



1233431049

**THIS INSTRUMENT PREPARED BY:  
AND RECORD AND RETURN TO:**

Doc#: 1233431049 Fee: \$56.00  
Eugene "Gene" Moore RHSP Fee:\$10.00  
Cook County Recorder of Deeds  
Date: 11/29/2012 03:31 PM Pg: 1 of 10

Alvin J. Helfgot  
Deutsch, Levy & Engel Chtd.  
225 West Washington Street  
Suite 1700  
Chicago, IL 60606  
(312) 346-1460

Property Addresses:  
2240 W. Diversey  
Chicago, IL

For Recorder's Use Only

## COLLATERAL ASSIGNMENT OF CONSTRUCTION MORTGAGES

FOR GOOD AND VALUABLE CONSIDERATION, the receipt and sufficiency of which are hereby acknowledged, J W DIVERSEY LLC, an Illinois limited liability company ("Assignor"), hereby assigns, transfers, and sets over unto TALMER BANK AND TRUST ("Assignee"), all of its right, title and interest in and to the following:

These certain Construction Mortgages, Assignments of Leases and Rents and Security Agreements set forth on Schedule A, which is attached hereto and made a part hereof (the "Mortgages") executed by 2240 Diversey, L.L.C., an Illinois limited liability company, in favor of MB Financial Bank, N.A. ("Lender"), assigned by Lender to Colfin Bulls Funding A, LLC, a Delaware limited liability company ("Colfin") and assigned by Colfin to Assignor, which Mortgages were recorded as set forth on Schedule A attached hereto and which encumber the property legally described thereon, as such Mortgages may have been modified or amended from time to time.

This Assignment is made on and subject to the following terms and conditions:

1. This Assignment is made as collateral security for the payment of that certain \$8,000,000.00 Revolving Credit Note dated November 21, 2012, executed by Elscott 50 LLC, the sole Member of Assignor, to Assignee and any and all extensions, renewals, substitutions and modifications thereof (the "Note").

2. Assignor may continue to receive and exercise all of the rights, benefits and privileges under the Mortgage and Assignment of Rents (collectively, the "Collateral Documents"), so long as no Event of Default has occurred under the Note or any documents executed pursuant thereto (the "Loan Documents").

3. In the Event of Default under the Note or any of the other Loan Documents, which continues beyond the expiration of any applicable grace or cure period, Assignee shall have the right and option, in its sole discretion, to exercise the

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rights, benefits and privileges of Assignor under the Collateral Note and the Collateral Documents, including the right to receive payments from the obligor of the Collateral Documents and to exercise any remedies thereunder.

4. Assignor represents and warrants that it has full power and authority to make this Assignment, and that the Collateral Documents are valid and binding and in full force and effect, and that no default or right of set off exists thereunder. Assignor covenants that it shall make no material changes in or material amendments to the Collateral Documents including, but not limited to, any modifications or amendments which reduce, postpone or cancel any required payments under the Collateral Note or the Collateral Documents, without the Assignee's prior written consent.

5. This Assignment and the agreements and undertakings of Assignor hereunder shall be binding upon Assignor and its successors and assigns and shall inure to the benefit of Assignee and its successors and assigns and any purchaser of any interest in the loan secured hereby.

6. Assignor agrees to make, execute and deliver all such further or additional instruments as may be reasonably necessary to satisfy the intents and purposes hereof and to perfect the assignment made hereby.

**Signature Page Follows.**

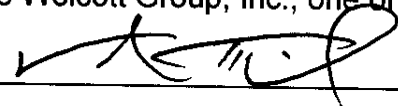
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IN WITNESS WHEREOF, Assignor has duly executed this Assignment as of the 21st day of November, 2012.

JW DIVERSEY LLC

By: The Wolcott Group, Inc., one of its Managers

By:

  
\_\_\_\_\_

Printed Name and Title: Victor Michel, Treasurer

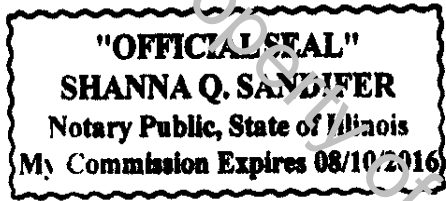
Property of Cook County Clerk's Office

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STATE OF ILLINOIS )  
 )  
COUNTY OF \_\_\_\_\_ ) SS:

I, the undersigned, a Notary Public, in and for the County and State aforesaid, DO HEREBY CERTIFY, that Victor Michel, 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 signed and delivered the said instrument as his own free and voluntary act and as the free and voluntary act of JW Diversey LLC, for the uses and purposes therein set forth.

