

# UNOFFICIAL COPY

## Illinois Anti-Predatory Lending Database Program

### Certificate of Exemption



Doc#: 1003633015 Fee: \$46.00  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 02/05/2010 09:31 AM Pg: 1 of 6

Report Mortgage Fraud  
800-532-8785

The property identified as: PIN: 14-31-210-001-0000

**Address:**

**Street:** 1823 West Webster Avenue

**Street line 2:**

**City:** Chicago

**State:** IL

**ZIP Code:** 60614

**Lender:** WILLIAM M. MAKI TRUST

**Borrower:** TEF 90 LLC

**Loan / Mortgage Amount:** \$1,800,000.00

This property is located within Cook County and is exempt from the requirements of 765 ILCS 77/70 et seq. because it is commercial property.

Box 400-CTCC

**Certificate number:** CB250213-B9CC-4978-B0CE-A2ECE1E05D83

**Execution date:** 02/01/2010

SA 2286721027  
2/3

Property of Cook County Clerk's Office

**UNOFFICIAL COPY****MORTGAGE**

This instrument was prepared by  
and after recording mail to:

David H. Sachs  
Aronberg Goldgehn Davis & Garmisa  
330 N. Wabash, Suite 1700  
Chicago, IL 60611

Above Space for Recorder's Use Only

TEF 90 LLC, a *Illinois* *Sole Owner* limited liability company ("Mortgagor"), mortgages and warrants to Jennifer Kinsella Gillett, not individually, but solely as Successor Trustee of the William M. Maki Declaration of Trust dated August 12, 1994 ("Mortgagee") to secure the performance of those certain obligations (the "Secured Obligations") of Mortgagor set forth in Section 7B of the Purchase and Sale Agreement dated as of July 16, 2009 by and between Mortgagor, as purchaser, and Mortgagee, as seller (the "Purchase Agreement"), and also in consideration of the sum of one dollar in hand paid and for other valuable consideration, the receipt of which is hereby acknowledged, the following described real estate (the "Property"), to-wit:

see Exhibit "A" attached hereto

situated in the County of Cook in the State of Illinois, hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of this State.

TOGETHER with all improvements, tenements, easements, fixtures and appurtenances thereto belonging to Mortgagor and all apparatus or equipment now or hereinafter therein or thereon used to supply heat, gas, air conditioning, water, light or power and ventilation. All of the forgoing are declared to be a part of the Property whether physically attached thereto or not, and it is agreed that all similar apparatus or equipment hereafter placed in or on the Property by Mortgagor shall be considered as constituting part of the Property.

Permanent Real Estate Index Number(s): 14-31-210-001, 14-31-210-029, 14-31-210-030, 14-31-210-031, 14-31-210-035, 14-31-210-037, 14-31-210-038, 14-31-210-044, 14-31-210-045, 14-31-210-046, 14-31-210-047 and 14-31-210-063

Address of real estate: 1823-1855 West Webster Avenue and 2134 North Wood Street, Chicago, Illinois

Mortgagor shall pay all general real estate taxes, and shall pay all special taxes, special assessments charged against the Property when due and shall, upon written request by the Mortgagee, furnish Mortgagee duplicate receipts therefore. The Mortgagor, without the prior written consent of Mortgagee, shall not effect, suffer or permit any Prohibited Transfer (as defined herein) of the Property until this Mortgage is released. A Prohibited Transfer shall mean a mortgage, security interest, conveyance, sale, assignment, or transfer of the Property or any part thereof to a person or an entity which is not partially or

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completely owned or managed either directly or indirectly by the current members of The Equitable Funds, LLC.

Notwithstanding anything to the contrary contained herein, the maximum amount secured by this Mortgage is \$1,800,000.

Upon an Event of Default (as defined in the Purchase Agreement) or Mortgagor's failure to perform its obligations under this Mortgage or otherwise violate the terms hereof after the same cure periods as applicable to an Event of Default (as defined in the Purchase Agreement), the Mortgagee shall be entitled to foreclose the lien hereof upon the Property or any part thereof, but only to the extent of the Secured Obligations and Mortgagee's reasonable expenses of litigation in pursuing its rights arising from the Event of Default.

Upon satisfaction of the Secured Obligations, this Mortgage shall terminate, and Mortgagee shall release of record this Mortgage and the lien created thereby. Mortgagor shall pay any costs of recording such release. Without limiting the foregoing and even if no such release is recorded, upon the recordation of a No Further Remediation Letter covering the Property from the Illinois Environmental Protection Agency, this Mortgage shall automatically be deemed released.

