

# UNOFFICIAL COPY

PREPARED BY AND )  
 WHEN RECORDED MAIL TO: )  
 Alston & Bird LLP )  
 Bank of America Plaza )  
 101 S. Tryon Street, Suite 4000 )  
 Charlotte, NC 28280-4000 )  
 Attn: James A. L. Daniel, Jr. )



Doc#: 1209544080 Fee: \$66.00  
 Eugene "Gene" Moore RHSP Fee: \$10.00  
 Cook County Recorder of Deeds  
 Date: 04/04/2012 12:43 PM Pg: 1 of 15

Loan No.: 30-9999180  
 MERS MIN No.

## MEMORANDUM OF ASSUMPTION AGREEMENT

LINCOLN PARK CENTRE, LLC, a Delaware limited liability company, with a mailing address at c/o Mid-America Real Estate Corp., Two Mid-America Plaza, Suite 330, Oakbrook Terrace, Illinois 60181 ("**Current Borrower**"), J. MICHAEL DREW, an individual, with a mailing address at 656 W. Randolph, Suite 400W, Chicago, Illinois 60661 ("**Drew**"), DANIEL A. LUKAS, an individual, with a mailing address at 656 W. Randolph, Suite 400W, Chicago, Illinois 60661 ("**Lukas**"), and GRACE H. SCHURECHT, an individual, with a mailing address at 33 East Dundee Road, Suite 44, Barrington, Illinois 60010 ("**Schurecht**"), collectively with Drew and Lukas, "**Current Guarantor**", ACADIA LINCOLN PARK CENTRE LLC, a Delaware limited liability company, with a mailing address at c/o Acadia Realty Trust, 1311 Mamaroneck Avenue, Suite 260, White Plains, New York 10605, Attn: Robert Masters, Esq. ("**Assumptor**"), ACADIA STRATEGIC OPPORTUNITY FUND III LLC, a Delaware limited liability company, with a mailing address at c/o Acadia Realty Trust, 1311 Mamaroneck Avenue, Suite 260, White Plains, New York 10605 ("**Fund III**"), and ACADIA REALTY LIMITED PARTNERSHIP, a Delaware limited partnership, with a mailing address at c/o Acadia Realty Trust, 1311 Mamaroneck Avenue, Suite 260, White Plains, New York 10605 ("**ARLP**", together with Fund III, "**New Guarantor**"), and U.S. BANK NATIONAL, as Trustee, successor-in-interest to Bank of America, N.A., as Trustee, successor by merger to LaSalle Bank National Association, a national banking association, as Trustee for the Registered Holders of Greenwich Capital Commercial Funding Corp., Commercial Mortgage Trust 2004-GG1, Commercial Mortgage Pass-Through Certificates, Series 2004-GG1, with a mailing address c/o Wells Fargo Bank, N. A., Commercial Mortgage Servicing, 1320 Willow Pass Road, Suite 300, Concord, California 94520 ("**Noteholder**"), are parties to that certain ASSUMPTION AGREEMENT dated of even date herewith ("**Assumption Agreement**").

The undersigned parties agree that all obligations under that certain Promissory Note ("**Note**") dated December 31, 2003, in the original principal amount of \$22,250,000.00, secured by: (i) that certain Mortgage, Assignment of Rents, Fixture Filing and Security Agreement executed by North/Halsted, LLC, an Illinois limited liability company (the "**Security Instrument**"), and which Security Instrument was recorded on January 6, 2004, as Document No. 0400603129, with the real estate records

Box 400-CTCC

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of Cook County, Illinois ("**Official Records**"); and (ii) all other Loan Documents (as defined in the Assumption Agreement) securing the real property described on **Exhibit A**, have been assumed by Assumptor upon the terms and conditions set forth in the Assumption Agreement.

The Assumption Agreement is by this reference incorporated herein and made a part hereof. This Memorandum of Assumption Agreement may be executed in any number of counterparts, each of which when executed and delivered will be deemed an original and all of which taken together will be deemed to be one and the same instrument.

[SEE ATTACHED SIGNATURE PAGES]

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IN WITNESS WHEREOF, Noteholder, Assumpitor, New Guarantor, Current Borrower, and Current Guarantor have caused this Memorandum of Assumption Agreement to be duly executed as of the 2nd day of APRIL, 2012.