Given under my hand and official seal, as of the 20th day of November, 2012.



*Shanna Q. Sandifer*  
Notary Public

Commission Expires:

08/10/2016

Cook County Clerk's Office

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**SCHEDULE A**  
**RECORDED DOCUMENTS AND LEGAL DESCRIPTIONS**

Schedule A -- Loan No 226818 -- Colfin Loan 4085

Assigned Recorded Loan Documents

Construction Mortgage, Assignment of Leases and Rents, And Security Agreement recorded on 09/08/2006 as Document No. 0625122084 in the real estate records of Cook County, Illinois, made by 2240 DIVERSEY L.L.C., in favor of MB Financial Bank N.A., as may be amended or modified.

The Document affects the following Real Property located in Cook County, State of Illinois described as follows:

CONT'D BELOW...

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## EXHIBIT A

### Parcel 1:

The North 22.00 feet of the East 40.10 of the West 167.00 feet of the South 98.08 feet of Lot 31, the North 13.92 feet of the East 7.10 feet of Lot 22, the North 13.92 feet of Lot 23 and the North 13.92 feet of the West 8.00 feet of Lot 24, taken as a single tract in Block 7 in Clybourn Avenue Addition to Lakeview in Chicago in Section 30, Township 40 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois.

### Parcel 2:

The South 22.00 feet of the North 44.00 feet of the East 40.10 of the West 167.00 feet of the South 98.08 feet of Lot 31, the North 13.92 feet of the East 7.10 feet of Lot 22, the North 13.92 feet of Lot 23 and the North 13.92 feet of the West 8.00 feet of Lot 24 taken as a single tract in Block 7 in Clybourn Avenue Addition to Lakeview in Chicago in Section 30, Township 40 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois.

### Parcel 3:

The South 22.00 feet of the North 55.00 feet of the East 40.10 of the West 167.00 feet of the South 96.08 feet of Lot 31, the North 13.92 feet of the East 7.10 feet of Lot 22, the North 13.92 feet of Lot 23 and the North 13.92 feet of the West 8.00 feet of Lot 24, taken as a single tract in Block 7 in Clybourn Avenue Addition to Lakeview in Chicago in Section 30, Township 40 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois.

### Parcel 4:

The South 22.00 feet of the North 66 feet of the East 40.10 of the West 167.00 feet of the South 96.08 feet of Lot 31, the North 13.92 feet of the East 7.10 feet of Lot 22, the North 13.92 feet of Lot 23 and the North 13.92 feet of the West 8.00 feet of Lot 24 taken as a single tract in Block 7 in Clybourn Avenue Addition to Lakeview in Chicago in Section 30 Township 40 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois.

### Parcel 5:

The East 40.10 feet of the West 167.00 feet of the South 96.08 feet of the Lot 31, the North 13.22 feet of the East 7.10 feet of Lot 22, the North 13.92 feet of Lot 23 and the North 13.92 feet of the West 8.00 feet of Lot 24, taken as a single tract in Block 7 in Clybourn Avenue Addition to Lakeview in Chicago in Section 30, Township 40 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois excepting therefrom the North 68.00 feet thereof.

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Parcel 6:

The North 22.00 feet of the East 40.12 feet of the West 57.12 feet of the South 118.08 feet of Lot 31, the North 13.92 feet of the East 17.00 feet of Lot 18 and the North 13.92 feet of the West 23.12 feet of Lot 19, taken as a single tract in Block 7, in Clybourn Avenue Addition to Lakeview in Chicago in Section 30, Township 40 North, Range 14 East of the Third Principal Meridian, in Cook County, Illinois.

Parcel 7:

The South 22.00 feet of the North 44.00 feet of the East 40.12 feet of the West 57.12 feet of the South 118.08 feet of Lot 31, the North 13.92 feet of the East 17.00 feet of Lot 18 and the North 13.92 feet of the West 23.12 feet of Lot 19, taken as a single tract in Block 7, in Clybourn Avenue Addition to Lakeview in Chicago in Section 30, Township 40 North, Range 14 East of the Third Principal Meridian, in Cook County, Illinois.

Parcel 8:

The South 22.00 feet of the North 66.00 feet of the East 40.12 feet of the West 67.12 feet of the South 118.08 feet of Lot 31, the North 13.92 feet of the East 17.00 feet of Lot 18 and the North 13.92 feet of the West 23.12 feet of Lot 19, taken as a single tract in Block 7, in Clybourn Avenue Addition to Lakeview in Chicago in Section 30, Township 40 North, Range 14 East of the Third Principal Meridian, in Cook County, Illinois.