Dated this 15<sup>th</sup> day of February, 2010

TEF 90 LLC,  
a Delaware limited liability company

By: The Equitable Group, Inc.,  
Manager

By: [Signature]  
Name: Josh Silverglade  
Title: President

STATE OF ILLINOIS )  
                                  ) SS.  
COUNTY OF COOK )

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Josh Silverglade, as President aforesaid, 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, sealed and delivered said instrument as his free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and official seal this 15<sup>th</sup> day of February, 2010.

[Signature]  
Notary Public



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**Exhibit "A"**

**Legal Description**

[to be attached]

Property of Cook County Clerk's Office  
RECORDED BY \_\_\_\_\_  
COOK COUNTY  
RECORDER OF DEEDS  
SCANNED BY \_\_\_\_\_  
COOK COUNTY  
RECORDER OF DEEDS

**UNOFFICIAL COPY****STREET ADDRESS:** 1823-1855 WEST WEBSTER**CITY:** CHICAGO**COUNTY:** COOK**TAX NUMBER:** 14-31-210-001-0000**LEGAL DESCRIPTION:****PARCEL 1:**

ALL THAT PART OF THE GIRARD STREET (NOW VACATED) WEST OF AND ADJOINING THE WEST LINE OF LOT 11 AND THE WEST LINE OF SAID LOT 11, PRODUCED SOUTH TO ITS INTERSECTION WITH THE NORTHEASTERLY LINE OF THE RIGHT OF WAY OF THE CHICAGO, AND NORTHWESTERN RAILROAD (WISCONSIN DIVISION) AND EAST OF AND ADJOINING THE EAST LINE OF SAID LOT 12, ALSO ALL THAT PART OF THE 40 FEET PUBLIC ALLEY (NOW VACATED) RUNNING IN A NORTHWESTERLY DIRECTION SOUTHWEST OF AND ADJOINING THE SOUTHWESTERLY LINE OF SAID LOT 11, LYING NORTH OF THE SOUTH LINE OF SAID LOT 11 PRODUCED WEST AND EAST OF THE WEST LINE OF SAID LOT 11 PRODUCED SOUTH IN BLOCK 30 IN SHEFFIELD'S ADDITION TO CHICAGO IN SECTIONS 29, 31, 32 AND 33, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, SAID PART OF SAID STREET BEING FURTHER DESCRIBED AS ALL THAT PART OF GIRARD STREET LYING BETWEEN THE SOUTH LINE OF WEBSTER AVENUE AND THE NORTHEASTERLY LINE OF THE RIGHT OF WAY OF THE CHICAGO AND NORTHWESTERN RAILROAD (WISCONSIN DIVISION) AND SAID PART OF SAID ALLEY BEING FURTHER DESCRIBED AS ALL THAT PART OF THE 40 FOOT PUBLIC ALLEY RUNNING IN A NORTHWESTERLY DIRECTION LYING NORTH OF THE NORTH LINE OF THE EAST AND WEST PUBLIC ALLEY IN THE BLOCK BOUNDED BY WEBSTER AVENUE THE RIGHT OF WAY OF THE CHICAGO AND NORTHWESTERN RAILROAD (WISCONSIN DIVISION) NORTH WOOD STREET AND GIRARD STREET.

**PARCEL 2:**

LOTS 9, 10, 11 AND 12 IN BLOCK 30 IN SHEFFIELD'S ADDITION TO CHICAGO IN SECTION 31, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