**NOTEHOLDER:** U.S. BANK NATIONAL ASSOCIATION, as Trustee, successor-in-interest to Bank of America, N.A., as Trustee, successor-by-merger to LaSalle Bank National Association, as Trustee, for the Registered Holders of Greenwich Capital Commercial Funding Corp., Commercial Mortgage Trust 2004-GG1, Commercial Mortgage Pass-Through Certificates, Series 2004-GG1

By: Wells Fargo Bank, N.A., in its capacity as Master Servicer, as authorized pursuant to that certain Pooling and Servicing Agreement dated as of May 13, 2004

By: [Signature]  
Name: Wayne Ventus, Jr.  
Title: Assistant Vice President

## ACKNOWLEDGMENT OF LENDER

STATE OF CALIFORNIA             )  
  ) ss  
COUNTY OF ALAMEDA             )

On 3/16, 2012, before me, Carol Morris, the undersigned Notary Public in and for said County and State, personally appeared Wayne Ventus, Jr., who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

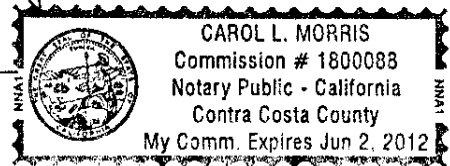
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

My Commission Expires:

[Signature]  
Notary Public

6.2.2012



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**ASSUMPTOR:**

ACADIA LINCOLN PARK CENTRE LLC,  
a Delaware limited liability company

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

Name: Robert Masters

Title: Senior Vice President

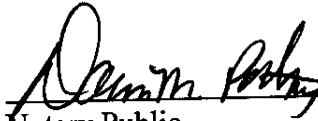
Property of Cook County Clerk's Office

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STATE OF NEW YORK            )  
  ) SS  
COUNTY OF WESTCHESTER    )

I, Dawn M. Portney, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY, that Robert Masters, the Senior Vice President of Acadia Lincoln Park Centre LLC, a Delaware limited liability company, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument as such Senior Vice President appeared before me this day in person and acknowledged that he signed and delivered the said instrument as his own free and voluntary act and as the free and voluntary act of said limited liability company, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 26<sup>th</sup> day of March, 2012.

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

My Commission Expires: August 7, 2014

**DAWN M. PORTNEY**  
Notary Public, State of New York  
Registration No. 02P08046122  
Qualified in Rockland County  
Commission Expires August 7, 2014

Notary of Cook County Clerk's Office

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**NEW GUARANTOR:**

ACADIA STRATEGIC OPPORTUNITY FUND III LLC,  
a Delaware limited liability company

By: 

Name: Robert Masters

Title: Senior Vice President

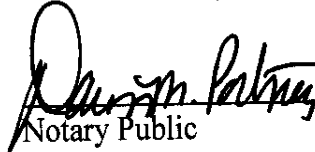
Property of Cook County Clerk's Office

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STATE OF NEW YORK            )  
  ) SS  
COUNTY OF WESTCHESTER    )

I, Dawn M. Portney, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY, that Robert Masters, the Senior Vice President of Acadia Strategic Opportunity Fund III LLC, a Delaware limited liability company, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument as such Senior Vice President appeared before me this day in person and acknowledged that he signed and delivered the said instrument as his own free and voluntary act and as the free and voluntary act of said limited liability company, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 26<sup>th</sup> day of March, 2012.

  
Notary Public

My Commission Expires: August 7, 2014

**DAWN M. PORTNEY**  
Notary Public, State of New York  
Registration No. 05P08046122  
Qualified in Rockland County  
Commission Expires August 7, 2014

Notary Public of Cook County Clerk's Office

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ACADIA REALTY LIMITED PARTNERSHIP,  
a Delaware limited partnership

By: Acadia Realty Trust,  
its General Partner

By: 

Name: Robert Masters

Title: Senior Vice President

Property of Cook County Clerk's Office



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STATE OF NEW YORK            )  
  ) SS  
COUNTY OF WESTCHESTER    )

I, Dawn M. Portney, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY, that Robert Masters, the Senior Vice President of Acadia Realty Trust, a Maryland trust and the general partner of Acadia Realty Limited Partnership, a Delaware limited partnership, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument as such Senior Vice President appeared before me this day in person and acknowledged that he signed and delivered the said instrument as his own free and voluntary act and as the free and voluntary act of said limited liability company, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 26<sup>th</sup> day of March, 2012.

