

# UNOFFICIAL COPY



Doc#: 1100604053 Fee: \$60.00  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 01/06/2011 10:37 AM Pg: 1 of 8

8839027/8431897 DL DG 15 of 2-1

Property of Cook County Clerk's Office

## DOCUMENT COVER SHEET

### MEMORANDUM OF AGREEMENT (1602)

Box 400-CTCC

S  
P  
K  
y

# UNOFFICIAL COPY

*THIS INSTRUMENT PREPARED BY  
AND  
AFTER RECORDING, RETURN TO:*

**TO: Thomas M. Jenkins  
Illinois Housing Development  
Authority  
401 N. Michigan Ave.  
Chicago, Illinois 60611  
Permanent Tax Index  
Identification No.:  
See Exhibit A  
Property Address:  
188 W. Randolph Street  
Chicago, Illinois**

For Use by the Recorder's Office Only

Permanent Real Estate Tax Index Nos.:  
See Exhibit A attached hereto

## MEMORANDUM OF AGREEMENT (1602)

Between

**RANDOLPH TOWER AFFORDABLE CITY APARTMENTS, LLC**

and

**ILLINOIS HOUSING DEVELOPMENT AUTHORITY**

# UNOFFICIAL COPY

## MEMORANDUM OF AGREEMENT

This Memorandum of Agreement ("Agreement") is entered into as of this 22<sup>nd</sup> day of December, 2010 by and between **RANDOLPH TOWER AFFORDABLE CITY APARTMENTS, LLC** (collectively "Owner") and **ILLINOIS HOUSING DEVELOPMENT AUTHORITY** ("Authority").

WHEREAS, the Owner and the Authority have entered into that certain 1602 Written Agreement dated as of even date herewith (the "1602 Agreement"), pursuant to which the Authority has agreed to make advances from time to time in an amount not to exceed Ten Million and No/100 Dollars (\$10,000,000.00) ("1602 Grant"). The 1602 Grant is evidenced by a certain mortgage note in the original principal amount of \$10,000,000.00 (the "Note") dated of even date herewith.

WHEREAS, the Note is secured by, among other things, the Junior Mortgage, Security Agreement and Assignment of Rents and Leases, dated as of even date herewith ("Mortgage"), which Mortgage encumbers the real property and all improvements thereon legally described on **Exhibit A** attached hereto (the "Development").

WHEREAS, the parties have agreed in the 1602 Agreement that a memorandum of the 1602 Agreement shall be recorded.

NOW, THEREFORE, in evidence of the foregoing the parties have executed this Agreement for purposes of confirming the matters stated and for recording purposes and hereby agree as follows:


1. The foregoing recitals are incorporated in this Agreement by this reference. Any term not defined in this Agreement shall be as defined in the 1602 Agreement.
2. The 1602 Agreement is hereby incorporated herein by reference with the same force and effect as if the entire 1602 Agreement was hereby recorded.
3. This Agreement may be executed in any number of counterparts each of which shall be deemed an original and all of which shall constitute one and the same instrument with the same effect as if all parties had signed the same signature page.

(Signatures on Next Page)

# UNOFFICIAL COPY

IN WITNESS WHEREOF, the parties hereto have entered into this Memorandum of Agreement as of the day and year first written.

## ILLINOIS HOUSING DEVELOPMENT AUTHORITY

By:   
 Name: Jane R. Bigger  
 Its: Assistant Executive Director

## RANDOLPH TOWER AFFORDABLE CITY APARTMENTS, LLC,

By: Holtzman Affordable Holdings, LLC  
 Its managing member

By: Holtzman Interests #24, LLC,  
 Its managing member

By: \_\_\_\_\_  
 A Manager

Property of Cook County Clerk's Office

# UNOFFICIAL COPY

IN WITNESS WHEREOF, the parties hereto have entered into this Memorandum of Agreement as of the day and year first written.

