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2 of 6

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Doc#: 1126540042 Fee: \$74.00  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 09/22/2011 10:54 AM Pg: 1 of 6

Property of Cook County Clerk's Office

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## DOCUMENT COVER SHEET

### ASSIGNMENT OF MORTGAGE AND ASSIGNMENT OF ASSIGNMENT OF LEASE ASSIGNMENT

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Prepared By and Mail To:

Helene Jaron, Esq.  
Cozen O'Connor  
1900 Market Street  
Philadelphia, PA 19103

Box 400-CTCC

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## ASSIGNMENT OF MORTGAGE AND ASSIGNMENT OF ASSIGNMENT OF LEASE ASSIGNMENT

KNOW ALL MEN BY THESE PRESENTS:

BANK OF AMERICA, AS SUCCESSOR-IN-INTEREST TO LASALLE BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR THE NOTEHOLDERS OF CAPLEASE CDO 2005-1, having an address at 135 South LaSalle Street as, 19th Floor, New York, New York 10018 ("Assignor"), for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, hereby sells, grants, bargains, sets-over, delivers, conveys, assigns and transfers to CAPLEASE DEBT FUNDING, LP, a Delaware limited partnership, having an address at 1065 Avenue of the Americas, 19<sup>th</sup> Floor, New York, NY 10018 ("Assignee"), all right, title and interest of Assignor in and to:

The mortgage and assignment of leases and rents which are described in Exhibit A attached hereto and made a part hereof (the "Security Instruments"), which Security Instruments encumbers the premises described in Exhibit B attached hereto and made a part hereof (the "Premises"), together with the bond(s) or note(s) or obligation(s) described in said Security Instrument, and the moneys due and owing thereunder.

This Assignment is made without representation, warranty or recourse against Assignor of any kind or nature.

This Assignment of Mortgage shall be governed by and construed in accordance with the internal laws of the State in which the Premises is located.

THIS INSTRUMENT IS TO BE FILED AND INDEXED IN THE REAL ESTATE RECORDS AND IS ALSO TO BE INDEXED IN THE INDEX OF FINANCING STATEMENTS UNDER THE NAMES OF ASSIGNOR, AS "DEBTOR", AND ASSIGNEE, AS "SECURED PARTY".

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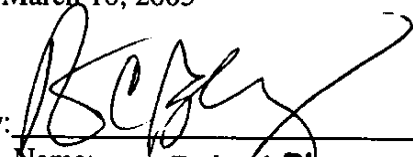
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IN WITNESS WHEREOF, Assignor has duly executed this Assignment of Mortgage, Security Agreement, Fixture Filing and Assignment of Leases and Rents as of September 1, 2011.

**ASSIGNOR:**

**BANK OF AMERICA, AS SUCCESSOR-IN-INTEREST TO LASALLE BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR THE NOTEHOLDERS OF CAPLEASE CDO 2005-1**

By: CapLease Investment Management, LLC,  
as Collateral Manager under that certain  
Collateral Management Agreement dated as  
of March 10, 2005

By:   
Name: **Robert Blanz**  
Title: **Senior Vice President**

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Assignment of Mortgage Kohl's - Signature Page

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STATE OF NEW YORK )

) SS.

COUNTY OF NEW YORK )

The foregoing instrument was acknowledged before me this 1<sup>st</sup> day of September, 2011 by Robert C. Blanz, the SVP of CapLease Investment Management, LLC, the Collateral Manager on behalf of Bank of America, as successor-in-interest to LaSalle Bank National Association, as Trustee for the Noteholders of CapLease CDO 2005-1.

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

Notary Public in and for the State of New York  
Printed Name: James J. Vlahos

Seal

My commission expires:  
**JAMES J. VLAHOS**  
Notary Public, State of New York  
#01VL6212316  
Qualified in Kings County  
Commission Expires October 13, 2013

Assignment of Mortgage Kohl's - Notary Page

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## Exhibit A

### Description of Security Instruments

1. That certain Mortgage, Security Agreement and Assignment of Leases and Rents and Fixture Filing from ELSTON DEVELOPMENT L.L.C., a Delaware limited liability company, as Borrower, to CAPLEASE, LP, as Lender, dated September 24, 2004, recorded in the Recorder of Deeds Office for Cook County, Illinois, (the "Official Records") on October 1, 2004 as Document Number 0427527129, (the "Mortgage") and that certain Assignment of Lease and Rents dated September 24, 2004, recorded in the Official Records on October 1, 2004 as Document Number 0427527130 (the "Lease Assignment").
2. That same Mortgage and Lease Assignment having been assigned from CAPLEASE, LP, as Assignor to CapLease CDO 2005-1, LTD., as Assignee by that certain Assignment of Mortgage and Assignment of Lease Assignment dated March 4, 2005 and recorded in the Official Records on August 8, 2005 as Document Number 0521318126.
3. That same Mortgage and Lease Assignment having been assigned from CapLease CDO 2005-1, LTD., as Assignor to LA SALLE BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR THE NOTEHOLDERS OF CAPLEASE CDO 2005-1, as Assignee by that certain Assignment of Mortgage and Assignment of Lease Assignment dated March 4, 2005 and recorded in the Official Records on December 22, 2005 as Document Number 0535602153.

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## Exhibit B

### Legal Description

#### **Parcel I**

That part of various lots; vacated streets and alleys; in various subdivisions in the East Half of the Northeast Quarter of Section 31, Township 40 North, Range 14, East of the Third Principal Meridian, described as follows:

Commencing at the intersection of the South line of West Webster Avenue with the Southwesterly line of North Elston Avenue; Thence South 44° 59' 59" East along said Southwesterly line 204.88 feet to the point of beginning; Thence continue South 44° 59' 59" East along said Southwesterly line 714.37 feet; Thence South 45° 03' 01" West 316.20 feet to the Northeasterly line of the Chicago & Northwestern Railroad right of way; Thence North 50° 35' 39" West along said Northeasterly line 695.54 feet to the East line of North Wood Street; Thence North 00° 54' 22" East along said East line 75.0 feet to a point 358.29 feet (as measured on said East line) South of the South line of West Webster Avenue; Thence South 89° 05' 38" East 42.21 feet; Thence North 45° 00' 01" East 300.76 feet to the point of beginning, in Cook County, Illinois.

LESS:

That part of Lot "A" in the consolidation of parts of Original Block 21 in Sheffield's Addition to Chicago in Section 31, Township 40 North, Range 14, East of the Third Principal Meridian, described as follows: Commencing at the intersection of the South line of West Webster Avenue with the Southwesterly line of North Elston Avenue; thence South 44° 59' 59" East, along the Southwesterly line of North Elston Avenue, 458.97 feet to the point of beginning; thence South 45° 00' 01" West 20.00 feet; thence North 44° 59' 59" West 20.00 feet; thence North 45° 00' 01" East 20.00 feet to the Southwesterly line of North Elston Avenue; thence South 44° 59' 59" East, along the Southwesterly line of North Elston Avenue, 20.00 feet to the point of beginning in Cook County, Illinois.

#### **Parcel II**

Together with non-exclusive easements for ingress, egress and parking as contained in Declaration of Covenants, Conditions, Reciprocal Rights and Easements dated August 4, 2004 and recorded on August 8, 2004 as document No. 0423310116.

PIN #'s

14-31-211-016  
14-31-211-017  
14-31-211-018  
14-31-211-024  
14-31-211-027

Property Address:

2100-2160 N. Elston Ave  
Chicago, IL 60614