

UNOFFICIAL COPY



A10 CAPITAL

Prepared by, recording requested by,
and when recorded mail to:

A10 Capital, LLC
Attn: Jackie Cox
800 W. Main Street, Suite 1100
Boise, Idaho 83702



Doc# 2003822055 Fee \$98.00

Address of Property: 1903-2029 Mannheim Road, Melrose Park, Illinois

RHSP FEE:\$9.00 RPRF FEE: \$1.00

EDWARD M. MOODY

Permanent Parcel Number(s): 12-33-301-024-0000 & 12-33-301-028-0000

COOK COUNTY RECORDER OF DEEDS

DATE: 02/07/2020 03:33 PM PG: 1 OF 7

Loan #AC-IL-PM-19-051-0408-001

ASSIGNMENT OF MORTGAGE AND LOAN DOCUMENTS

This ASSIGNMENT OF MORTGAGE AND LOAN DOCUMENTS (this "Assignment") is made as of January 10, 2020, by A10 REIT, LLC, a Delaware limited liability company, as Note A Holder ("Assignor"), with an address at 800 W. Main Street, Suite 1100, Boise, Idaho 83702, Attention: Jerry E. Dunn, in favor of A10 Revolving Asset Financing I, LLC, a Delaware limited liability company ("Assignee"), with an address at 800 W. Main Street, Suite 1100, Boise, Idaho 83702, Attention: Jerry E. Dunn, as follows:

1. FOR VALUE RECEIVED, Assignor hereby endorses, negotiates, sells, assigns, conveys and transfers to Assignee all of Assignor's right, title, and interest in and to that certain Mortgage With Assignment of Leases and Rents, Security Agreement and Fixture Filing executed by Melrose Crossing Owner LLC, a Delaware limited liability company, recorded December 31, 2019 with the Cook County Recorder, Illinois, as Document #1936517004, as assigned pursuant to that certain Assignment of Mortgage and Loan Documents from A10 Capital, LLC, as assignor, to Assignor, as assignee, recorded 02/07, 2020 with the Cook County Recorder, Illinois, as Document # 2003845085 (hereinafter collectively called the "Mortgage"), describing certain real property therein (the "Real Property") as:

Please refer to Exhibit A attached hereto and made a part hereof by this reference for the legal description.

TOGETHER, with all of Assignor's right, title and interest in, to and under the following:
(i) Note A (defined below), (ii) any and all guaranties of the foregoing, (iii) all other documents and instruments executed in connection therewith, (iv) any and all title insurance commitments and policies issued, or hereafter issued, by any title insurer insuring the lien of the foregoing lien instrument, (v) any and all rights with respect to escrow deposits relating thereto, (vi) all modifications, supplements or advances made in connection with the foregoing, (vii) all monies due and to become due thereon, (viii) all rights accrued or to accrue under, and all proceeds of, the foregoing, and (ix) that certain Co-Lender Agreement, dated as of December 27, 2019, by and between A10 Capital, LLC, as Note A Holder, and A10 Capital, LLC, as Note B Holder.

S N
P 7
S
M X
SC
E X
INT

UNOFFICIAL COPY

2. Assignor represents and warrants that it is the legal and equitable owner and holder of that certain Promissory Note (Note A), dated as of December 27, 2019, made by **Melrose Crossing Owner LLC**, a Delaware limited liability company, as borrower, in favor of Assignor ("**Note A**"), secured by the Mortgage and the foregoing lien instrument and the documents executed in connection therewith and the same are being conveyed to Assignee hereby, free and clear of any lien, claim or encumbrance of any nature.

3. The provisions of this Assignment shall be binding upon and shall inure to the benefit of Assignor and Assignee and their respective heirs, executors, administrators, successors and assigns.

4. If any provision of this Assignment or the application thereof to any person or circumstance shall be invalid or unenforceable to any extent under applicable law, the remainder of this Assignment and the application of such provisions to other persons or circumstances shall not be affected thereby and shall be enforced to the greatest extent permitted by law.

5. This Assignment shall be interpreted, construed and enforced according to the laws of the state in which the Real Property is located.

6. Neither this Assignment nor any provisions hereof may be changed, waived, discharged or terminated orally, but only by an instrument in writing signed by the party against whom enforcement of the change, waiver, discharge or termination is sought.

[The remainder of this page is intentionally left blank.]

