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KAREN A. YARBROUGH

COOK COUNTY RECORDER OF DEEDS

DATE: 12/19/2016 04:11 PM PG: 1 OF 9

## UCC FINANCING STATEMENT

FOLLOW INSTRUCTIONS

A. NAME & PHONE OF CONTACT AT FILER (optional)
B. E-MAIL CONTACT AT FILER (optional)
C. SEND ACKNOWLEDGMENT TO: (Name and Address)
<input type="checkbox"/> Katten Muchin Rosenman LLP 525 W. Monroe Street Chicago, Illinois 60661-3693
<input type="checkbox"/> Attention: David R. Dlugie, Esq.

THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY

1. DEBTOR'S NAME: Provide only one Debtor name (1a or 1b) (use exact, full name; do not omit, modify, or abbreviate any part of the Debtor's name); if any part of the Individual Debtor's name will not fit in line 1b, leave all of item 1 blank, check here  and provide the Individual Debtor information in item 10 of the Financing Statement Addendum (Form UCC1Ad)

1a. ORGANIZATION'S NAME 4400 45th Associates, LLC				
OR 1b. INDIVIDUAL'S SURNAME	FIRST PERSONAL NAME	ADDITIONAL NAME(S)/INITIAL(S)	SUFFIX	
1c. MAILING ADDRESS 15700 W. 103rd Street	CITY Lemont	STATE IL	POSTAL CODE 60439	COUNTRY USA

2. DEBTOR'S NAME: Provide only one Debtor name (2a or 2b) (use exact, full name; do not omit, modify, or abbreviate any part of the Debtor's name); if any part of the Individual Debtor's name will not fit in line 2b, leave all of item 2 blank, check here  and provide the Individual Debtor information in item 10 of the Financing Statement Addendum (Form UCC1Ad)

2a. ORGANIZATION'S NAME				
OR 2b. INDIVIDUAL'S SURNAME	FIRST PERSONAL NAME	ADDITIONAL NAME(S)/INITIAL(S)	SUFFIX	
2c. MAILING ADDRESS	CITY	STATE	POSTAL CODE	COUNTRY

3. SECURED PARTY'S NAME (or NAME of ASSIGNEE of ASSIGNOR SECURED PARTY): Provide only one Secured Party name (3a or 3b)

3a. ORGANIZATION'S NAME The PrivateBank and Trust Company				
OR 3b. INDIVIDUAL'S SURNAME	FIRST PERSONAL NAME	ADDITIONAL NAME(S)/INITIAL(S)	SUFFIX	
3c. MAILING ADDRESS 120 South LaSalle Street	CITY Chicago	STATE IL	POSTAL CODE 60603	COUNTRY USA

4. COLLATERAL: This financing statement covers the following collateral:

All assets of Debtor, including, but not limited to, the collateral particularly described on Exhibit A attached hereto and made a part hereof.

FIDELITY NATIONAL TITLE 999012804  
4074

5. Check only if applicable and check only one box: Collateral is  held in a Trust (see UCC1Ad, item 17 and Instructions)  being administered by a Decedent's Personal Representative

6a. Check only if applicable and check only one box:  Public-Finance Transaction  Manufactured-Home Transaction  A Debtor is a Transmitting Utility

6b. Check only if applicable and check only one box:  Agricultural Lien  Non-UCC Filing

7. ALTERNATIVE DESIGNATION (if applicable):  Lessee/Lessor  Consignee/Consignor  Seller/Buyer  Bailee/Bailor  Licensee/Licenser

8. OPTIONAL FILER REFERENCE DATA:  
Cook County, IL - Recorder of Deeds [339038-87]

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## UCC FINANCING STATEMENT ADDENDUM

FOLLOW INSTRUCTIONS

9. NAME OF FIRST DEBTOR: Same as line 1a or 1b on Financing Statement; if line 1b was left blank because Individual Debtor name did not fit, check here

9a. ORGANIZATION'S NAME

4400 45th Associates, LLC

OR

9b. INDIVIDUAL'S SURNAME

FIRST PERSONAL NAME

ADDITIONAL NAME(S)/INITIAL(S)

