

UNOFFICIAL COPY

Prepared by:
Anthony A. Longnecker, Esq.
Nyemaster Goode P.C.
700 Walnut, Suite 1600
Des Moines, Iowa 50309-3899
515-283-3100



Doc#: 1528919034 Fee: \$96.00
RHSP Fee: \$9.00 RPRF Fee: \$1.00
Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 10/16/2015 10:05 AM Pg: 1 of 11

After recording return to:

AEGON USA REALTY ADVISORS LLC
ATTN JENNY COOK
4333 EDGEWOOD ROAD NE
CEDAR RAPIDS IA 52499-5443

ASSIGNMENT OF FIRST MORTGAGE, SECURITY AGREEMENT AND FIXTURE FILING AND ASSIGNMENT OF ASSIGNMENT OF LEASES, RENTS AND INCOME

For Value Received, the receipt and sufficiency of which are hereby acknowledged, ATHENE LIFE INSURANCE COMPANY OF NEW YORK, formerly known as Aviva Life and Annuity Company of New York, an insurance company organized under the laws of the State of New York (the "Assignor") having an address at 7700 Mills Civic Parkway, West Des Moines, Iowa 50266, does hereby unconditionally sell, assign, transfer, grant and convey to FIRST ALLMERICA FINANCIAL LIFE INSURANCE COMPANY, a life insurance company organized under the laws of the Commonwealth of Massachusetts (the "Assignee"), having an address at 132 Turnpike Road, Suite 210, Southborough, MA 01772, all its right, title, and interest in and to the following documents (the "Security Documents") recorded against the land described in Exhibit A hereto:

- (a) First Mortgage, Security Agreement and Fixture Filing from Hubbard's Cave L.L.C., an Illinois limited liability company to Aviva Life and Annuity Company of New York, a New York corporation, securing the original principal amount of \$2,500,000.00 dated January 6, 2010 and recorded as Document Number 1000844067 on January 8, 2010 in the records of the Cook County, Illinois, Recorder of Deeds.
- (b) Assignment of Leases, Rents and Income from Hubbard's Cave L.L.C., an Illinois limited liability company to Aviva Life and Annuity Company of New York, a New York corporation dated January 6, 2010 and recorded as Document Number 1000844068 on January 8, 2010 in the records of the Cook County, Illinois, Recorder of Deeds.

COOK COUNTY RECORDER OF DEEDS
10/16/2015 10:05 AM
1528919034

UNOFFICIAL COPY

Assignor is the current beneficiary of the Security Documents identified herein by means of the Certificate of Amendment of the Charter of Aviva Life and Annuity Company of New York which changed the name of Aviva Life and Annuity Company of New York to Athene Life Insurance Company of New York, a copy of which is attached as Exhibit B to this Assignment.

This Assignment is made effective as of July 31, 2015. The Assignor is assigning the Security Documents to the Assignee without recourse and without warranty.

This Assignment is binding upon and inures to the benefit of the parties hereto and their respective successors and assigns.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK, END OF PAGINATED TEXT, SIGNATURE PAGE FOLLOWS]

Property of Cook County Clerk's Office

UNOFFICIAL COPY

Signed and delivered
In the presence of:

Sara Barnes

Unofficial Witness

Printed Name: Sara Barnes

Edward C. Panken

Unofficial Witness

Printed Name: Edward C. Panken

Dated and delivered as of August 3, 2015.

ATHENE LIFE INSURANCE COMPANY
OF NEW YORK, formerly known as Aviva
Life and Annuity Company of New York, an
insurance company organized under the laws
of the State of New York

By: Erik H. Askelsen

Erik H. Askelsen, Senior Vice President,
General Counsel and Secretary

STATE OF IOWA)
) ss:
COUNTY OF POLK)

This instrument was acknowledged before me on this 3rd day of
August, 2015, by Erik H. Askelsen, as Senior Vice President, General
Counsel and Secretary of ATHENE LIFE INSURANCE COMPANY OF NEW YORK,
formerly known as Aviva Life and Annuity Company of New York, an insurance company
organized under the laws of the State of New York.

