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Doc#: 1217210070 Fee: \$44.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 06/20/2012 12:34 PM Pg: 1 of 4

DEED IN LIEU OF FORECLOSURE

The Grantor, 44TH AND BERKLEY DEVELOPMENT, LLC, an Illinois limited liability company, of 4355 North Ravenswood Avenue, Chicago, Illinois, for and in consideration of the sum of Ten and no/100 Dollars (\$10.00), the release from enforcement of the personal liability of the Grantor upon that certain mortgage and the release of liability under the promissory note described below, does by these presents hereby remise and forever convey unto Grantee, FIRST BANK, a Missouri state bank, all its right, title, and interest without warranty except as expressly stated herein, in that certain parcel of land with the buildings and improvements thereon, situate, lying, and being in the City of Chicago, County of Cook, and State of Illinois, bounded and described as follows:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF

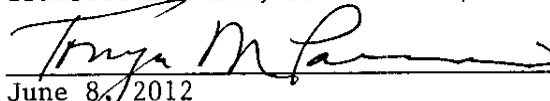
Together with all the estate, right, title, interest, property, claim, and demand whatsoever of Grantor, of or in and to the same and of, in, and to every part and parcel thereof (all of the foregoing of which is hereinafter called the "Property.")

Together with all rents, issues, and profits thereof under present and future leases, or otherwise, which are hereby specifically and absolutely assigned, transferred, and set over to Grantee.

To have and to hold the Property as before described with the appurtenances, unto Grantee, its successors, and assigns, forever; and Grantor, for itself, its successors, and its assigns, does covenant and agree to and with Grantee, its successors, and assigns, that Grantor has not heretofore done, committed, or wittingly or willingly suffered to be done or committed any act, matter, or thing whatsoever, whereby the Property hereby granted, or any part hereof, is or shall or may be charged or encumbered in title, estate, or otherwise howsoever, excepting only the following recorded documents:

- (a) Construction Mortgage, dated July 14, 2006, executed by Borrower in favor of Lender covering the Property, and recorded with the Cook County Recorder of Deeds, Cook County, Illinois on August 8, 2006, as Document No. 0622045030;
- (b) Assignment of Rents, dated July 14, 2006, executed by Borrower in favor of Lender covering the Property, and recorded with the Cook County Recorder of Deeds, Cook County, Illinois on August 8, 2006, as Document No. 0622045031;
- (c) First Modification Agreement, dated June 25, 2008, executed by Borrower and Lender;
- (d) Second Modification Agreement, dated October 14, 2008, executed by Borrower and Lender, and recorded with the Cook County Recorder of Deeds, Cook County, Illinois on February 6, 2009, as Document No. 0903739001;

EXEMPT under Paragraph L of the Illinois Real Estate Transfer Tax Act, 35 ILCS 200/31-45(L)



June 8, 2012

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(e) Third Modification Agreement, dated April 12, 2009, executed by Borrower and Lender, and recorded with the Cook County Recorder of Deeds, Cook County, Illinois on September 23, 2009, as Document No. 0926629024; and

(f) Fourth Modification Agreement, dated July 14, 2009, executed by Borrower, Guarantors and Lender, and recorded with the Cook County Recorder of Deeds, Cook County, Illinois on December 16, 2009, as Document No. 0935022089.

It is expressly understood and agreed that pursuant to Section 1401 of the Illinois Mortgage Foreclosure Act, 735 ILCS 5/15-1401, the execution and delivery of this instrument and conveyance shall not in any manner be deemed to be a merger with, or the extinguishment of, the Mortgages, Assignments of Rents or any modifications thereof described in subparagraphs (a)-(f) above, wherein Grantor is the Mortgagor and/or Assignor and the underlying indebtedness shall be and remain in full force and effect according to the respective tenor of said instruments.

Dated this 14 day of June, 2012.

44TH AND BERKLEY DEVELOPMENT, LLC.
an Illinois limited liability company

By: [Signature]
Ibrahim M. Shihadeh
Manager

This Instrument was Prepared by
and after Recording Mail to:

Tonya M. Parravano, Esq.
Crowley Barrett & Karaba, Ltd.
20 S. Clark Street
Suite 2310
Chicago, IL, 60603

Send Subsequent Tax Bills To:

First Bank – Loan Office
Lake Center Office Plaza
1699 Wall Street Suite 500
Mount Prospect, IL 60056
Attn: Mr. James C. Brennan, Vice President

ACKNOWLEDGEMENT

STATE OF ILLINOIS)
COUNTY OF (Cook)) SS.

I, the undersigned, a Notary Public in and for said County in the State aforesaid, DO HEREBY CERTIFY that Ibrahim M. Shihadeh, personally known to me to be the same person whose name is subscribed to the foregoing instrument, as Manager of 44TH AND BERKLEY DEVELOPMENT, LLC, an Illinois limited liability company, appeared before me this day in person and acknowledged that he signed and delivered this instrument on behalf of and as the free and voluntary act of said corporation, for the uses and purposes therein set forth.