SUFFIX

THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY

10. DEBTOR'S NAME: Provide (10a or 10b) only one additional Debtor name or Debtor name that did not fit in line 1b or 2b of the Financing Statement (Form UCC1) (use exact, full name; do not omit, modify, or abbreviate any part of the Debtor's name) and enter the mailing address in line 10c

10a. ORGANIZATION'S NAME

OR

10b. INDIVIDUAL'S SURNAME

INDIVIDUAL'S FIRST PERSONAL NAME

INDIVIDUAL'S ADDITIONAL NAME(S)/INITIAL(S)

SUFFIX

10c. MAILING ADDRESS

CITY

STATE

POSTAL CODE

COUNTRY

11.  ADDITIONAL SECURED PARTY'S NAME or  ASSIGNOR SECURED PARTY'S NAME: Provide only one name (11a or 11b)

11a. ORGANIZATION'S NAME

OR

11b. INDIVIDUAL'S SURNAME

FIRST PERSONAL NAME

ADDITIONAL NAME(S)/INITIAL(S)

SUFFIX

11c. MAILING ADDRESS

CITY

STATE

POSTAL CODE

COUNTRY

12. ADDITIONAL SPACE FOR ITEM 4 (Collateral):

13.  This FINANCING STATEMENT is to be filed (for record) (or recorded) in the REAL ESTATE RECORDS (if applicable)

14. This FINANCING STATEMENT:

covers timber to be cut

covers as-extracted collateral

is filed as a fixture filing

15. Name and address of a RECORD OWNER of real estate described in item 16 (if Debtor does not have a record interest):

16. Description of real estate:

See Exhibit B attached hereto and made a part hereof

17. MISCELLANEOUS:

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## EXHIBIT A – UCC-1 FINANCING STATEMENT

DEBTOR: **4400 45TH ASSOCIATES, LLC**  
c/o Urban Investment Research Corporation  
15700 W. 103rd Street  
Lemont, Illinois 60439

SECURED PARTY: **THE PRIVATEBANK AND TRUST COMPANY**  
120 South LaSalle Street  
Chicago, Illinois 60603

For purposes of this Exhibit A, terms used but not otherwise defined herein, shall have the meanings ascribed to them as set forth in that certain Loan and Security Agreement (the "Loan Agreement"), by and among the Secured Party, as administrative agent for certain financial institutions (together with their successors and assigns, the "Lenders"), 2901 36th Associates, LLC, 4201 36th Associates, LLC, 4400 45th Associates, LLC, 1200 Cermak Associates, LLC, 4500 Kolin Associates, LLC, 4532 Kolin Associates, LLC, 3301 Pershing Associates, LLC, 4801 Whipple Associates, LLC and 3645 Kildare Associates, LLC, each a Delaware limited liability company, as borrowers and the Lenders.

### Description of Collateral:

1. All of Debtor's right, title and interest in the land located in Cook County, Illinois which is legally described on Exhibit B attached to this Financing Statement and made a part hereof (the "Land").
2. All buildings, structures and improvements of every nature whatsoever now or hereafter situated on the Land, including all extensions, additions, improvements, betterments, renewals, substitutions and replacements to or for any such buildings, structures and improvements and all of the right, title and interest of the Debtor now or hereafter acquired in and to any of the foregoing, including, without limitation, any improvements to be constructed on the Land in accordance with the Loan Agreement (the "Improvements").
3. All easements, rights of way, strips and gores of land, streets, ways, alleys, sidewalks, vaults, passages, sewer rights, waters, water courses, water drainage and reservoir rights and powers (whether or not appurtenant), all estates, rights, titles, interests, privileges, liberties, tenements, hereditaments, easements, franchises, appendages and appurtenances whatsoever, in any way belonging, relating or appertaining to the Land or the Improvements, whether now owned or hereafter acquired by the Debtor, including without limitation all existing and future mineral, oil and gas rights which are appurtenant to or which have been used in connection with the Land, all existing and future water stock relating to the Land or the Improvements, all existing and future share of stock

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respecting water and water rights pertaining to the Land or the Improvements or other evidence of ownership thereof, and the reversions and remainders thereof (the "Appurtenant Rights").