[Signature]

Notary Public in and for the State of Iowa



UNOFFICIAL COPY**Exhibit A****Legal Description****PARCEL 1:**

LOTS 1 TO 11, BOTH INCLUSIVE, IN BLOCK 59 IN CANAL TRUSTEES' SUBDIVISION OF LOTS AND BLOCKS IN THE ORIGINAL TOWN OF CHICAGO IN THE SOUTHWEST 1/4 OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 2:

LOTS 12 TO 22, BOTH INCLUSIVE, IN BLOCK 59 IN CANAL TRUSTEES' SUBDIVISION OF LOTS AND BLOCKS IN THE ORIGINAL TOWN OF CHICAGO IN THE SOUTHWEST 1/4 OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, EXCEPTING THEREFROM THE INTEREST ACCRUING TO SAID LOTS IN AND TO VACATED CARROLL AVENUE SOUTH AND ADJOINING SAID LOTS IN COOK COUNTY, ILLINOIS.

PARCEL 3:

THE PROPERTY AND SPACE LYING WITHIN THE VERTICAL PROJECTIONS OF THE BOUNDARIES OF THAT PART OF VACATED WEST CARROLL STREET, LYING NORTH OF AND ADJOINING THE NORTH LINE OF LOTS 1 THROUGH 11 IN BLOCK 62 AND LYING SOUTH OF AND ADJOINING THE SOUTH LINE OF LOTS 12 THROUGH 22 IN BLOCK 59 OF CANAL TRUSTEES SUBDIVISION OF BLOCKS AND LOTS IN THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, SAID PROPERTY AND SPACE LYING ABOVE A HORIZONTAL PLANE HAVING AN ELEVATION OF 21.5 FEET ABOVE THE HIGHEST RAIL, EXCEPTING THEREFROM THAT PART OF SAID PROPERTY AND SPACE LYING NORTH OF AND ADJOINING LOTS 1 THROUGH 11 IN BLOCK 62 AFORESAID, LYING WITHIN THE VERTICAL PROJECTION OF THE BOUNDARIES DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 11 IN SAID BLOCK 62, RUNNING THENCE NORTH ALONG A NORTHWARD EXTENSION OF THE WEST LINE OF SAID LOT 11, A DISTANCE OF 8.04 FEET; THENCE EAST ALONG A STRAIGHT LINE, A DISTANCE OF 317.51 FEET TO A POINT ON THE NORTHWARD EXTENSION OF THE EAST LINE OF LOT 1 IN SAID BLOCK 62 WHICH IS 8.02 FEET NORTH FROM THE NORTHEAST CORNER OF SAID LOT 1; THENCE SOUTH ALONG SAID NORTHWARD EXTENSION SAID DISTANCE OF 8.02 FEET TO THE NORTHEAST CORNER OF SAID LOT 1, AND THENCE WEST ALONG THE NORTH LINE OF LOTS 1 TO 11, BOTH INCLUSIVE, IN SAID BLOCK 62 A DISTANCE OF 317.51 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCEL 4:

THE PROPERTY AND SPACE IN THAT PART OF THE SOUTH HALF OF VACATED WEST CARROLL STREET (AS VACATED BY ORDINANCE OF THE CITY OF CHICAGO, ILLINOIS, RECORDED OCTOBER 6, 1914 AS DOCUMENT NUMBER 5507201) LYING NORTH OF AND ADJOINING LOTS 1 THROUGH 11 IN BLOCK 62 OF CANAL TRUSTEES' SUBDIVISION OF BLOCKS AND LOTS IN THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, SAID PROPERTY AND SPACE LYING ABOVE A HORIZONTAL PLANE 21 AND ONE-HALF FEET ABOVE THE HIGHEST RAIL AND LYING WITHIN THE VERTICAL PROJECTION OF THE BOUNDARIES DESCRIBED AS FOLLOWS:

UNOFFICIAL COPY

BEGINNING AT THE NORTHWEST CORNER OF LOT 11 IN SAID BLOCK 62, AND RUNNING THENCE NORTH ALONG A NORTHWARD EXTENSION OF THE WEST LINE OF SAID LOT 11, A DISTANCE OF 8.04 FEET; THENCE EAST ALONG A STRAIGHT LINE, A DISTANCE OF 317.51 FEET TO A POINT ON THE NORTHWARD EXTENSION OF THE EAST LINE OF LOT 1 IN SAID BLOCK 62 WHICH IS 8.02 FEET NORTH FROM THE NORTHEAST CORNER OF SAID LOT 1; THENCE SOUTH ALONG SAID NORTHWARD EXTENSION SAID DISTANCE OF 8.02 FEET TO THE NORTHEAST CORNER OF SAID LOT 1, AND THENCE WEST ALONG THE NORTH LINE OF LOTS 1 TO 11, BOTH INCLUSIVE, IN SAID BLOCK 62 A DISTANCE OF 317.51 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCEL 5.

