LLC, as sole member of LR ABLA LLC, as manager of Roosevelt Square Rental II LLC, as General Partner of Roosevelt Square II Limited Partnership, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed and delivered such instrument as his own free and voluntary act, and as the free and voluntary act of such limited liability company, on behalf of such limited liability company, on behalf of such limited liability company, on behalf of such limited partnership for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 4th day of August, 2009.



[Signature]  
Notary Public

My Commission Expires: March 6, 2010

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**MORTGAGEE:**

CHICAGO HOUSING AUTHORITY

By: [Signature]  
Name: Lewis Jordan  
Title: Chief Executive Officer

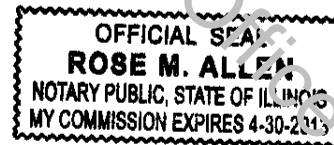
STATE OF ILLINOIS     )  
  ) SS  
COUNTY OF COCK     )

I, Rose M. Allen, a Notary Public in and for the County and State aforesaid, do hereby certify that Lewis A. Jordan, personally known to me to be the same person(s) whose name(s) is/are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he/she/they signed and delivered such instrument as his/her/their own free and voluntary act, and as the free and voluntary act of such municipal corporation, on behalf of such municipal corporation, for the uses and purposes therein set forth.

GIVEN, under my hand and notarial seal this 6<sup>th</sup> day of August, 2009.

[Signature: Rose M. Allen]  
Notary Public

My Commission Expires:  
4-30-2013



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## Exhibit A

### Original Description

Borrower's leasehold interest in the following described property pursuant to that certain Ground Lease (Mixed-Use) of even date herewith between Mortgagor and Heartland Housing, Inc., an Illinois not for profit corporation ("Heartland") and as assigned to Mortgagor pursuant to that certain Assignment and Assumption and Amendment of Ground Lease of even date herewith among Mortgagor, Heartland and Mortgagee:

Lot 66 in Roosevelt Square Subdivision Phase Two, Plat One, being a subdivision of part of the East ½ of the Southwest ¼ of Section 17, Township 39 North, Range 14, East of the Third Principal Meridian, according to the plat thereof recorded in Cook County, Illinois; except from said Lot 66 that part thereof within the Retail Parcel described below:

PIN: 17-17-333-001

Common Address: 1007 S. Throop Street

Retail Parcel:

#### 1251-1259 W. Taylor Street

All that portion of the following described premises lying above Elevation 4.55 and beneath Elevation 12.55 City of Chicago Datum, being a part of said Lot 66, more particularly bounded and described as follows:

Commencing at the Northwest corner of said Lot 66, said point also being the Southeast corner of the intersection of West Taylor Street and South Throop Street; thence South 89°58'27" East along the South right-of-way line of said West Taylor Street, a distance of 116.45 feet; thence South 00°01'33" West, a distance of 26.96 feet, to the Point of Beginning of this description; thence South 00°01'33" West, a distance of 22.91 feet; thence North 89°58'27" West, a distance of 64.18 feet; thence North 00°01'33" East, a distance of 22.91 feet; thence South 89°58'27" East, a distance of 64.18 feet to the Point of Beginning, all being situated within the City of Chicago, County of Cook, and State of Illinois.

Also,

All that portion of the following described premises lying above Elevation 14.30 and beneath Elevation 27.76 City of Chicago Datum, being part of said Lot 66, more particularly bounded and described as follows to-wit:

Commencing at the Northwest corner of said Lot 66, said point also being the Southeast corner of the intersection of West Taylor Street and South Throop Street; thence South 89°58'27" East

