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Doc#: 1430435016 Fee: \$46.00
RHSP Fee: \$9.00 RPRF Fee: \$1.00
Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 10/31/2014 10:34 AM Pg: 1 of 5

ADDRESS OF PROPERTY:

5990 West Touhy Avenue,
Niles, Illinois

**PERMANENT PARCEL
NUMBER(S):**

10-29-402-032-000

**PREPARED BY, RECORDING
REQUESTED BY, AND WHEN
RECORDED MAIL TO:**

Johnny D. Latzak, Jr., Esq.
Bryan Cave LLP
One Atlantic Center
1201 W. Peachtree Street, NW
Suite 1400
Atlanta, Georgia 30309

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY

Cross-Reference:

Recorder's Office of Cook County, Illinois:

- (i) Mortgage recorded at Document No. 1104522134; and
- (ii) Assignment of Rents and Leases recorded as Document No. 1104522135

PARTIAL RELEASE

KNOW ALL MEN BY THESE PRESENTS, that VOYA INSURANCE AND ANNUITY COMPANY, an Iowa corporation (formerly known as ING USA Annuity and Life Insurance Company, an Iowa corporation), having an office at c/o Voya Investment Management LLC, 5780 Powers Ferry Road, NW, Suite 300, Atlanta, Georgia 30327-4349 (the "Mortgagee"), for good and valuable consideration of Ten Dollars (\$10.00) and for other good and valuable consideration, the receipt of which is hereby confessed, does hereby remise, convey, release and quitclaim unto, CJF2 LLC, a Delaware limited liability company, having an office at c/o Mirvac Funds Management Limited, 222 W. Erie Street, #2603, Chicago, Illinois 60654, all right, title, interest, claim or demand, whatsoever, that Mortgagee may have acquired in, through or by a certain Mortgage, Security Agreement, Financing Statement and Fixture Filing (Second Priority) dated as of February 3, 2011, and recorded in the Recorder's Office of Cook County, in the State of Illinois, on February 14, 2011 as Document No. 1104522134, as

[PARTIAL RELEASE
(SECOND PRIORITY DOCUMENTS)]
Voya No. 28472

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modified by that certain First Modification of Mortgage, Security Agreement, Financing Statement and Fixture Filing (Second Priority) and Assignment of Rents and Leases (Second Priority) dated July 1, 2011, and recorded as Document No. 1119331006, aforesaid records ("**First Modification**"), as further modified by that certain Second Modification of Mortgage, Security Agreement, Financing Statement and Fixture Filing (Second Priority) and Assignment of Rents and Leases (Second Priority) dated June 27, 2014, and recorded as Document No. 1420635076, aforesaid records ("**Second Modification**") (collectively, the "**Mortgage**") and that certain Assignment of Rents and Leases (Second Priority) dated as of February 3, 2011, and recorded in the aforesaid records on February 14, 2011, as Document No. 1104522135, as modified by the First Modification and the Second Modification (collectively, the "**Assignment of Rents**"), to that portion of the Premises (as that term is defined in the Mortgage) situated in the County of Cook, State of Illinois, and more particularly described in **Exhibit "A"** attached hereto and made a part hereof by reference (the "**Released Property**"), together with all the appurtenances and privileges thereunto belonging or appertaining to said Released Property.

The following address is hereby deleted from Schedule 1 of the Mortgage: 5990 West Touhy Avenue, Niles, Cook County, Illinois.

The Mortgage and the Assignment of Rents are and shall remain in full force and effect as to all of the real property therein described and defined, less and except only the Released Property.

The remaining property described in the Mortgage and Assignment of Rents, not heretofore released by Mortgagee, shall continue to be held by Mortgagee under the terms thereof. As provided in the Mortgage and Assignment of Rents, this Partial Release is made without affecting the personal liability of any person for payment of the indebtedness secured by the Mortgage and Assignment of Rents.