THE PROPERTY AND SPACE IN THAT PART OF LOTS 1 THROUGH 11 IN BLOCK 62 IN CANAL TRUSTEES' SUBDIVISION OF BLOCKS AND LOTS IN THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, SAID PROPERTY AND SPACE LYING ABOVE A HORIZONTAL PLANE HAVING AN ELEVATION OF 21 AND ONE-HALF FEET ABOVE THE HIGHEST RAIL AND LYING WITHIN THE VERTICAL PROJECTION OF THE BOUNDARIES DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 11, AND RUNNING THENCE SOUTH ALONG THE WEST LINE OF SAID LOT 11, A DISTANCE OF 6.96 FEET; THENCE EAST ALONG A STRAIGHT LINE A DISTANCE OF 317.52 FEET TO A POINT ON THE EAST LINE OF SAID LOT 1 WHICH IS 6.98 FEET SOUTH FROM THE NORTHEAST CORNER OF SAID LOT 1; THENCE NORTH ALONG SAID EAST LINE OF LOT 1 A DISTANCE OF 6.98 FEET TO THE NORTHEAST CORNER OF SAID LOT 1, AND THENCE WEST ALONG THE NORTH LINE OF SAID LOTS 1 TO 11, BOTH INCLUSIVE, A DISTANCE OF 317.51 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCEL 6:

ALL OF THE EAST-WEST 21.80 FOOT PUBLIC ALLEY LYING SOUTH OF THE SOUTH LINE OF LOTS 1 TO 11, BOTH INCLUSIVE, LYING NORTH OF THE NORTH LINE OF LOTS 12 TO 22, BOTH INCLUSIVE, LYING WEST OF A LINE DRAWN FROM THE SOUTHEAST CORNER OF LOT 1 TO THE NORTHEAST CORNER OF LOT 22, LYING EAST OF A LINE DRAWN FROM THE SOUTHWEST CORNER OF LOT 11 TO THE NORTHWEST CORNER OF LOT 12, ALL IN BLOCK 62 IN CANAL TRUSTEES SUBDIVISION OF LOTS AND BLOCKS IN THE ORIGINAL TOWN OF CHICAGO IN THE SOUTHWEST 1/4 OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO ORDINANCE GRANTED AS DOCUMENT 0621518009, IN COOK COUNTY, ILLINOIS.

UNOFFICIAL COPY

Exhibit B

Certificate of Amendment of the Charter of Aviva Life and Annuity Company of New York

Property of Cook County Clerk's Office

UNOFFICIAL COPY

**CERTIFICATE OF AMENDMENT
OF THE
CHARTER
OF**

AVIVA LIFE AND ANNUITY COMPANY OF NEW YORK

Pursuant to the provisions of Section 1206 of the New York Insurance Law and Section 805 of the New York Business Corporation Law, the undersigned, Guy Hudson Smith III and Richard C. Cohen, Jr., being, respectively, the President and the Executive Vice President, General Counsel and Secretary of Aviva Life and Annuity Company of New York (the "Company"), hereby certify as follows:

FIRST: The name of the Company is Aviva Life and Annuity Company of New York.

SECOND: The Charter of the Company was filed with the New York Insurance Department on December 27, 2007.

THIRD: The amendment to the Charter of the Company affected by this Certificate of Amendment is to amend Section 1.01 to change the name of the Company effective March 3, 2014.

FOURTH: Section 1.01 of the Charter is hereby amended and restated in its entirety to read as follows:

"1.01. The name of the corporation shall be Athene Life Insurance Company of New York."

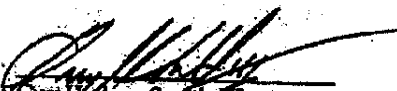
FIFTH: The foregoing amendment to the Charter of the Company was authorized by the resolution of the Board of Directors of the Company, followed by action of the sole shareholder of the Company, each on December 5, 2013, the amendment to Section 1.01 to be effective March 3, 2014.

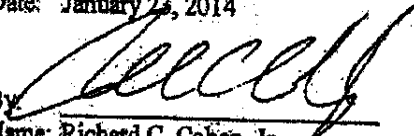
2014 MAR 11 P 3:45
SOPKLEMAN COUNTY
CLERK'S OFFICE

UNOFFICIAL COPY

IN WITNESS WHEREOF, the above named officers, acting for and on behalf of the Corporation, hereby ratify these actions that took place on this 5th day of December as of the date of execution below.