4. All machinery, apparatus, equipment, fittings and fixtures of every kind and nature whatsoever, and all furniture, furnishings and other personal property now or hereafter owned by the Debtor and forming a part of, or used or obtained for use in connection with, the Land or the Improvements or any present or future operation, occupancy, maintenance or leasing thereof; including, but without limitation, any and all heating, ventilating and air conditioning equipment and systems, antennae, appliances, apparatus, awnings, basins, bathtubs, bidets, boilers, bookcases, cabinets, carpets, communication systems, coolers, curtains, dehumidifiers, dishwashers, disposals, doors, drapes, drapery rods, dryers, ducts, dynamos, elevators, engines, equipment, escalators, fans, fittings, floor coverings, furnaces, furnishings, furniture, hardware, heaters, humidifiers, incinerators, lighting, machinery, motors, ovens, pipes, plumbing and electric equipment, pool equipment, pumps, radiators, ranges, recreational facilities and equipment, refrigerators, screens, sprinklers, stokers, stoves, shades, shelving, sinks, security systems, toilets, ventilators, wall coverings, washers, windows, window covering, wiring and all extensions, renewals or replacements thereof or substitutions therefor or additions thereto, whether or not the same are or shall be attached to the Land or the Improvements in any manner (collectively, the "Fixtures"); it being agreed that all of said property owned by the Debtor and placed on the Land or on or in the Improvements (whether affixed or annexed thereto or not) shall, so far as permitted by law, conclusively be deemed to be real property and conveyed pursuant to that certain Mortgage, Security Agreement, Fixture Filing and Assignment of Leases and Rents, dated as of even date hereof, made by Debtor (the "Mortgage"); provided, however, Fixtures shall not include any property owned by tenants under the Leases or any property manager or any leased equipment except to the extent that Debtor shall have any right or interest therein.
5. All personal property of every nature whatsoever now or hereafter owned by Debtor or used in connection with the Land or the improvements thereon, including all extensions, additions, improvements, betterments, renewals, substitutions and replacements thereof and all of the right, title and interest of Debtor in and to any such personal property together with the benefit of any deposits or payments now or hereafter made on such personal property by Debtor or on its behalf, including without limitation, any and all Goods, Investment Property, Instruments, Chattel Paper, Documents, Letter of Credit Rights, Accounts, Deposit Accounts, Commercial Tort Claims and General Intangibles, each as defined in the Uniform Commercial Code of the State of Illinois; all proceeds of the foregoing, including, without limitation, all judgments, awards of damages and settlements hereafter made resulting from condemnation proceeds or the taking of the Land or improvements thereon or any portion thereof under the power of eminent domain, any proceeds of any policies of insurance, maintained with respect to the Land or improvements thereon or proceeds of any sale, option or contract to sell the Land or improvements thereon or any portion thereof; any and all additions and accessories to all of the foregoing and any and all proceeds (including proceeds of insurance, eminent domain or other governmental takings and tort claims), renewals, replacements and

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substitutions of all of the foregoing; all of the books and records pertaining to the foregoing (all of the foregoing being referred to as the "Personal Property").