## ILLINOIS HOUSING DEVELOPMENT AUTHORITY

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

## RANDOLPH TOWER AFFORDABLE CITY APARTMENTS, LLC,

By: Holtzman Affordable Holdings, LLC  
Its managing member

By: Holtzman Interests #24, LLC,  
Its managing member

By: \_\_\_\_\_  
Jonathan Holtzman, A Manager

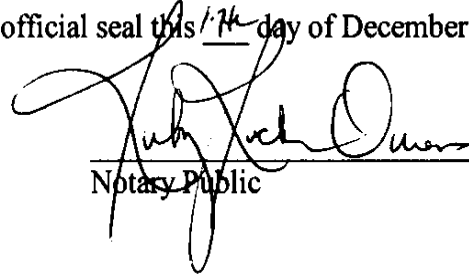
Property of Cook County Clerk's Office

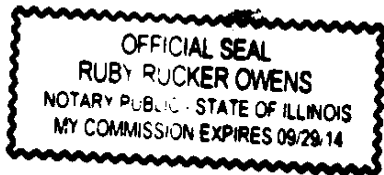
# UNOFFICIAL COPY

STATE OF ILLINOIS            )  
   ) SS  
 COUNTY OF COOK             )

I, the undersigned, a Notary Public in and for the ~~County and State~~ aforesaid, certify that Jane R. Bigger, personally known to me to be the Assistant Executive Director of **ILLINOIS HOUSING DEVELOPMENT AUTHORITY**, and 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/she signed and delivered the said instrument in his/her capacity as the Assistant Executive Director of **ILLINOIS HOUSING DEVELOPMENT AUTHORITY** as his/her free and voluntary act and deed and as the free and voluntary act and deed of **ILLINOIS HOUSING DEVELOPMENT AUTHORITY**, for the uses and purposes therein set forth.

Given under my hand and official seal this 17<sup>th</sup> day of December, 2010.

  
 \_\_\_\_\_  
 Notary Public



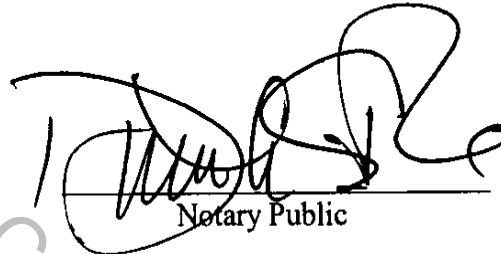
Property of Cook County Clerk's Office

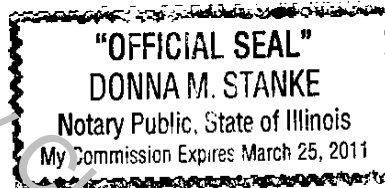
# UNOFFICIAL COPY

STATE OF ILLINOIS     )  
   ) SS  
 COUNTY OF COOK        )

I, the undersigned, a Notary Public in and for the County and State aforesaid, certify that Jonathan Holtzman, personally known to me to be a manager of Holtzman Interests #24, LLC and 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/she signed and delivered the said instrument in his/her capacity as manager of Holtzman Interests #24, LLC, as his/her free and voluntary act and deed and as the free and voluntary act and deed of Holtzman Interests #24, LLC, for the uses and purposes therein set forth.

Given under my hand and official seal this 17<sup>th</sup> day of December, 2010.

  
 \_\_\_\_\_  
 Notary Public



Property of Cook County Clerk's Office

# UNOFFICIAL COPY

## EXHIBIT A

### LEGAL DESCRIPTION

**UNIT NO. 2 IN THE RANDOLPH TOWER CITY APARTMENTS CONDOMINIUM AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED REAL ESTATE:**

**LOT 5 IN BLOCK 33 IN ORIGINAL TOWN OF CHICAGO IN SECTION 9, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY ILLINOIS; WHICH SURVEY IS ATTACHED AS EXHIBIT "C" TO THE DECLARATION OF CONDOMINIUM RECORDED Dec. 20, 2010 AS DOCUMENT NUMBER 1035422069 TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS, ALL IN COOK COUNTY, ILLINOIS.**

**Commonly Known As:** 188 West Randolph Street, Units 1 and 2, Chicago, Illinois 60601

**Permanent Index Number:** 17-09-433-001-0000