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Attention: Scott M. Lapins



Doc#: 1032116004 Fee: \$42.00  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 11/17/2010 08:23 AM Pg: 1 of 4

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**FOR RECORDER'S USE ONLY**

## **PARTIAL RELEASE OF CONSTRUCTION MORTGAGE, SECURITY AGREEMENT AND ASSIGNMENT OF LEASES AND RENTS AND FIXTURE FILING**

KNOW ALL MEN BY THESE PRESENTS, that **WELLS FARGO BANK, N.A.**, as **successor -in-interest to WACHOVIA BANK, NATIONAL ASSOCIATION**, a national banking association, in consideration of the sum of one dollar and other good and valuable consideration, the receipt whereof is hereby acknowledged, does hereby **REMISE, RELEASE, CONVEY, and QUIT CLAIM** unto **OPTIMA OLD ORCHARD WOODS, LLC**, an Illinois limited liability company, its successors, legal representatives and assigns, all the right, title, interest, claim or demand whatsoever it may have acquired in, through or by (i) that certain Construction Mortgage, Security Agreement, Assignment of Leases and Rents and Fixture Filing dated October 27, 2005, recorded in the Recorder's Office of Cook County, Illinois ("Recorder's Office") on October 28, 2005, as Document No. **0430234062**; (ii) Assignment of Leases and Rents dated October 27, 2005, recorded in the Recorder's Office on October 28, 2005, as Document No. **0430234063**; (iii) amended by that certain Modification of Mortgage dated December 20, 2006, recorded in the Recorder's Office on December 21, 2006, as Document No. **0635539047**; and further amended by that certain Second Modification of Mortgage dated August 7, 2007, recorded in the Recorder's Office on August 9, 2007, as Document No. **0722109051**; amended by that certain Third Modification of Mortgage dated December 15, 2008, recorded in the Recorder's Office on December 30, 2008, as Document No. **0836522097**; and further amended by that certain Fourth Modification of Mortgage dated as of May 31, 2010 recorded in the Recorder's Office on July 16, 2010 as Document No. 1019722120 (all collectively hereinafter referred to as the "Construction Mortgage") with respect to the premises therein described as follows, situated in the County of Cook, State of Illinois, to wit:

See Exhibit A attached hereto and made a part hereof.

together with all the appurtenances and privileges thereunto belonging or appertaining.

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**EXCEPT FOR THE PORTION OF THE PROPERTY HEREBY RELEASED, THE AFORESAID CONSTRUCTION MORTGAGE, SECURITY AGREEMENT, ASSIGNMENT OF LEASES AND RENTS AND FIXTURE FILING, AS MODIFIED, AND THE AFORESAID ASSIGNMENT OF LEASES AND RENTS SHALL REMAIN IN FULL FORCE AND EFFECT.**

IN WITNESS WHEREOF, the undersigned has entered into this Partial Release of Construction Mortgage, Security Agreement, Assignments of Leases and Rents and Fixture Filing as of the 2<sup>nd</sup> day of November, 2010.

**WELLS FARGO BANK, N.A.,**  
a national banking association

By: Michael Cooper  
Name: Michael Cooper  
Title: Associate

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STATE OF North Carolina  
COUNTY OF Mecklenburg ) SS

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, do hereby certify that Michael Cooper, is personally known to me to be the same person whose name is subscribed to the foregoing instrument as such Associate of WELLS FARGO BANK, N.A., a national banking association, appeared before me this day in person and severally acknowledged that he/she signed and delivered the said instrument as his/her own free and voluntary act, and as the free and voluntary act of said banking association for the uses and purposes therein set forth;

Witness my hand and an Notarial Seal this 2<sup>nd</sup> day of November 2010.

Rhynis Wood  
Notary Public

My Commission expires:

9-29-12

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## EXHIBIT A

### LEGAL DESCRIPTION

P-888 IN OPTIMA OLD ORCHARD WOODS MAPLE CONDOMINIUM AS DELINEATED ON A PLAT OF SURVEY OF THE FOLLOWING DESCRIBED TRACT OF LAND: PART OF LOT 2 IN OLD ORCHARD WOODS SUBDIVISION OF PART OF THE EAST HALF OF THE SOUTHWEST 1/4 OF SECTION 9, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, WHICH PLAT OF SURVEY IS ATTACHED AS EXHIBIT C TO THE DECLARATION OF CONDOMINIUM OWNERSHIP RECORDED OCTOBER 5, 2007 AS DOCUMENT 0727815093 AS AMENDED FROM TIME TO TIME TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS, ALL IN COOK COUNTY ILLINOIS.

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