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

My Commission Expires: August 7, 2014

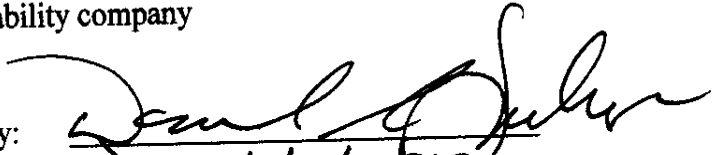
**DAWN M. PORTNEY**  
Notary Public, State of New York  
Registration No. 08F08040122  
Qualified in Rockland County  
Commission Expires August 7, 2014

Notary of Cook County Clerk's Office

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**BORROWER:**

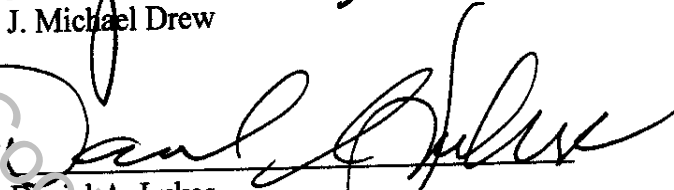
LINCOLN PARK CENTRE, LLC, a Delaware limited liability company

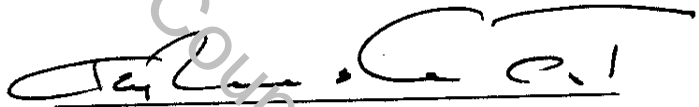
By:   
Name: DANIEL A. LUKAS  
Title: MEMBER

**[BORROWER'S COUNSEL TO PROVIDE/ATTACH APPROPRIATE NOTARY BLOCKS]**

**ORIGINAL**  
**GUARANTOR:**

  
\_\_\_\_\_  
J. Michael Drew

  
\_\_\_\_\_  
Daniel A. Lukas

  
\_\_\_\_\_  
Dayanne Schurecht,  
Attorney in Fact for Grace H. Schurecht

**[BORROWER'S COUNSEL TO PROVIDE/ATTACH APPROPRIATE NOTARY BLOCKS]**

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STATE OF ILLINOIS            )  
   )  
 COUNTY OF COOK            )

ss

I, the undersigned, a Notary Public in and for the County of Cook, in the State of Illinois, DO HEREBY CERTIFY that Daniel Lukas personally known to me to be the Manager of Lincoln Park Centre, LLC, a Delaware limited liability company, the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person, and severally acknowledged that he signed and delivered the foregoing instrument as his free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and official seal, this 20~~11~~ day of March, 2012.

David G. Stejkowski  
 Notary Public

Commission Expires: 4-29-12



# UNOFFICIAL COPY

STATE OF ILLINOIS            )  
  )  
  )    ss  
COUNTY OF COOK            )

I, the undersigned, a Notary Public in and for the County of Cook, in the State of Illinois, DO HEREBY CERTIFY that J. Michael Drew 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 severally acknowledged that he signed and delivered the foregoing instrument as his free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and official seal, this 21 day of March, 2012.



*David G Stejkowski*

Notary Public

Commission Expires: 4.29.12

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STATE OF ILLINOIS            )  
   )    ss  
 COUNTY OF COOK            )

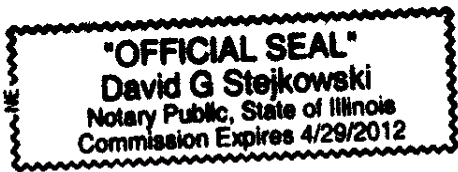
I, the undersigned, a Notary Public in and for the County of Cook, in the State of Illinois, DO HEREBY CERTIFY that Daniel A. Lukas personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person, and severally acknowledged that he signed and delivered the foregoing instrument as his free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and official seal, this 20th day of March, 2012.

