



Doc#: 1036444085 Fee: \$48.00  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 12/30/2010 03:47 PM Pg: 1 of 7

EXECUTION DRAFT

**THIS INSTRUMENT PREPARED BY AND  
WHEN RECORDED MAIL TO:**

QUARLES & BRADY LLP  
300 North LaSalle Street  
Suite 4000  
Chicago, IL 60654  
Attention: Thomas A. McCarthy

**FIRST AMENDMENT TO ABSOLUTE ASSIGNMENT OF RENTS AND OF  
LANDLORD'S INTEREST IN LEASES**

DATE: December 30, 2010

DESCRIPTION OF ASSIGNMENT (the "Assignment"):

PARTIES:	Borrower:	ORLEANS HUBBARD LLC, a Delaware limited liability company
	Borrower Address:	c/o Merchandise Mart Properties, Inc. 222 Merchandise Mart Plaza Suite 470 Chicago, Illinois 60654
	Lender:	TCF NATIONAL BANK
	Lender Address:	500 W. Brown Deer Road Milwaukee, WI 53217

**RECORDING**

DATA: Dated December 17, 2008, recorded December 17, 2008, as Instrument No. 0835231092, in the Official Records of Cook County, Illinois (the "Official Records").

**ENCUMBERED**

PROPERTY: See Exhibit A attached hereto and made a part hereof.

# UNOFFICIAL COPY

FOR VALUE RECEIVED, IT IS AGREED AS FOLLOWS:

1. The promissory note defined as the "Note" in the Assignment, the other Loan Documents (as defined in the Assignment) and other indebtedness and obligations secured by the Assignment, have been modified by that certain Modification of Loan Agreement and Loan Documents of even date herewith between Borrower and Lender (the "Modification Agreement"), which modified the Loan Documents by, among other things, extending the maturity date of the Note until Dec. 30, 2017.

2. All references in the Assignment to the Note and the other Loan Documents are hereby amended to be references to the Note and the other Loan Documents as modified by the Modification Agreement.

3. All terms and provisions of the Assignment shall remain in full force and effect except as specifically modified herein.

4. This First Amendment to Absolute Assignment of Rents and of Landlord's Interest in Leases (this "Amendment to Assignment of Rents") may be executed in one or more counterparts, each of which shall be deemed an original and all of which together shall constitute one and the same document. Signature pages may be detached from the counterparts and attached to a single copy hereof to physically form one document.

5. This Amendment to Assignment of Rents is not a novation nor is it to be considered as a release or modification of any of the terms, conditions, representations, covenants, rights or remedies as set forth in the Assignment, as amended by the Modification Agreement, this Amendment to Assignment of Rents, or any other Loan Documents.

[SIGNATURES BEGIN ON NEXT PAGE]


# UNOFFICIAL COPY

IN WITNESS WHEREOF, Borrower and Lender have executed this First Amendment to Absolute Assignment of Rents and of Landlord's Interest in Leases as of the day and year set forth above.

**BORROWER:**

**ORLEANS HUBBARD LLC, a**  
Delaware limited liability company

By: Merchandise Mart Properties, Inc.  
a Delaware corporation, its manager

By:   
Its: Authorized Signatory

**LENDER:**

**TCF NATIONAL BANK,**  
a national banking association

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

[SIGNATURE PAGE FOR FIRST AMENDMENT TO ABOSLUTE ASSIGNMENT OF RENTS AND OF LANDLORD'S INTEREST IN LEASES]

Property of Cook County Clerk's Office

# UNOFFICIAL COPY

IN WITNESS WHEREOF, Borrower and Lender have executed this First Amendment to Absolute Assignment of Rents and of Landlord's Interest in Leases as of the day and year set forth above.

**BORROWER:**

**ORLEANS HUBBARD LLC**, a  
Delaware limited liability company

By: Merchandise Mart Properties, Inc.  
a Delaware corporation, its manager

By: \_\_\_\_\_  
Its: \_\_\_\_\_

**LENDER:**

**TCF NATIONAL BANK**,  
a national banking association

By: *[Signature]*  
Name: RUSSELL P MCNEIL  
Title: SUP

[SIGNATURE PAGE FOR FIRST AMENDMENT TO ABOSLUTE ASSIGNMENT OF RENTS AND OF LANDLORD'S INTEREST IN LEASES]

Property of Cook County Clerk's Office

# UNOFFICIAL COPY

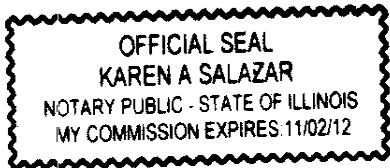
## ACKNOWLEDGEMENT

(Orleans Hubbard LLC)

STATE OF Illinois )  
COUNTY OF Cook ) SS.

On this 20th day of December, 2010 before me, Karen A. Salazar a Notary Public in and for said State, personally appeared Randall F. Clark the Authorized Signatory of Merchandise Mart Properties, Inc., the Manager of Orleans Hubbard LLC, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.



Karen A. Salazar  
Notary Public  
My Commission expires: 11/02/12

Cook County Clerk's Office

# UNOFFICIAL COPY

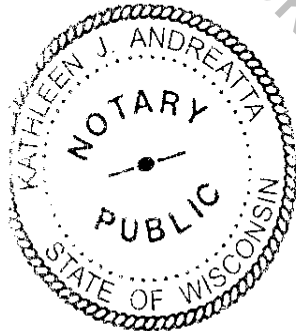
## ACKNOWLEDGEMENT

(TCF Bank)

STATE OF WISCONSIN )  
 ) SS.  
COUNTY OF Milwaukee )

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Russell P. McMin, the Senior Vice President of TCF National Bank, a national banking association, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and Official seal this 29<sup>th</sup> day of December, 2010.



Kathleen J. Andreatta  
Notary Public  
(Seal)

My Commission Expires: 12/14/2011

Notary Public in and for the  
State of Wisconsin

PROVIDER OF COOK COUNTY CLERK'S OFFICE

# UNOFFICIAL COPY

## EXHIBIT A

### Legal Description

The Property is located in the City of Chicago, County of Cook, State of Illinois and is described as follows:

Lots 14 through 23, both inclusive, in Block 4 in Butler, Wright and Webster's Addition to Chicago, said addition being a subdivision of the West 1/2 of the West 1/2 of the North East 1/4 of Section 9, Township 39 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois.

Address: 431 N. Orleans Street, Chicago, Illinois

Tax Parcel Numbers: 17-09-250-007-0000  
17-09-250-010-0000  
17-09-250-015-0000  
17-09-250-017-0000  
17-09-250-019-0000