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along the South right-of-way line of said West Taylor Street, a distance of 1.57 feet; thence South 00°01'33" West, a distance of 3.37 feet to the Point of Beginning of this description; thence South 89°58'27" East, a distance of 13.75 feet; thence North 00°01'33" East, a distance of 1.56 feet; thence South 89°58'27" East, a distance of 0.94 feet; thence North 00°01'33" East, a distance of 0.49 feet; thence South 89°58'27" East, a distance of 85.33 feet; thence South 00°01'33" West, a distance of 0.49 feet; thence South 89°58'27" East, a distance of 0.94 feet; thence South 00°01'33" West, a distance of 1.56 feet; thence South 89°58'27" East, a distance of 14.42 feet; thence South 00°01'31" West, a distance of 21.97 feet; thence North 89°58'32" West, a distance of 0.49 feet; thence South 00°01'33" West, a distance of 24.53 feet; thence North 89°58'27" West, a distance of 27.91 feet; thence North 00°01'33" East, a distance of 15.43 feet; thence North 89°58'27" West, a distance of 1.32 feet; thence North 00°01'33" East, a distance of 1.94 feet; thence North 89°58'27" West, a distance of 3.54 feet; thence South 00°01'33" West, a distance of 13.02 feet; thence North 89°58'27" West, a distance of 1.71 feet; thence South 00°01'33" West, a distance of 4.34 feet; thence North 89°58'27" West, a distance of 29.70 feet; thence North 00°01'33" East, a distance of 17.47 feet; thence North 89°58'27" West, a distance of 40.22 feet; thence North 00°01'33" East, a distance of 6.41 feet; thence North 89°58'30" West, a distance of 9.99 feet; thence North 00°01'33" East, a distance of 0.66 feet; thence North 89°58'19" West, a distance of 0.49 feet; thence North 00°01'51" East, a distance of 21.97 feet to the Point of Beginning, all being situated within the City of Chicago, County of Cook, and State of Illinois.

and Borrower's leasehold interest in the following described property pursuant to that certain Ground Lease of even date herewith between Mortgagor and Heartland Housing, Inc., an Illinois not for profit corporation ("Heartland") and as assigned to Mortgagor pursuant to that certain Assignment and Assumption and Amendment of Ground Lease of even date herewith among Mortgagor, Heartland and Mortgagee:

## North Parcel

Lots 93, 94, 117, 118, 121, 130, 135, and 138 in Roosevelt Square Subdivision Phase Two, Plat One, being a subdivision of part of the East ½ of the Southwest ¼ of Section 17, Township 39 North, Range 14, East of the Third Principal Meridian, according to the plat thereof recorded in Cook County, Illinois.

PINS: 17-17-332-005, 17-17-333-002, 17-17-333-003, 17-17-333-004 and 17-17-333-005

## COMMON ADDRESSES:

LOT 93	1116 & 1118 S. LYTLE STREET
LOT 93	1115 & 1117 S. THROOP STREET
LOT 94	1250-1256 W. GRENSHAW STREET
LOT 117	1251-1257 W. GRENSHAW STREET
LOT 118	1236-1244 W. ROOSEVELT ROAD
LOT 121	1309 & 1315 W. GRENSHAW STREET
LOT 130	1341 & 1345 W. GRENSHAW STREET

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LOT 135      1336-1344 W. ROOSEVELT ROAD  
 LOT 138      1302-1310 W. ROOSEVELT ROAD

AND

South Parcel

Lots 139, 141, 143, 145, 147, 149, 151, 153, and 160 in Roosevelt Square Subdivision Phase Two, Plat Two, being a subdivision of part of the East ½ of the Northwest ¼ of Section 20, Township 37 North, Range 14, East of the Third Principal Meridian, according to the plat thereof recorded in Cook County, Illinois.

PINS: 17-20-102-009, 17-20-102-010, 17-20-102-011, 17-20-102-012, 17-20-102-016, 17-20-102-017, 17-20-102-018, 17-20-102-019, 17-20-102-020, 17-20-102-021, 17-20-102-045, 17-20-102-046, 17-20-102-047, 17-20-102-048 and 17-20-103-046

## COMMON ADDRESSES:

LOT 139      1303-1311 & 1317 W. ROOSEVELT ROAD  
 LOT 141      1333 W. ROOSEVELT ROAD  
 LOT 143      1354 W. WASHBURNE AVENUE  
 LOT 145      1342 W. WASHBURNE AVENUE  
 LOT 147      1326-1332 W. WASHBURNE AVENUE  
 LOT 149      1306 & 1314 W. WASHBURNE AVENUE  
 LOT 151      1256 W. WASHBURNE AVENUE  
 LOT 153      1246 W. WASHBURNE AVENUE  
 LOT 160      1224 W. WASHBURNE AVENUE



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## Exhibit B

### Revised Description

1. Borrower's leasehold interest in the following described property pursuant to that certain Ground Lease (Mixed-Use) dated July 20, 2007 and recorded July 23, 2007 with the Recorder of Cook County, Illinois as Document No. 0720433206 between Mortgagor and Heartland Housing, Inc., an Illinois not for profit corporation ("Heartland") and as assigned to Mortgagor pursuant to that certain Assignment and Assumption and Amendment of Ground Lease dated July 20, 2007 and recorded July 23, 2007 with the Recorder of Cook County, Illinois as Document No. 0720433210 among Mortgagor, Heartland and Mortgagee as amended by that certain Amendment to Ground Lease dated June 26, 2009 and recorded July 27, 2009 with the Recorder of Cook County, Illinois as Document No. 0920845048:

Lot 66 in Roosevelt Square Subdivision Phase Two, Plat One, being a subdivision of part of the East ½ of the Southwest ¼ of Section 17, Township 39 North, Range 14, East of the Third Principal Meridian, according to the plat thereof recorded in Cook County, Illinois; except from said Lot 66 that part thereof within the Retail Parcel described below:

PIN: 17-17-333-007

Common Address: 1007 S. Throop Street

Retail Parcel:

All that portion of the following described premises lying above Elevation 14.36 and beneath Elevation 27.93 City of Chicago Datum, being part of Lot 66 as designated upon Roosevelt Square Subdivision Phase Two, Plat One of part of the East Half of the Southwest Quarter of Section 17, Township 39 North, Range 14 East of the Third Principal Meridian, City of Chicago, County of Cook, and State of Illinois, more particularly bounded and described as follows, to-wit:

Commencing at the Northwest corner of said Lot 66; thence South 89°58'27" East along the North line of said Lot 66, a distance of 1.08 feet; thence South 00°18'04" East, a distance of 4.28 feet to the Point of Beginning of this description; thence North 89°41'56" East, a distance of 13.75 feet; thence North 00°18'04" West, a distance of 1.56 feet; thence North 89°41'56" East, a distance of 0.94 feet; thence North 00°18'04" West, a distance of 0.49 feet; thence North 89°41'56" East, a distance of 85.33 feet; thence South 00°18'04" East, a distance of 0.49 feet; thence North 89°41'56" East, a distance of 0.94 feet; thence South 00°18'04" East, a distance of 1.56 feet; thence North 89°41'56" East, a distance of 14.42 feet; thence South 00°18'04" East, a distance of 21.97 feet; thence South 89°41'56" West, a distance of 0.49 feet; thence South 00°18'04" East, a distance of 24.53 feet; thence South 89°41'56" West, a distance of 23.46 feet; thence North 00°18'04" West, a distance of 15.42 feet; thence South 89°41'56" West, a distance of 5.78 feet; thence North 00°18'04" West, a distance of 1.94 feet; thence South 89°41'56" West,

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a distance of 3.54 feet; thence South 00°18'04" East, a distance of 13.02 feet; thence South 89°41'56" West, a distance of 1.71 feet; thence South 00°18'04" East, a distance of 4.34 feet; thence South 89°41'56" West, a distance of 29.70 feet; thence North 00°18'04" West, a distance of 17.47 feet; thence South 89°41'56" West, a distance of 40.22 feet; thence North 00°18'04" West, a distance of 6.41 feet; thence South 89°41'56" West, a distance of 9.99 feet; thence North 00°18'04" West, a distance of 0.66 feet; thence South 89°41'56" West, a distance of 0.49 feet; thence North 00°18'04" West, a distance of 21.97 feet to the Point of Beginning, containing 4,420 square feet, more or less, all being situated in the City of Chicago, County of Cook, and State of Illinois.

Also,

All that portion of the following described premises lying above Elevation 4.94 and beneath Elevation 12.71 City of Chicago Datum, being part of Lot 66 as designated upon Roosevelt Square Subdivision Phase Two, Plat One of part of the East Half of the Southwest Quarter of Section 17, Township 39 North, Range 14 East of the Third Principal Meridian, City of Chicago, County of Cook, and State of Illinois, more particularly bounded and described as follows, to-wit:

Commencing at the Northwest corner of said Lot 66; thence South 89°58'27" East along the North line of said Lot 66, a distance of 115.96 feet; thence South 00°18'04" East, a distance of 27.22 feet to the Point of Beginning of this description; thence South 00°18'04" East, a distance of 22.91 feet; thence South 89°41'56" West, a distance of 64.18 feet; thence North 00°18'04" West, a distance of 22.91 feet; thence North 89°41'56" East, a distance of 64.18 feet to the Point of Beginning, containing 1,470 square feet, more or less, all being situated in the City of Chicago, County of Cook, and State of Illinois.