NOTWITHSTANDING ANYTHING HEREIN TO THE CONTRARY (A) THE INDEBTEDNESS SECURED BY THE MORTGAGE AND ASSIGNMENT OF RENTS REMAINS OUTSTANDING AND HAS NOT BEEN PAID IN FULL, HAS NOT BEEN SATISFIED AND HAS NOT BEEN DISCHARGED, AND (B) ALL OTHER COLLATERAL FOR SUCH INDEBTEDNESS REMAINS IN PLACE, EXCEPT AS TO COLLATERAL FOR WHICH THE UNDERSIGNED HAS EXECUTED WRITTEN RELEASES OR SATISFACTIONS.

FOR THE PROTECTION OF THE OWNER, THIS RELEASE SHALL BE FILED WITH THE RECORDER OR THE REGISTRAR OF TITLES IN WHOSE OFFICE THE MORTGAGE OR DEED OF TRUST WAS FILED.

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IN WITNESS WHEREOF, Mortgagee has executed and delivered this Partial Release under seal this 2nd day of October, 2014.

VOYA INSURANCE AND ANNUITY COMPANY, an Iowa corporation (formerly known as ING USA Annuity and Life Insurance Company, an Iowa corporation)

Property of Cook County Clerk's Office

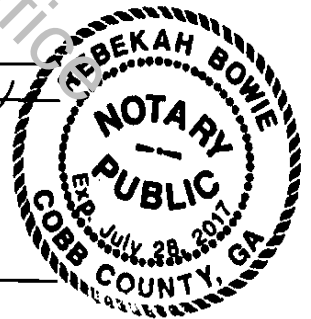
By: Kurt Wassonar
Name: Kurt Wassonar
Title: VP, Investments
[CORPORATE SEAL] *DFM*

STATE OF GEORGIA)
) SS:
COUNTY OF FULTON)

I HEREBY CERTIFY, that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, Kurt Wassonar, who is the VP, Investments of **VOYA INSURANCE AND ANNUITY COMPANY**, an Iowa corporation (formerly known as ING USA Annuity and Life Insurance Company, an Iowa corporation) (the "**Corporation**"), on behalf of said Corporation, who is personally known to me or who has produced _____ as identification, and who executed the foregoing instrument, and duly acknowledged before me that he executed the same for the purposes therein contained as the act and deed of said Corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal in the jurisdiction last aforesaid this 1st day of October, A.D. 2014.

Rebekah Bowie
Print Name: Rebekah Bowie
NOTARY PUBLIC,
County of Cobb, State of Georgia



MY COMMISSION EXPIRES:
7/28/17

[AFFIX NOTARIAL SEAL]

UNOFFICIAL COPY**EXHIBIT "A"**
[RELEASED PROPERTY]

PIN: 10-29-402-032-0000

Site 3

PARCEL 1:

LOT 12 (EXCEPT THAT PART LYING EASTERLY OF THE WESTERLY LINE OF LEHIGH AVENUE, BEING A LINE 60 FEET WESTERLY OF AND PARALLEL WITH THE WESTERLY RIGHT OF WAY LINE OF THE CHICAGO, MILWAUKEE, SAINT PAUL AND PACIFIC RAILROAD) AND LOT 13 (EXCEPT THAT PART THEREOF LYING SOUTH OF THE NORTH LINE OF THE SOUTH 340 FEET THEREOF AND EAST OF A LINE 35 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID LOT 13) ALL IN CHARLES MC DONNELL'S SUBDIVISION OF THE SOUTH EAST 1/4 OF FRACTIONAL SECTION 29, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND ALSO EXCEPT THAT PART OF SAID LOTS 12 AND 13 BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT IN THE EAST LINE OF SAID LOT 13 WHICH IS 340 FEET NORTH OF THE SOUTH EAST CORNER OF SAID LOT 13; THENCE RUNNING SOUTH 89 DEGREES 11 MINUTES 45 SECONDS WEST ON THE NORTH LINE OF SAID SOUTH 340 FEET OF LOT 13 A DISTANCE OF 254.65 FEET; THENCE NORTH PARALLEL WITH THE EAST LINE OF SAID LOT 13, A DISTANCE OF 499.37 FEET; THENCE SOUTH 90 DEGREES EAST 228.89 FEET TO A POINT OF INTERSECTION WITH THE WESTERLY LINE OF SAID LEHIGH AVENUE; THENCE SOUTH 22 DEGREES 07 MINUTES 30 SECONDS EAST ON SAID WESTERLY LINE 68.33 FEET TO ITS POINT OF INTERSECTION WITH THE EAST LINE OF SAID LOT 13; THENCE SOUTH ON SAID EAST LINE 432.50 FEET TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCEL 2:

EASEMENTS APPURTENANT TO AND FOR THE BENEFIT OF PARCEL 1 AS SET FORTH IN DECLARATION DATED MAY 30, 1978 AND RECORDED JUNE 7, 1978 AS DOCUMENT NUMBER 24480801, AND AS CREATED BY DEED FROM THOMAS INTERNATIONAL CORPORATION TO THOMAS SCHROEDER DATED JUNE 9, 1979

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(SECOND PRIORITY DOCUMENTS)]
Voya No. 28472

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[RELEASED PROPERTY]

(CONTINUED)

AND RECORDED JUNE 12, 1978 AS DOCUMENT NUMBER 24486750, FOR INGRESS AND EGRESS OVER AND UPON A STRIP OF LAND 24 FEET IN WIDTH LYING 12 FEET ON EITHER SIDE OF THE FOLLOWING DESCRIBED CENTER LINE AND SAID STRIP OF LAND BEING A PART OF LOT 12 (EXCEPT THAT PART THEREOF LYING EASTERLY OF THE WESTERLY LINE OF LEHIGH AVENUE, BEING A LINE 60 FEET WESTERLY OF AND PARALLEL WITH THE WESTERLY RIGHT OF WAY LINE OF THE CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD) AND THAT PART OF LOT 13 (EXCEPT THAT PART THEREOF LYING SOUTH OF THE NORTH LINE OF THE SOUTH 340 FEET THEREOF AND EAST OF A LINE 35 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID LOT 13) ALL IN CHARLES MC DONNELL'S SUBDIVISION OF THE SOUTH EAST 1/4 OF FRACTIONAL SECTION 29, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS: COMMENCING AT A POINT IN THE EAST LINE OF SAID LOT 13 WHICH IS 340 FEET NORTH OF THE SOUTH EAST CORNER OF SAID LOT 13; THENCE RUNNING SOUTH 89 DEGREES 11 MINUTES 45 SECONDS WEST ON THE NORTH LINE OF SAID SOUTH 340 FEET OF LOT 13 A DISTANCE OF 254.65 FEET TO A POINT OF BEGINNING OF THE CENTER LINE OF SAID 24 FOOT STRIP OF LAND, TO WIT: THENCE NORTH PARALLEL WITH THE EAST LINE OF SAID LOT 13 A DISTANCE OF 499.37 FEET; THENCE SOUTH 90 DEGREES EAST 228.89 FEET TO A POINT OF INTERSECTION WITH THE WESTERLY LINE OF SAID LEHIGH AVENUE, SAID POINT BEING THE TERMINATION OF SAID CENTER LINE OF SAID 24 FOOT STRIP OF LAND AND SAID POINT BEING NORTH 22 DEGREES 07 MINUTES 30 SECONDS WEST 68.33 FEET FROM THE POINT OF INTERSECTION OF SAID WESTERLY LINE OF LEHIGH AVENUE WITH THE EAST LINE OF SAID LOT 13 (EXCEPT THAT PART FALLING IN PARCEL 1) IN COOK COUNTY, ILLINOIS.