**PARCEL 3:**

LOTS 64 AND 65 TAKEN AS A TRACT (EXCEPT THE EAST 12.5 FEET THEREOF) IN TRACY M. OVIATTS RESUBDIVISION OF LOTS 45 TO 52 INCLUSIVE IN BLOCK 30 IN SHEFFIELD'S ADDITION TO CHICAGO (TOGETHER WITH ALL THAT PART OF THE NORTHWESTERLY AND SOUTHEASTERLY 40 FOOT PUBLIC ALLEY (NOW VACATED) TOGETHER WITH ALL THAT PART OF THE EAST AND WEST PUBLIC ALLEY (NOW VACATED) LYING SOUTHWESTERLY OF AND ADJOINING THE SOUTHWESTERLY LINE OF LOTS 64 AND 65), LYING NORTHEASTERLY OF AND ADJOINING THE SOUTHWESTERLY LINE OF LOTS 64 AND 65), LYING NORTHEASTERLY OF AND ADJOINING THE NORTHEASTERLY LINE OF THE RIGHT OF WAY OF CHICAGO AND NORTHWESTERN RAILWAY AND LYING WESTERLY OF AND ADJOINING THE WEST LINE OF EAST 12.5 FEET OF SAID LOT 64 PRODUCED SOUTH TO THE NORTHEASTERLY LINE OF RIGHT OF WAY OF THE CHICAGO AND NORTHWESTERN RAILWAY IN TRACY H. OVIATTS RESUBDIVISION AFORESAID LYING SOUTH OF AND ADJOINING THE SOUTH LINE OF LOTS 9 TO 11 BOTH INCLUSIVE AND THE SOUTH LINE OF SAID LOT PRODUCED WEST TO THE WEST LINE OF SAID LOT 11 PRODUCED SOUTH TO THE NORTHEASTERLY LINE OF RIGHT OF WAY OF THE CHICAGO AND NORTHWESTERN RAILWAY AND LYING WEST OF AND ADJOINING THE EAST LINE OF SAID LOT 9 PRODUCED SOUTH 15.6 FEET ALL IN BLOCK 30 SUBDIVISION OF BLOCKS 17, 18, 20 AND 21 (EXCEPT LOTS 6 AND 12 IN SAID BLOCKS 21, 23, 28, 29, 30, 31 AND 32) (EXCEPT LOTS 1, 2, 3, 6 AND 7, 33, 38, 39, 40 AND 41 OF SHEFFIELD'S ADDITION TO CHICAGO IN SECTIONS 31 AND 32, TOWNSHIP 40 NORTH RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTH OF AND ADJOINING THE NORTH LINE OF SAID LOT 65 IN TRACY H. OVIATT'S RESUBDIVISION AFOREMENTIONED ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 16, 1953 AS DOCUMENT NO. 15721281 IN BOOK 416 OF PLATS, PAGE 41.

**PARCEL 4:**

THE WEST 3.4 OF LOT 6, ALL OF LOTS 5, 7 AND 8 IN BLOCK 30 OF SHEFFIELD'S ADDITION TO CHICAGO IN SECTIONS 31 AND 32, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, AND ALL THAT PART OF THE EAST AND WEST 15.6 FOOT PUBLIC ALLEY LYING SOUTH OF AND ADJOINING THE SOUTH LINE OF LOTS 6 TO 8 BOTH INCLUSIVE IN BLOCK 30 OF SUBDIVISION OF BLOCKS 17, 18, 20 AND 21 (EXCEPT THE LOTS 1, 6 AND 12 IN SAID BLOCK 21), 23, 28, 29, 30, 31 AND 32 (EXCEPT LOTS 1, 2, 3, 6 AND 7), 33, 38, 39, 40 AND 41 IN SHEFFIELD'S ADDITION TO CHICAGO IN SECTIONS 31 AND 32, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTH OF AND ADJOINING THE NORTH LINE OF LOT 65 IN TRACY H. OVIATT'S RESUBDIVISION OF LOTS 45 TO 52 IN BLOCK 30 OF SHEFFIELD'S ADDITION

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TO CHICAGO IN THE WEST 1/2 OF THE NORTHEAST 1/4 OF SECTION 31, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING EAST OF AND ADJOINING THE WEST LINE OF LOT 8 PRODUCED SOUTH 15.6 FEET IN BLOCK 30 OF SUBDIVISION OF BLOCKS 17, 18, 20 AND 21 AFOREMENTIONED AND LYING WEST OF AND ADJOINING A LINE DRAWN FROM A POINT ON THE NORTH LINE OF LOT 65 SAID POINT BEING 12.5 FEET WEST OF THE ORIGINAL NORTHEAST CORNER OF SAID LOT IN TRACY H. OVIATT'S RESUBDIVISION AFOREMENTIONED TO THE INTERSECTION OF THE SOUTH LINE OF LOT 6 AND A LINE 3.4 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID LOT 6 IN BLOCK 30 OF SUBDIVISION OF BLOCKS 17, 18, 20 AND 21 AFOREMENTIONED.

PARCEL 5:

LOTS 60 AND 61 IN OVIATT'S SUBDIVISION OF LOTS 45 TO 52 BOTH INCLUSIVE IN BLOCK 30 OF SHEFFIELD'S ADDITION TO CHICAGO, IN COOK COUNTY, ILLINOIS.

PARCEL 6:

LOTS 58 AND 59 IN TRACY H. OVIATT'S RESUBDIVISION OF LOTS 45 TO 52 IN BLOCK 30 IN SHEFFIELD'S ADDITION TO SECTION 31, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

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