Also,

All that portion of the following described premises lying above Elevation 12.71 and beneath Elevation 14.36 City of Chicago Datum, being part of Lot 66 as designated upon Roosevelt Square Subdivision Phase Two, Plat One of part of the East Half of the Southwest Quarter of Section 17, Township 39 North, Range 14 East of the Third Principal Meridian, City of Chicago, County of Cook, and State of Illinois, more particularly bounded and described as follows, to-wit:

Commencing at the Northwest corner of said Lot 66; thence South 89°58'27" East along the North line of said Lot 66, a distance of 1.08 feet; thence South 00°18'04" East, a distance of 4.28 feet; thence North 89°41'56" East, a distance of 13.75 feet; thence North 00°18'04" West, a distance of 1.56 feet; thence North 89°41'56" East, a distance of 0.94 feet; thence North 00°18'04" West, a distance of 0.49 feet; thence North 89°41'56" East, a distance of 85.33 feet; thence South 00°18'04" East, a distance of 0.49 feet; thence North 89°41'56" East, a distance of 0.94 feet; thence South 00°18'04" East, a distance of 1.56 feet; thence North 89°41'56" East, a distance of 14.42 feet; thence South 00°18'04" East, a distance of 21.97 feet; thence South 89°41'56" West, a distance of 0.49 feet; thence South 00°18'04" East, a distance of 24.53 feet; thence South 89°41'56" West, a distance of a distance of 24.27 feet to the Point of Beginning of

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this description; thence continuing South 89°41'56" West, a distance of 3.64 feet; thence North 00°18'04" West, a distance of 14.84 feet; thence North 89°41'56" East, a distance of 3.65 feet; thence South 00°18'04" East, a distance of 14.84 feet to the Point of Beginning, containing 54 square feet, more or less, all being situated in the City of Chicago, County of Cook, and State of Illinois.

(End of Retail Parcel Description)

2. Borrower's leasehold interest in the following described property pursuant to that certain Ground Lease dated July 27, 2007 and recorded July 23, 2007 with the Recorder of Cook County, Illinois as Document No. 0720433207 between Mortgagor and Heartland Housing, Inc., an Illinois not for profit corporation ("Heartland") and as assigned to Mortgagor pursuant to that certain Assignment and Assumption and Amendment of Ground Lease dated July 27, 2007 and recorded July 23, 2007 with the Recorder of Cook County, Illinois as Document No. 0720433211 among Mortgagor, Heartland and Mortgagee:

## North Parcel

Lots 93, 94, 117, 118, 121, 130, 135, and 138 in Roosevelt Square Subdivision Phase Two, Plat One, being a subdivision of part of the East ½ of the Southwest ¼ of Section 17, Township 39 North, Range 14, East of the Third Principal Meridian, according to the plat thereof recorded in Cook County, Illinois.

PINS: 17-17-332-005, 17-17-333-002, 17-17-333-003, 17-17-333-004 and 17-17-333-005

## COMMON ADDRESSES:

LOT 93	1116 & 1118 S. LYTLE STREET
LOT 93	1115 & 1117 S. THROOP STREET
LOT 94	1250-1256 W. GRENSHAW STREET
LOT 117	1251-1257 W. GRENSHAW STREET
LOT 118	1236-1244 W. ROOSEVELT ROAD
LOT 121	1309 & 1315 W. GRENSHAW STREET
LOT 130	1341 & 1345 W. GRENSHAW STREET
LOT 135	1336-1344 W. ROOSEVELT ROAD
LOT 138	1302-1310 W. ROOSEVELT ROAD

AND

## South Parcel

Lots 139, 141, 143, 145, 147, 149, 151, 153, and 160 in Roosevelt Square Subdivision Phase Two, Plat Two, being a subdivision of part of the East ½ of the Northwest ¼ of Section 20,

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Township 39 North, Range 14, East of the Third Principal Meridian, according to the plat thereof recorded in Cook County, Illinois.

PINS: 17-20-102-009, 17-20-102-010, 17-20-102-011, 17-20-102-012, 17-20-102-016, 17-20-102-017, 17-20-102-018, 17-20-102-019, 17-20-102-020, 17-20-102-021, 17-20-102-045, 17-20-102-046, 17-20-102-047, 17-20-102-048 and 17-20-103-046

## COMMON ADDRESSES:

LOT 139	1303-1311 & 1317 W. ROOSEVELT ROAD
LOT 141	1333 W. ROOSEVELT ROAD
LOT 143	1354 W. WASHBURNE AVENUE
LOT 145	1342 W. WASHBURNE AVENUE
LOT 147	1326-1332 W. WASHBURNE AVENUE
LOT 149	1306 & 1314 W. WASHBURNE AVENUE
LOT 151	1256 W. WASHBURNE AVENUE
LOT 153	1246 W. WASHBURNE AVENUE
LOT 160	1224 W. WASHBURNE AVENUE