Parcel 9:

The South 22.00 feet of the North 88 feet of the East 40.12 feet of the West 57.12 feet of the South 118.08 feet of Lot 31, the North 13.92 feet of the East 17.00 feet of Lot 18 and the North 13.92 feet of the West 23.12 feet of Lot 19, taken as a single tract in Block 7, in Clybourn Avenue Addition to Lakeview in Chicago in Section 30, Township 40 North, Range 14 East of the Third Principal Meridian, in Cook County, Illinois.

Parcel 10:

The South 22.00 feet of the North 110.00 feet of the East 40.12 feet of the West 57.12 feet of the South 118.08 feet of Lot 31, the North 13.92 feet of the East 17.00 feet of Lot 18 and the North 13.92 feet of the West 23.12 feet of Lot 19, taken as a single tract in Block 7, in Clybourn Avenue Addition to Lakeview in Chicago in Section 30, Township 40 North, Range 14 East of the Third Principal Meridian, in Cook County, Illinois.

Parcel 11:

The East 40.12 feet of the West 57.12 feet of the South 118.08 feet of Lot 31, the North 13.92 feet of the East 17.00 feet of Lot 18 and the North 13.92 feet of the West 23.12 feet of Lot 19, taken as a single tract in Block 7, in Clybourn Avenue Addition to Lakeview in

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Chicago in Section 30, Township 40 North, Range 14 East of the Third Principal Meridian,  
in Cook County, Illinois excepting therefrom the North 110.00 feet thereof.

PINS: 14-30-118-010

14-30-118-013

14-30-118-014

**COOK COUNTY**  
**RECORDER OF DEEDS**  
**SCANNED BY \_\_\_\_\_**

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Schedule A - Loan No 7218976-7218975 - Colfin Loans 4086 and 4087

## Assigned Recorded Loan Documents

Construction Mortgage, Assignment of Leases and Rents, And Security Agreement recorded on 07/26/2004 as Document No. 0420813195 in the real estate records of Cook County, Illinois, made by 2240 DIVERSEY L.L.C., in favor of MB Financial Bank NA., as may be amended or modified.\*

The Document affects the following Real Property located in Cook County, State of Illinois described as follows:

THE SOUTH 8.00 FEET OF LOT 11 AND ALL OF LOTS 12 TO 24, BOTH INCLUSIVE AND THE WEST 184.00 FEET OF LOT 31, ALL IN BLOCK 7 IN CLYBOURN AVENUE ADDITION TO LAKEVIEW IN CHICAGO IN SECTION 30, TOWNSHIP 30 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.

PROPERTY ADDRESS: 2240 NORTH DIVERSEY, CHICAGO, ILLINOIS

P.I.N.:14-30-118-010-0000  
14-30-118-113-0000  
14-30-118-114-0000  
14-30-118-021-0000

\*Also Construction Mortgage, Assignment of Leases and Rents and Security Agreement dated May 28, 2004 recorded with the Recorder of Deeds of Cook County, Illinois on June 2, 2004 as Document No. 0415433195 and which appears to have been re-recorded on July 26, 2004 as Document No. 0420813195.

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Schedule A - Loan No 226817 - Colfin Loan 4084

## Assigned Recorded Loan Documents

Construction Mortgage, Assignment of Leases and Rents, And Security Agreement recorded on 09/08/2006 as Document No. 0625122083 in the real estate records of Cook County, Illinois, made by 2240 DIVERSEY LLC in favor of MB Financial Bank N.A., as may be amended or modified.

The Document affects the following Real Property located in Cook County, State of Illinois described as follows:

THE NORTH 93.00 FEET OF THE SOUTH 96.00 FEET OF LOTS 19, 20, 21, 22, 23 AND 24 (EXCEPTING THEREFROM THE WEST 0.92 FEET OF SAID LOT 19 AND ALSO EXCEPTING THE EAST 3.00 FEET OF SAID LOT 24) TAKEN AS A SINGLE TRACT, IN BLOCK 7 IN CLYBOURN AVENUE ADDITION TO LAKEVIEW IN CHICAGO IN SECTION 30, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS

PROPERTY ADDRESS: 2240 NORTH DIVERSEY, CHICAGO, ILLINOIS

P.I.N.: 14-30-118-113-0000  
14-30-118-114-0000

Cook County Clerk's Office