*David G. Stejkowski*

Notary Public

Commission Expires: 4-29-12



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STATE OF ILLINOIS            )  
   )  
 COUNTY OF COOK             )    ss

I, the undersigned, a Notary Public in and for the County of Cook, in the State of Illinois, DO HEREBY CERTIFY that Dayanne Schurecht, as attorney in fact for Grace H. Schurecht, 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 severally acknowledged that she signed and delivered the foregoing instrument as her free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and official seal, this 26<sup>th</sup> day of March, 2012.



*[Handwritten Signature]*  
 \_\_\_\_\_  
 Notary Public

Commission Expires: \_\_\_\_\_

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## EXHIBIT A

### Legal Description

A TRACT OF LAND SITUATED IN THE WEST 1/2 OF THE NORTHWEST 1/4 OF SECTION 4, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN; BOUNDED ON THE WEST BY ME EAST LINE, OF NORTH HALSTED STREET; ON THE NORTH BY THE SOUTH LINE OF WEST NORTH AVENUE; ON THE SOUTHWEST BY THE NORTHEASTERLY LINE OF NORTH CLYBOURN AVENUE; ON THE SOUTHEAST BY THE NORTHWESTERLY LINE OF WEST WEED STREET AND ON THE EAST BY THE WEST AND SOUTHWESTERLY LINE OF THE RIGHT OF WAY OF THE CHICAGO TRANSIT AUTHORITY AND THE CONNECTION OF SAID RIGHT OF WAY LINE ACROSS THE EAST WEST ALLEY SOUTH OF AND PARALLEL TO WEST NORTH AVENUE, SAID TRACT INCLUDES ALL ALLEYS WITHIN ITS BOUNDARIES TOGETHER WITH THE FOLLOWING DESCRIBED LOTS: LOTS 1 THROUGH 6 IN THE SUBDIVISION OF LOT 157 AND LOTS 6 THROUGH 13 (EXCEPT THE EAST 16 FEET OF SAID LOT 6) IN THE SUBDIVISION OF LOT 158, LOT 13 AND LOTS 17 THROUGH 23 IN THE SUBDIVISION OF LOT 156; LOTS 1 AND 2 IN THE SUBDIVISION OF SUB-LOTS 14, 15 AND 16 IN THE SUBDIVISION OF LOT 156; LOT 2 (EXCEPT THAT PART CONVEYED TO THE NORTHWEST ELEVATED RAILROAD BY DEED RECORDED MAY 16, 1913 AS DOCUMENT 5186265) IN THE SUBDIVISION OF LOT 24 IN THE SUBDIVISION OF LOT 156, ALL IN THE SUBDIVISION OF LOTS 156, 157, 158 AND SUB-LOT 8 OF LOT 159 IN BUTTERFIELD'S ADDITION TO CHICAGO IN THE NORTHWEST 1/4 OF SECTION 4, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 2, 1863 IN BOOK 162 OF MAPS AT PAGE 11 AS DOCUMENT 70119, EXCEPT THEREFROM THE NORTH 14 FEET OF THE EAST AND WEST 18 FOOT VACATED ALLEY WHICH ACCRUES TO LOTS 4 AND 5 AND THE EAST 16 FEET OF LOT 6 IN THE SUBDIVISION OF LOT 158, AND THAT PART OF SAID EAST AND WEST 18 FOOT VACATED ALLEY AND THAT PART OF THE 18 FOOT VACATED ALLEY EXTENDING NORTHEASTERLY AND SOUTHWESTERLY WHICH ACCRUES TO THAT PART OF LOT 2 IN THE SUBDIVISION OF LOT 24 IN THE SUBDIVISION OF LOT 156 CONVEYED TO THE NORTH WEST ELEVATED RAILROAD BY DEED RECORDED MAY 16, 1913 AS DOCUMENT 5186265 IN COOK COUNTY, ILLINOIS.

Permanent Index Numbers: 17-04-100-001; 002; 003; 004; 005; 013; 014; 015; 016; 017; 018; 021; 022; 023; 024; 027; 028; 032; 033; 034; 035; 036; 037.

Common Address: 775 West North Avenue, Chicago, Illinois.