UNOFFICIAL COPY

EXHIBIT A

Legal Description

PARCEL 1:

LOT 3 IN K & M VENTURE RESUBDIVISION OF LOTS 1 AND 2 IN MANNHEIM-NORTH COMMERCIAL SUBDIVISION OF PART OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 33, TOWNSHIP 40 NORTH RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF K & M VENTURE RESUBDIVISION RECORDED DECEMBER 9, 1985 AS DOCUMENT 85316183, IN COOK COUNTY, ILLINOIS, AS CORRECTED BY INSTRUMENT RECORDED DECEMBER 19, 1986 AS DOCUMENT 86608997.

ALSO KNOWN AS ALL THAT CERTAIN PLOT, PIECE OF PARCEL OF LAND, WITH THE BUILDINGS AND IMPROVEMENTS THEREON ERECTED, SITUATE, LYING AND BEING IN THE COUNTY OF COOK, STATE OF ILLINOIS, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 3 AFORESAID; THENCE WEST ALONG SAID NORTH LINE, 156.33 FEET; THENCE NORTH 120.00 FEET; THENCE WEST 68.67 FEET; THENCE SOUTH 265.00 FEET; THENCE WEST 131.01 FEET TO THE EAST LINE OF LOT 5 IN K & M VENTURE RESUBDIVISION AFORESAID; THENCE SOUTH 68.00 FEET TO THE SOUTH EAST CORNER OF SAID LOT 5; THENCE WEST ALONG THE SOUTH LINE OF SAID LOT 5, A DISTANCE OF 119.99 FEET TO THE EAST LINE OF MANNHEIM ROAD; THENCE SOUTH ALONG THE EAST LINE OF MANNHEIM ROAD; BEING ALSO THE WEST LINE OF LOT 3 AFORESAID, A DISTANCE OF 434.33 FEET TO THE NORTHWEST CORNER OF LOT 6 IN K & M VENTURE RESUBDIVISION AFORESAID; THENCE EAST ALONG THE NORTH OF SAID LOT 6; A DISTANCE OF 123.50 FEET TO THE NORTHEAST CORNER THEREOF; THENCE SOUTH ALONG THE EAST LINE OF SAID LOT 5 A DISTANCE OF 150.00 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE WEST ALONG SOUTH LINE OF SAID LOT 6, A DISTANCE OF 123.50 FEET TO THE EAST LINE OF MANNHEIM ROAD, THENCE SOUTH ALONG SAID EAST LINE, BEING ALSO THE WEST LINE OF LOT 3 AFORESAID, A DISTANCE OF 287.93 FEET TO THE NORTHWEST CORNER OF LOT 7 IN K & M VENTURE RESUBDIVISION AFORESAID; THENCE EAST ALONG THE NORTH LINE OF SAID LOT 7, A DISTANCE OF 123.50 FEET TO THE NORTHEAST CORNER THEREOF; THENCE SOUTH ALONG THE EAST LINE OF LOT 7, A DISTANCE OF 140.55 FEET TO THE NORTH LINE OF NORTH AVENUE; THENCE EAST ALONG SAID NORTH LINE, BEING ALSO THE SOUTH LINE OF LOT 3 AFORESAID, 209.50 FEET TO THE ANGLE POINT IN THE SOUTH LINE OF LOT 3; THENCE NORTHEASTERLY 159.28 FEET TO THE SOUTHEAST CORNER OF LOT 3; THENCE NORTH ALONG THE EAST LINE OF LOT 3, A DISTANCE OF 1156.59 FEET TO THE POINT OF BEGINNING.

UNOFFICIAL COPY

PARCEL 2:

EASEMENT FOR THE BENEFIT OF PARCEL 1, FOR INGRESS AND EGRESS ACROSS A STRIP 30 FEET IN WIDTH RESERVED IN DEED DATED NOVEMBER 30, 1955 FROM INTERNATIONAL HARVESTER COMPANY TO INDIANA HARBOR BELT RAILROAD COMPANY, RECORDED DECEMBER 7, 1955 AS DOCUMENT NO 16440486 AND AS SET FORTH IN DEEDS DATED AND RECORDED DECEMBER 9, 1985 AS DOCUMENT 85316181 AND AS DOCUMENT 85316182 MADE BY INTERNATIONAL HARVESTER COMPANY TO JOHN ZAWALINSKI AND MADE BY JOHN M. ZAWALINSKI TO AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, AS TRUSTEE UNDER TRUST AGREEMENT DATED OCTOBER 31, 1985 AND KNOWN AS TRUST NUMBER 65769 ACROSS LAND DESCRIBED AS: THE SOUTH 16.50 FEET OF THE NORTH 49.50 FEET OF THE SOUTHWEST 1/4 OF SECTION 33, TOWNSHIP 40 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE COUNTY OF COOK, IN THE STATE OF ILLINOIS; EXCEPT THE WEST 50 FEET THEREOF DEDICATED FOR THE EAST 1/2 OF MANNHEIM ROAD, AND EXCEPT THEREFROM THAT PART LYING EAST OF THE FOLLOWING DESCRIBED LINE: BEGINNING AT A POINT WHICH IS 296.51 FEET WEST OF THE WEST LINE OF CORNELL AVENUE, MEASURED ALONG A LINE PARALLEL TO THE NORTH LINE OF THE SAID SOUTHWEST 1/4, AND 92.2 FEET SOUTH OF THE NORTH LINE OF SAID SOUTHWEST 1/4, AS MEASURED ALONG A LINE MAKING AN ANGLE WITH THE NORTH LINE OF SAID SOUTHWEST 1/4 OF 90 DEGREES 26 MINUTES DEFLECTED FROM WEST TO SOUTH; THENCE NORTH A DISTANCE OF 92.2 FEET ALONG LAST DESCRIBED LINE TO THE NORTH LINE OF SAID SOUTHWEST 1/4; SAID EASEMENT TO BE AT LOCATION KNOWN AS GATE 5A AS OF THE DATE OF SAID DEEDS OR AT SUCH OTHER RELOCATIONS OF GATE 5A AS MAY BE REQUIRED BY THE GRANTOR FROM TIME TO TIME.

PARCEL 3:

EASEMENTS FOR THE BENEFIT OF PARCEL 1 AS CREATED, LIMITED AND DEFINED IN CONSTRUCTION, OPERATION AND RECIPROCAL EASEMENT AGREEMENT DATED DECEMBER 9, 1985 AND RECORDED DECEMBER 9, 1985 AS DOCUMENT 85316185 WHICH ORIGINAL AGREEMENT HAS BEEN SUPPLEMENTED BY JUNIOR DECLARATION OF MUTUAL RECIPROCAL EASEMENTS, COVENANTS AND RESTRICTIONS DATED AUGUST 14, 1987 AND RECORDED AUGUST 14, 1987 AS DOCUMENT 87452704 MADE BY AND BETWEEN AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, AS TRUSTEE UNDER TRUST AGREEMENT DATED OCTOBER 11, 1985 AND KNOWN AS TRUST NO. 65769 AND ANTHONY A. PETRARCA, AS ASSIGNED TO HIGH EQUITY PARTNERS L.P. - SERIES 86, AND AS SUPPLEMENTED FROM TIME TO TIME BY JUNIOR DECLARATIONS OF MUTUAL AND RECIPROCAL EASEMENTS, COVENANTS RESTRICTIONS FOR THE VARIOUS LOTS ORIGINALLY OWNED BY AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO AS TRUSTEE UNDER TRUST AGREEMENT DATED OCTOBER 11, 1985 AND KNOWN AS TRUST NO.65769, FOR INGRESS AND EGRESS, PASSAGE OF VEHICLES AND PEDESTRIANS, PARKING, UTILITY FACILITIES,

UNOFFICIAL COPY

CONSTRUCTION, BUILDING ELEMENTS AND ROOF FLASHING ENCROACHMENTS, COMMON AREA IMPROVEMENTS AND EXTERIOR LIGHTS IN THOSE LOCATIONS SPECIFIED IN SAID AGREEMENT AND IN THAT CERTAIN JOINT IMPROVEMENT AGREEMENT DATED DECEMBER 9, 1985 BY AND BETWEEN AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, AS TRUSTEE UNDER TRUST AGREEMENT DATED OCTOBER 11, 1985 AND KNOWN AS TRUST NUMBER 65769 AND THE MAY DEPARTMENT STORES COMPANY.