6. All right, title and interest which the Debtor hereafter may acquire in and to the Leases, the Appurtenant Rights, the Improvements, the Fixtures and the Personal Property (herein collectively referred to as the "Premises") or any portion thereof, and all rents, issues, incomes and profits in any manner arising thereunder (herein collectively referred to as the "Rents"), and all right, title and interest which the Debtor now has or hereafter may acquire in and to any bank accounts, security deposits, and any and all other amounts held as security under the Leases, reserving to the Debtor any statutory rights.
7. Any and all Awards and Insurance Proceeds, as each are defined in the Mortgage, or proceeds of any sale, option or contract to sell the Premises or any portion thereof (provided that no right, consent or authority to sell the Mortgaged Property (as defined in the Mortgage) or any portion thereof shall be inferred or deemed to exist by reason hereof); and the Debtor hereby authorizes, directs and empowers the Secured Party, on behalf of the Lenders, at its option, on the Debtor's behalf, or on behalf of the successors or assigns of the Debtor, to adjust, compromise, claim, collect and receive such proceeds; to give acquittances thereon; and, after deducting expenses of collection, including reasonable attorneys' fees, costs and disbursements, to apply the Net Proceeds, as hereinafter defined, to the extent not utilized for the Restoration of the Mortgaged Property as provided in Section 7 or 8 of the Mortgage, to payment of the Debt, notwithstanding the fact that the same may not then be due and payable or that the Debt is otherwise adequately secured.
8. All rights reserved to or granted to the developer or declarant under the provisions of any (i) declaration of restrictive covenants and easements affecting the Land or the Premises, or (ii) declaration of condominium ownership for the institution of a regime of condominium ownership affecting the Land or the Premises or otherwise granted to the developer pursuant to the provisions of the Illinois Condominium Property Act, 765 ILCS 605/1 et. seq. in effect from time to time, or (iii) homeowners' declaration or other declarations affecting the Land or the Premises.
9. All estate, right, title and interest, homestead or other claim or demand, as well in law as in equity, which the Debtor now has or hereafter may acquire of, in and to the Premises, or any part thereof, and any and all other property of every kind and nature from time to time hereafter (by delivery or by writing of any kind) conveyed, pledged, assigned or transferred as and for additional security under the the Mortgage by the Debtor or by anyone on behalf of the Debtor to the Secured Party, for the benefit of the Lenders.

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**EXHIBIT B**

**LEGAL DESCRIPTION**

(See Attached)

**COOK COUNTY  
RECORDER OF DEEDS**

**COOK COUNTY  
RECORDER OF DEEDS**

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## LEGAL DESCRIPTION:

### PARCEL 1:

THAT PART OF LOT "B" IN THE CIRCUIT COURT PARTITION OF THE SOUTH 1/2 AND THAT PART OF THE NORTHWEST 1/4, LYING SOUTH OF THE ILLINOIS AND MICHIGAN CANAL RESERVE SECTION 3, TOWNSHIP 38 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, ACCORDING TO THE PLAT OF SAID CIRCUIT COURT PARTITION RECORDED IN THE OFFICE OF THE RECORDER OF COOK COUNTY, ILLINOIS, APRIL 29, 1897 AS DOCUMENT NUMBER 2530529, IN BOOK 67 OF PLATS, PAGE 44, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF WEST 45TH STREET AND A LINE 24.93 FEET EAST OF AND PARALLEL TO THE NORTH AND SOUTH CENTER LINE OF SAID SECTION 3, SAID PARALLEL LINE BEING THE WESTERLY BOUNDARY LINE OF THE PREMISES CONVEYED BY 1<sup>ST</sup> NATIONAL BANK OF CHICAGO TO THE THEN TRUSTEES OF THE CENTRAL MANUFACTURING DISTRICT BY DEED DATED SEPTEMBER 15, 1950 AND RECORDED OCTOBER 16, 1950 AS DOCUMENT NUMBER 14927392; THENCE WEST ALONG SAID NORTH LINE OF WEST 45TH STREET, A DISTANCE OF 920.46 FEET, MORE OR LESS, TO ITS INTERSECTION WITH THE WESTERLY BOUNDARY LINE, AT THIS POINT, OF THE PARCEL OF LAND CONVEYED BY THE CHICAGO RIVER AND INDIAN RAILROAD COMPANY TO THE 1ST NATIONAL BANK OF CHICAGO, BY DEED DATED MARCH 6, 1951, AND RECORDED MARCH 8, 1951 AS DOCUMENT NUMBER 15026337; THENCE NORTHERLY ALONG LAST DESCRIBED LINE, A DISTANCE OF 572.27 FEET TO A POINT, SAID POINT BEING 893.28 FEET, MORE OR LESS, WEST OF SAID NORTH AND SOUTH CENTER LINE OF SECTION 3; THENCE SOUTHEASTERLY ALONG A STRAIGHT LINE TO ITS POINT OF INTERSECTION WITH A LINE PARALLEL TO AND 740.65 FEET SOUTH OF THE EAST AND WEST CENTER LINE OF SAID SECTION 3, SAID POINT OF INTERSECTION BEING 886.66 FEET WEST OF SAID NORTH AND SOUTH CENTER LINE OF SECTION 3; THENCE SOUTHEASTERLY ALONG A CURVED LINE, CONVEX TO THE SOUTHWEST AND HAVING A RADIUS OF 328.12 FEET TO A POINT WHICH IS 741.24 FEET WEST OF SAID NORTH AND SOUTH CENTER LINE, AND 881.77 FEET SOUTH OF THE EAST AND WEST CENTER LINE OF SAID SECTION 3; THENCE CONTINUING SOUTHEASTERLY ALONG A CURVED LINE, CONVEX TO THE SOUTHWEST AND HAVING A RADIUS OF 921.31 FEET TO A POINT WHICH IS 667.45 FEET WEST OF SAID NORTH AND SOUTH CENTER LINE, AND 913.79 FEET SOUTH OF THE EAST AND WEST CENTER LINE OF SAID SECTION 3; THENCE CONTINUING SOUTHEASTERLY ALONG A CURVED LINE, CONVEX TO THE SOUTHWEST AND HAVING A RADIUS OF 328.12 FEET TO A POINT IN A LINE PARALLEL TO AND 935.32 FEET SOUTH OF THE SAID EAST AND WEST CENTER LINE OF SECTION 3, SAID POINT BEING 650.69 FEET WEST OF SAID NORTH AND SOUTH CENTER LINE OF SECTION 3; THENCE EAST ALONG LAST DESCRIBED PARALLEL LINE, A DISTANCE OF 301.41 FEET, MORE OR LESS, TO A POINT 249.28 FEET WEST OF THE NORTH AND SOUTH CENTER OF SAID SECTION 3; THENCE SOUTHEASTERLY ALONG A STRAIGHT LINE TO ITS POINT WITH A LINE PARALLEL TO AND 970.57 FEET SOUTH OF SAID EAST AND WEST CENTER LINE OF SAID SECTION 3, SAID POINT OF INTERSECTION BEING 3.25 FEET EAST OF SAID NORTH AND SOUTH CENTER LINE OF SECTION 3; THENCE EAST ALONG LAST DESCRIBED PARALLEL LINE TO ITS INTERSECTION WITH A LINE PARALLEL TO AND 24.93 FEET EAST OF SAID NORTH AND SOUTH CENTER LINE OF SECTION 3; THENCE SOUTH ALONG LAST DESCRIBED PARALLEL LINE TO THE POINT OF BEGINNING, THE 3 LAST MENTIONED COURSES BEING THE SOUTHWESTERLY AND WESTERLY BOUNDARY LINES OF THE PREMISES CONVEYED BY 1ST NATIONAL BANK OF CHICAGO, TO THE THEN TRUSTEES

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OF THE CENTRAL MANUFACTURING DISTRICT BY AFOREMENTIONED DEED DATED SEPTEMBER 15, 1950 (AS DOCUMENT NUMBER 14927392).

THE FOREGOING DESCRIPTION IS BASED UPON THE FOLLOWING DEFINITIONS

THE EAST AND WEST CENTER LINE OF SAID SECTION 3, IS DEFINED AS STRAIGHT LINE DRAWN FROM A POINT ON THE EAST LINE OF SAID SECTION 3, MEASURED 2597.19 FEET SOUTH FROM THE NORTHEAST CORNER OF SAID SECTION 3, AND MEASURED 2669.84 FEET NORTH FROM THE SOUTHEAST CORNER OF SAID SECTION 3, TO A POINT ON THE WEST LINE OF SAID SECTION 3, MEASURED 2598.77 FEET SOUTH FROM THE NORTHWEST CORNER OF SAID SECTION 3, AND MEASURED 2661.19 FEET NORTH FROM THE SOUTHWEST CORNER OF SAID SECTION 3.