AVIVA LIFE AND ANNUITY COMPANY OF NEW YORK

By: 
Name: Gary Madison Smith III
Title: President
Date: January 23, 2014

By: 
Name: Richard C. Cohan, Jr.
Title: Executive Vice President, General Counsel and Secretary
Date: January 23, 2014

Property of Cook County Clerk's Office

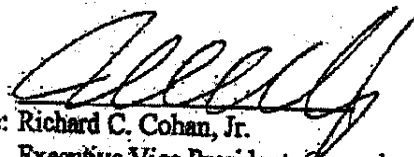
2014 MAR 11 P 3 45
ROCKLAND JURY
CLERK'S OFFICE

UNOFFICIAL COPY


CERTIFICATE OF SIGNER OF CERTIFICATE OF AMENDMENT

STATE OF IOWA)
) s.s.
COUNTY OF DALLAS)

Richard C. Cohan, Jr., being sworn and deposed states that he is the Executive Vice President, General Counsel and Secretary of Aviva Life and Annuity Company of New York and one of the persons who signed the above Certificate of Amendment, that he has read the Certificate of Amendment and knows the contents thereof and that the same is true to his knowledge.

By: 
Name: Richard C. Cohan, Jr.
Title: Executive Vice President, General Counsel and Secretary

Sworn to before me
this 23rd day of January, 2014


Linda Olson
Notary Public in and for the State
of Iowa



2014 MAR 11 P 3:45
ROCK LANE COUNTY
CLERK'S OFFICE

UNOFFICIAL COPY

SHORT CERTIFICATE

2014 MAR 11 P 3 45
ROCKLAND COUNTY
CLERK'S OFFICE

STATE OF NEW YORK
DEPARTMENT OF FINANCIAL SERVICES

It is hereby certified that the attached copy of Certificate of Amendment of the Charter of Aviva Life and Annuity Company of New York, of Nyack, New York, changing the name of the corporation to Athene Life Insurance Company of New York, as approved by this Department, March 3, 2014, pursuant to Section 1206 of the New York Insurance Law

has been compared with the original on file in this Department and that it is a correct transcript thereof and of the whole of said original.



In Witness Whereof, I have hereunto set my hand and affixed the official seal of this Department at the City of Albany, this 3rd day of March, 2014.

Jacqueline Catalano

Jacqueline Catalano
Special Deputy Superintendent

UNOFFICIAL COPY**Return Address:**

AEGON USA REALTY ADVISORS LLC
 ATTN JENNY COOK
 4333 EDGEWOOD ROAD NE
 CEDAR RAPIDS IA 52499-5443

Document Title(s) (or transactions contained therein):	
ASSIGNMENT OF FIRST MORTGAGE, SECURITY AGREEMENT AND FIXTURE FILING and ASSIGNMENT OF ASSIGNMENT OF LEASES, RENTS AND INCOME	
Reference Number(s) of Documents assigned or released:	
Recording Information for First Mortgage, Security Agreement and Fixture Filing being assigned:	Recorded as Document Number 1000844067 of the records of Cook County, Illinois on January 8, 2010
Recording Information for Assignment of Leases, Rents and Income being assigned:	Recorded as Document Number 1000844068 of the records of Cook County, Illinois on January 8, 2010
Assignor(s):	
ATHENE LIFE INSURANCE COMPANY OF NEW YORK, formerly known as Aviva Life and Annuity Company of New York, an insurance company organized under the laws of the State of New York	
Address: 7700 Mills Civic Parkway, West Des Moines, Iowa 50266	
Assignee(s):	
FIRST ALLMERICA FINANCIAL LIFE INSURANCE COMPANY, a life insurance company organized under the laws of the Commonwealth of Massachusetts	
Address: 132 Turnpike Road, Suite 210, Southborough, MA 01772	
Mortgagor(s)/Grantor(s):	
Hubbard's Cave L.L.C., an Illinois limited liability company	
Address: 4104 N. Harlem Avenue, Norridge, Illinois 60706	
Legal Description: On Exhibit A Page 1 of document.	
Assessor's Property Tax Parcel/Account Number:	<input type="checkbox"/> Assessor Tax # not yet assigned
17-09-301-002-0000 and 17-09-301-006-0000	