Given under my hand and notarial seal this 14 day of June, 2012.

[Signature]
Notary Public

My commission expires: **OFFICIAL SEAL**
LAWRENCE BENJAMIN
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 9-14-2014

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EXHIBIT A LEGAL DESCRIPTION

PARCEL 1:

LOT 5 IN SUBDIVISION OF LOTS 1 TO 8 INCLUSIVE IN BLOCK 2 IN ABELL'S SUBDIVISION OF THE SOUTH 412.5 FEET OF LOT 2 IN SUBDIVISION BY THE EXECUTORS OF E.K. HUBBARD OF THE EAST 1/2 OF THE SOUTHWEST 1/4 IN SECTION 2, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 2:

LOT 12 IN BLOCK 2 IN ABELL'S SUBDIVISION OF THE SOUTH 412.5 FEET OF LOT 2 IN SUBDIVISION BY THE EXECUTORS OF E.K. HUBBARD OF THE EAST 1/2 OF THE SOUTHWEST 1/4 IN SECTION 2, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 3:

LOT 22 AND THE SOUTH 1 FOOT OF LOT 23 IN BLOCK 1 IN ABELL'S SUBDIVISION OF THE SOUTH 412.5 FEET OF LOT 2 IN SUBDIVISION BY THE EXECUTORS OF E.K. HUBBARD OF THE EAST 1/2 OF THE SOUTHWEST 1/4 IN SECTION 2, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 4:

LOT 6 IN OTIS SUBDIVISION OF LOTS 27 TO 30 IN BLOCK 1 IN ABELL'S SUBDIVISION OF THE SOUTH 412.5 FEET OF LOT 2 IN THE SUBDIVISION OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 2, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 5:

LOT 11 IN JAMES A. PARISH'S SUBDIVISION OF THE SOUTH 41.75 FEET OF LOT 4, ALL OF LOT 5 AND THE NORTH 10.25 FEET OF LOT 6, ALSO OF LOTS 11 AND 12 IN BLOCK 2 OF HUTCHINSON'S SUBDIVISION LOCATED IN THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 2, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 6:

LOT 1 IN GEORGE C. WATT'S SUBDIVISION OF LOTS 18 AND 19 IN BLOCK 2 IN HUTCHINSON'S SUBDIVISION OF BLOCK 3 IN SUBDIVISION BY THE EXECUTORS OF E.K. HUBBARD OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 2, TOWNSHIP 38 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Common Address: 4328, 4331, 4341, 4350, 4464 S. Berkeley Ave. & 4427 S. Ellis Ave., Chicago, IL 60637

Permanent Index Nos.: 20-02-302-031-0000
20-02-302-040-0000
20-02-303-014-0000
20-02-303-019-0000
20-02-307-014-0000
20-02-307-066-0000

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STATEMENT BY GRANTOR AND GRANTEE

The grantor or his agent affirms that, to the best of his knowledge, the name of the grantee shown on the deed or assignment of beneficial interest in a land trust is either a natural person, an Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate in Illinois, a partnership authorized to do business or acquire and hold title to real estate in Illinois, or other entity recognized as a person and authorized to do business or acquire and hold title to real estate under the laws of the State of Illinois.

Dated June 14, 2012
Signature: [Signature] (Grantor or Agent)

Subscribed and sworn to before me by the

said _____

this 14th day of JUNE

20 12.

[Signature] (Notary Public)



The grantee or his agent affirms and verifies that the name of the grantee shown on the deed or assignment of beneficial interest in a land trust is either a natural person, an Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate in Illinois, a partnership authorized to do business or acquire and hold title to real estate in Illinois, or other entity recognized as a person and authorized to do business or acquire and hold title to real estate under the laws of the State of Illinois.

Dated June 14, 2012
Signature: [Signature] (Grantee or Agent)

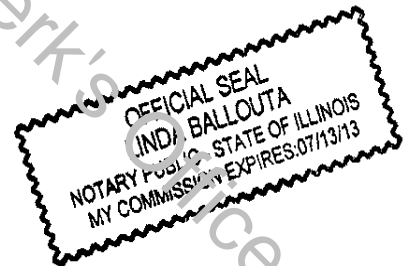
Subscribed and sworn to before me by the

said _____

this 14th day of JUNE

20 12.

[Signature] (Notary Public)



NOTE: Any person who knowingly submits a false statement concerning the identity of a grantee shall be guilty of a Class C misdemeanor for the first offense and of a Class A misdemeanor for subsequent offenses.

[Attach to deed or ABI to be recorded in Cook County, Illinois, if exempt under provisions of Section 4 of the Illinois Real Estate Transfer Tax Act.]