THE NORTH AND SOUTH CENTER LINE OF SAID SECTION 3 IS DEFINED AS A STRAIGHT LINE DRAWN FROM A POINT ON THE NORTH LINE OF SAID SECTION 3, MEASURED 2648.14 FEET WEST FROM THE NORTHEAST CORNER OF SAID SECTION 3, AND MEASURED 2642.84 FEET EAST FROM THE NORTHWEST CORNER OF SAID SECTION 3, TO A POINT ON THE SOUTH LINE OF SAID SECTION 3, MEASURED 2669.37 FEET WEST FROM THE SOUTHEAST CORNER OF SAID SECTION 3, AND MEASURED 2668.04 FEET EAST FROM THE SOUTH WEST CORNER OF SAID SECTION 3.

WEST 45TH STREET IS DEFINED AS A STRIP OF LAND LYING IN LOT "B" OF THE SUBDIVISION RECORDED APRIL 29, 1897, IN BOOK 67 OF PLATS 44, AS DOCUMENT NUMBER 2530529, WHICH IS 66 FEET IN WIDTH, EXTENDING WESTERLY FROM THE WEST LINE OF SOUTH KOLIN AVENUE, EXTENDED NORTHERLY, TO THE WESTERLY BOUNDARY LINE (WHERE THE SAME EXTENDS ACROSS THE 66 FOOT STRIP) OF A PARCEL OF LAND CONVEYED BY THE CHICAGO RIVER AND INDIANA RAILROAD COMPANY TO THE 1ST NATIONAL BANK OF CHICAGO, BY DEED DATED MARCH 6, 1951 AND RECORDED MARCH 8, 1951 AS DOCUMENT NUMBER 15026337, THE SOUTH LINE OF SAID STRIP IS A STRAIGHT LINE PARALLEL TO AND 1766.32 FEET SOUTH OF THE EAST AND WEST CENTER LINE OF SECTION 3. THE NORTH LINE OF SAID STRIP IS A STRAIGHT LINE PARALLEL TO AND 66 FEET NORTH OF THE SOUTH LINE OF SAID STRIP, IN COOK COUNTY, ILLINOIS.

PARCEL 2:

A NON-EXCLUSIVE EASEMENT FOR THE BENEFIT OF PARCEL 1 AS CREATED BY DEED DATED SEPTEMBER 15, 1950 AND RECORDED OCTOBER 16, 1950 AS DOCUMENT 14927392, FROM THE FIRST NATIONAL BANK OF CHICAGO AS TRUSTEE UNDER TRUST NO. 6558 TO THE TRUSTEES OF THE CENTRAL MANUFACTURING DISTRICT FOR THE PURPOSE OF INGRESS AND EGRESS.

PARCEL 1 ALSO DESCRIBED AS BEGINNING AT THE SOUTHEAST CORNER OF PARCEL 1; THENCE S 88°32'30" W, A DISTANCE OF 920.46'; THENCE N 01°35'06" W, A DISTANCE OF 572.27'; THENCE S 29°27'09" E, A DISTANCE OF 14.27'; THENCE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 206.66', WITH A RADIUS OF 328.12', WITH A CHORD BEARING OF S 47°29'45" E, WITH A CHORD LENGTH OF 203.26'; THENCE WITH A COMPOUND CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 80.62', WITH A RADIUS OF 921.31', WITH A CHORD BEARING OF S 68°02'10" E, WITH A CHORD LENGTH OF



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80.60'; THENCE WITH A COMPOUND CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 119.52', WITH A RADIUS OF 328.12', WITH A CHORD BEARING OF S 81°01'24" E, WITH A CHORD LENGTH OF 118.86'; THENCE N 88°32'30" E, A DISTANCE OF 301.41'; THENCE S 83°31'03" E, A DISTANCE OF 255.20'; THENCE N 88°32'30" E, A DISTANCE OF 21.68'; THENCE S 01°48'31" E, A DISTANCE OF 329.75' TO THE POINT OF BEGINNING.

PIN: 19-03-400-049-0000

Commonly known as: 4400 W. 45th Street, Chicago, Illinois

**COOK COUNTY  
RECORDER OF DEEDS**

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