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RHSP Fee: \$9.00 RPRF Fee: \$1.00  
Karen A. Yarbrough  
Cook County Recorder of Deeds  
Date: 04/24/2015 11:13 AM Pg: 1 of 4

This Document prepared by:  
Harrison Coleman  
Coleman Talley LLP  
3475 Lenox Road NE, Suite 400  
Atlanta, GA 30328

Upon Recording Return to:  
James P. Pronti  
Woods Oviatt Gilman LLP  
700 Crossroads Building  
2 State Street  
Rochester, NY 14614

SPECIAL AND LIMITED POWER OF ATTORNEY  
FROM **NOVATO TERRY LLC**  
IN FAVOR OF **TRIMONT REAL ESTATE ADVISORS, INC.**

THIS POWER OF ATTORNEY is given by Novato LLC, a Delaware limited liability company, with its principal place of business at 1290 Avenue of the Americas, Suite 914, New York, NY 10104 ("*Novato Terry*").

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, Novato Terry is the owner of that certain property described on Exhibit "A" attached hereto and incorporated herein by reference (the "*Property*"); and

WHEREAS, the Property is currently serviced and administered by TriMont Real Estate Advisors, Inc., a Georgia corporation ("*TriMont*") under that certain Servicing Agreement dated as of March 1, 2011 (the "*Servicing Agreement*"); and

WHEREAS, this Power of Attorney is being made and delivered under, and shall be utilized in furtherance of, the terms and conditions of the Servicing Agreement, and Novato Terry avers that any person may rely on the authorities and powers granted hereunder and any actions of the Attorneys taken pursuant to such authorities and powers as the valid, binding and enforceable actions of Novato Terry without further reference to or production of the Servicing Agreement; and

WHEREAS, Novato Terry is desirous of entering into this Special and Limited Power of Attorney (this "*Power of Attorney*") to appoint TriMont and any officer or agent thereof, with full power of substitution, as its true and lawful attorney-in-fact with full power and authority to take any action, exercise any and all rights and remedies under the Loan Documents and to execute or endorse any and all documents and instruments in furtherance of the purposes and objectives described herein.

NOW, THEREFORE, Novato Terry, acting through its duly authorized officer, does hereby:

1. constitute and appoint each authorized officer and agent (which are referred to collectively as "*Attorneys*" and individually as "*Attorney*") of TriMont, individually, including, without limitation, Matt Stewart, Senior Vice President and Mitchell Hunter, Senior Vice President, as a true and lawful attorney for Novato Terry (but only for the purposes set

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forth herein);

2. for and in the name and stead of Novato Terry authorize and empower each such Attorney:

a. to institute the sale, conveyance, assignment, transfer or exchange of the Property;

b. to stabilize, preserve, manage, maintain, sell, assign, transfer, convey, exchange, pledge, hypothecate, rent, lease or otherwise dispose of all or any part of any Property; and to endorse, execute, seal, acknowledge, deliver, file and/or record (including with the appropriate public officials) any deed of the Property and any mortgage or any other security instrument for the pledge of the Property; and to endorse, negotiate, deliver and deposit any check, draft, money order or other form of payment instrument payable to Novato Terry and tendered as payment on or proceeds from the Property;

c. to take or cause to be taken through its attorneys, agents and/or representatives such other and further acts as the Attorney may deem necessary or prudent to protect and/or further the interests of Novato Terry with respect to the Property, including without limitation the initiation, maintenance, prosecution, defense and/or termination of any legal, statutory, bankruptcy and/or administrative proceedings arising out of or related to the Property; and to institute the sale, conveyance, assignment, transfer or exchange of any legal actions or judgments related to the Property;

3. further authorize and empower each such Attorney, for and in the name and stead of Novato Terry, to:

a. file and record this Special and Limited Power of Attorney with the appropriate public officials;

b. appoint and name such substitute attorneys with all authority and powers hereunder, provided that such substitute attorneys are duly elected and qualified officers of TriMont; and

c. otherwise carry out any of the other powers expressly or by implication granted in this Power of Attorney.

Novato Terry covenants and grants to the Attorneys full authority and power to execute any documents and instruments and to do and perform any act that is necessary or appropriate to effect the intent and purposes of the foregoing authority and powers hereunder. Novato Terry further ratifies and confirms each act that the Attorneys shall lawfully do or cause to be done in accordance with the authority and powers granted hereunder. The foregoing authority and powers shall not be deemed breached by reason of any action or omission of any Attorneys appointed hereunder. Novato Terry covenants and agrees that, from time to time at the request of TriMont, Novato Terry shall execute instruments confirming all of the foregoing authority and powers of any Attorneys. This Power of Attorney is unconditional and irrevocable by Novato Terry.

In Witness Whereof, Novato Terry LLC has caused this instrument to be signed by its

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In Witness Whereof, Novato Terry LLC has caused this instrument to be signed by its duly authorized officer as of this 3 day of July, 2014, and made effective as of the 28<sup>th</sup> day of May 2014, the date upon which Novato Terry LLC was formed as a Delaware limited liability company by the filing of its Certificate of Formation.

**NOVATO TERRY LLC,**  
a Delaware limited liability company

By: 

Name: JULIAN WELDON  
SECRETARY

Its: \_\_\_\_\_

Property of Cook County Clerk's Office

### ACKNOWLEDGMENT

STATE OF NEW YORK

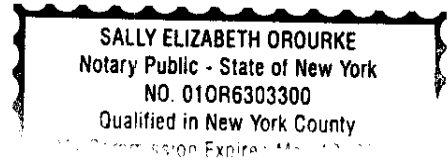
COUNTY OF NEW YORK

On the 3 day of July, 2014, before me, the undersigned, personally appeared JULIAN WELDON, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

My commission expires:

  
Notary Public

[Notary Seal]



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## EXHIBIT "A"

LOTS 1413 AND 1414 IN FREDERICK H. BARTLETT'S GREATER CHICAGO SUBDIVISION NO. 2, A SUBDIVISION OF THAT PART OF THE NORTH ½ OF THE NORTH ½ OF THE NORTHEAST ¼ OF SECTION 15, TOWNSHIP 37 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING WEST OF AND ADJOINING THE ILLINOIS CENTRAL RAILROAD COMPANY'S RIGHT OF WAY, IN COOK COUNTY, ILLINOIS.

Common address: 10329-31 S. Eberhart, Chicago, Illinois 60628

PIN: 25-15-202-015-0000