

# UNOFFICIAL COPY

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Cook County Recorder of Deeds  
Date: 10/07/2010 08:58 AM Pg: 1 of 8

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## ASSIGNMENT OF MORTGAGE and ASSIGNMENT OF ASSIGNMENT OF RENTS

This Assignment of Mortgage and Assignment of Assignment of Rents ("Assignment") is made this 1st day of October, 2010, from Midland States Bank (the "Seller"), successor-in-interest to Strategic Capital Bank ("Strategic"), having an address of 1901 S 4th Street, Suite 234, Effingham, Illinois 62401 to BVSEF II WALTON, LLC, a Delaware limited liability company (the "Buyer"), having an address of 111 South Wacker Drive, Suite 3300, Chicago, Illinois 60606.

### RECITALS:

- A. Seller is the owner of the documents described on Exhibit A attached hereto (the "Mortgage Documents"), which documents, among others, secure certain loans (collectively, the "Loan") made by Strategic to Ten East Walton, LLC (the "Borrower") in the original aggregate principal amount of \$6,000,000.
- B. Pursuant to that certain Loan Sale Agreement, dated as of September 29, 2010, between Seller and Buyer (the "Loan Sale Agreement"), Buyer has offered to purchase from Seller, and Seller has agreed to sell, assign and convey all of Seller's right, title and interest in, to and under the Loan and the Collateral Documents (as defined in the Loan Sale Agreement), which include, without limitation, the Mortgage Documents, upon the terms and subject to the terms and conditions contained in the Loan Sale Agreement.

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SELLER HEREBY AGREES that for good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, Seller does hereby sell, assign, transfer and set over unto Buyer all of Seller's right, title and interest in, to and under the Mortgage Documents. This Assignment is being delivered pursuant to and is subject to the terms of the Loan Sale Agreement.

By accepting or recording this Assignment, Assignee agrees on behalf of itself and its successors and assigns, that said sale, transfer, assignment, conveyance and setting over of the Mortgage Documents is WITHOUT RECOURSE AND WITHOUT ANY REPRESENTATION OR WARRANTY, EXPRESS OR IMPLIED, except as specifically set forth in the Loan Sale Agreement.

**[Signature Page Follows]**

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## **EXHIBIT A to ASSIGNMENT OF MORTGAGE AND ASSIGNMENT OF ASSIGNMENT OF RENTS**

Mortgage executed by Borrower in favor of Strategic Capital Bank, encumbering the property legally described therein and on Exhibit B attached hereto ("Mortgaged Property"), which Mortgage was recorded with the Cook County, Illinois Recorder as Document Number 0810731043 on April 16, 2008

Assignment of Rents executed by Borrower in favor of Strategic Capital Bank, and encumbering the Mortgaged Property which was recorded with the Cook County, Illinois Recorder as Document Number 0810731044 on April 16, 2008

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**EXHIBIT B TO ASSIGNMENT OF MORTGAGE AND ASSIGNMENT OF  
ASSIGNMENT OF RENTS**

**Real Property Legal Description**

[See attached]

**COOK COUNTY  
RECORDER OF DEEDS  
SCANNED BY \_\_\_\_\_**

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**PARCEL 1:**

**THE EAST 27 FEET AND 4 INCHES OF THE SOUTH 40 2/10 FEET OF LOT 3 IN ROSSKOPF AND OTHERS SUBDIVISION OF THE SOUTH 1/2 OF BLOCK 9 IN THE CANAL TRUSTEES' SUBDIVISION OF THE SOUTH FRACTIONAL 1/2 OF SECTION 3, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS**

**PARCEL 2:**

**THE WEST 18 FEET OF LOT 4 IN ROSSKOPF'S SUBDIVISION OF THE SOUTH 1/2 OF BLOCK 9 IN THE CANAL TRUSTEES' SUBDIVISION OF THE SOUTH FRACTIONAL 1/2 OF SECTION 3, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS**

**The Property or its address is commonly known as 8-10 EAST WALTON STREET, CHICAGO, IL 60611.  
The Property tax identification number is 17-03-206-006-0000; 17-03-206-007-0000.**

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