

RELEASE

OF

**MODIFICATION OF  
MORTGAGE AND  
ASSIGNMENT OF RENTS  
AGREEMENT**

In consideration of the payment and full satisfaction of debt secured by Modification of Mortgage and Assignment of Rents Agreement dated June 1, 2011, made by Borrowers 235 E. Erie, LLC and Chicago Title Land Trust Company to Lender Metropolitan Capital Bank and recorded on July 11, 2011 as document number 1119216013, in the Office of the Recorder of Deeds, Cook County, Illinois, as amended from time to time, the undersigned hereby releases said Modification of Mortgage and Assignment of Rents Agreement which formally encumbered the property situated in Cook County, State of Illinois and described on the attached Exhibit A.

Dated: May 7, 2013

By: *Jerry Frump*

Name: Jerry Frump

Its: Manager of Bank Operations

I, *Daniel K. Doering*, the undersigned, a Notary Public in and for the County of Cook, in the State of Illinois, DO HEREBY CERTIFY that Jerry Frump, personally known to me to be the Manager of Bank Operations, of Metropolitan Capital Bank, and 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 acknowledge that as such Manager of Bank Operations, he signed and delivered the said instrument as Manager of Bank Operations, of Metropolitan Capital Bank, pursuant to authority, given by the Board of Directors of Metropolitan Capital Bank, as their free and voluntary act, and as the free and voluntary act and deed of Metropolitan Capital Bank, for the uses and purposes therein set forth.

Dated: May 7, 2013

*Daniel K. Doering*

Notary Public



Prepared by: Metropolitan Capital Bank  
9 East Ontario Street  
Chicago, IL 60611

Return to:

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## EXHIBIT A

### Legal Description Rider

#### PARCEL 1:

ALL OF THE LAND, PROPERTY AND SPACE LYING BELOW AND EXTENDED DOWNWARD FROM A HORIZONTAL PLANE HAVING AN ELEVATION OF 119.30 FEET ABOVE CHICAGO CITY DATUM [AND WHICH ALSO THE LOWER SURFACE OF THE FLOOR SLAB OF THE NINTH FLOOR, IN THE 26 STORY BUILDING SITUATED ON THE PARCEL OF LAND HEREINAFTER DESCRIBED] AND LYING WITHIN THE BOUNDARIES PROJECTED VERTICALLY UPWARD AND DOWNWARD OF A PARCEL OF LAND COMPJESD OF LOTS 20, 21, 22, 23, 24 AND 25 [EXCEPT THAT PART OF LOT 25 LYING WEST OF THE CENTER OF THE PARTY WALL OF THE BUILDING NOW STANDING ON THE DIVIDING LINE BETWEEN LOTS 25 AND 26], EXCEPTING FROM SAID PROPERTY AND SPACE THAT PART THEREOF LYING ABOVE A HORIZONTAL LANE HAVING A ELEVATION OF 115.13 FEET ABOVE CHICAGO CITY-DATUM [AND WHICH PLANE COINCIDES WITH THE LOWEST SURFACE OF THE ROOF SLAB OF THE 8 STORY BUILDING SITUATED ON SAID PARCEL OF LAND] AND LYING WITHIN THE BOUNDARIES PROJECTED VERTICALLY UPWARD OF THE SOUTH 17.96 FEET OF SAID PARCEL OF LAND, ALL IN THE SUBDIVISION OF THE WEST 394 FEET OF BLOCK 32, EXCEPT THE EAST 14 FEET OF THE NORTH 80 FEET THEREOF, IN KINZIE'S ADDITION TO CHICAGO IN SECTION 10, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK, COUNTY, ILLINOIS.

#### PARCEL 2:

EASEMENT FOR THE BENEFIT OF LOT 25 OF THE RIGHT TO MAINTAIN PARTY WALL AS ESTABLISHED BY AGREEMENT BETWEEN EDWIN B. SHELDON AND HEATON ONSLEY RECORDED AUGUST 11, 1992 AS DOCUMENT NO. 1715549 ON THAT PART OF LOTS 25 AND 26 IN KINZIE'S ADDITION AFORESAID OCCUPIED BY THE WEST HALF OF THE PARTY WALL, ALL IN COOK COUNTY, ILLINOIS, AS SAME PERTAINING TO PARCEL 1.

#### PARCEL 3:

ALL THOSE CERTAIN EASEMENTS, PRIVILEGES, RIGHTS OF USE AND ALL OTHER BENEFITS DESCRIBED IN THAT CERTAIN DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS OF COOK COUNTY ILLINOIS AS DOCUMENT NO. 26017894, AS GRANTED FOR THE BENEFIT OF PARCEL 1.

P.I.N.: 17-10-203-026

COMMON ADDRESS: 233 East Erie, Chicago, Illinois 60611-2910