PARCEL 4:

EASEMENT FOR THE BENEFIT OF PARCEL 1 AS SET FORTH IN LICENSE AGREEMENT FOR PRIVATE GRADE CROSSING DATED JANUARY 17, 1986 AND RECORDED FEBRUARY 25, 1986 AS DOCUMENT 86077228 MADE BY AND BETWEEN THE INDIANA HARBOR BELT RAILROAD COMPANY AND AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, AS TRUSTEE UNDER TRUST AGREEMENT OCTOBER 11, 1985 AND KNOWN AS TRUST NUMBER 65769, TO CONSTRUCT, USE, MAINTAIN, REPAIR, RENEW AND ULTIMATELY REMOVE A TIMBER ASPHALT RAILROAD CROSSING OVER THE INDIANA HARBOR BELT RAILROAD COMPANY TRACKS AS SHOWN ON THE PLANS PREPARED BY MACKIE CONSULTANTS, INC. DATED SEPTEMBER 16, 1985 AND LOCATED ON THAT PORTION OF THE INDIANA HARBOR BELT RAILROAD RIGHT OF WAY AND TRACK LYING (A) SOUTH OF ARMITAGE AVENUE (B) NORTH OF LOT 1 IN K & M - VENTURE RESUBDIVISION OF LOTS 1 AND 2 IN MANNHEIM-NORTH COMMERCIAL SUBDIVISION OF PART OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 33, TOWNSHIP 40 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS AND (C) BETWEEN THE EAST LINE OF SAID LOT 1 IN K & M-VENTURE RESUBDIVISION, AS EXTENDED NORTH AND A LINE 40 FEET TO THE WEST THEREOF, AS SHOWN ON INDIANA HARBOR BELT RAILROAD PLAT NO. 16156-U-4 DATED OCTOBER 16, 1985.

PARCEL 5:

EASEMENT FOR THE BENEFIT OF PARCEL 1 AS SET FORTH IN LICENSE AGREEMENT FOR WIRE, PIPE AND CABLE TRANSVERSE CROSSINGS AND LONGITUDINAL OCCUPATIONS DATED JANUARY 17, 1986 AND RECORDED FEBRUARY 25, 1986 AS DOCUMENT 86077227 MADE BY AND BETWEEN THE INDIANA HARBOR BELT RAILROAD COMPANY AND AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, AS TRUSTEE UNDER TRUST AGREEMENT DATED OCTOBER 11, 1985 AND KNOWN AS TRUST NUMBER 65769 TO CONSTRUCT, MAINTAIN, REPAIR, RENEW, RELOCATE AND ULTIMATELY REMOVE ONE (1) 48 INCH STORM SEWER PIPE AND (1) 12 INCH WATER MAIN CROSSING UNDER INDIANA HARBOR BELT RAILROAD RIGHT OF WAY AND TRACK LOCATED ON THAT PORTION OF THE INDIANA HARBOR BELT RIGHT OF WAY AND TRACK LOCATED ON THAT PORTION OF THE INDIANA HARBOR BELT RIGHT OF WAY AND TRACK LYING (A) SOUTH OF ARMITAGE AVENUE, (B) NORTH OF LOT 1 IN K & M VENTURE RESUBDIVISION OF LOTS 1 AND 2 IN MANNHEIM-NORTH

UNOFFICIAL COPY

COMMERCIAL SUBDIVISION OF PART OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 33, TOWNSHIP 40 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS AND (C) BETWEEN THE EAST LINE OF SAID LOT 1 IN K & M VENTURE RESUBDIVISION, AS EXTENDED NORTH, AND A LINE 40 FEET TO THE WEST THEREOF, AS SHOWN ON INDIANA HARBOR RAILROAD PLAT NO.16157-U-4 DATED OCTOBER 16, 1985, IN COOK COUNTY, ILLINOIS.

PARCEL 6:

LOT 7 IN K & M VENTURE RESUBDIVISION OF LOTS 1 AND 2 IN MANNHEIM-NORTH COMMERCIAL SUBDIVISION OF PART OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 33, TOWNSHIP 40 NORTH RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF K & M - VENTURE RESUBDIVISION RECORDED DECEMBER 9, 1985 AS DOCUMENT 85316183, IN COOK COUNTY, ILLINOIS, AS CORRECTED BY INSTRUMENT RECORDED DECEMBER 19, 1986 AS DOCUMENT 86603997, IN COOK COUNTY, ILLINOIS AND ALSO DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 7 AFORESAID; THENCE WESTERLY ALONG THE SOUTH LINE OF LOT 7, A DISTANCE 98.50 FEET TO THE SOUTHERNMOST SOUTHWEST CORNER OF SAID LOT 7; THENCE NORTHWESTERLY ALONG THE SOUTH WESTERLY LINE OF LOT 7, A DISTANCE OF 35.43 FEET TO THE WESTERN MOST SOUTHWEST CORNER OF LOT 7; THENCE NORTH ALONG THE WEST LINE OF LOT 7, A DISTANCE OF 115.00 FEET TO THE NORTHWEST CORNER OF LOT 7; THENCE EAST ALONG THE NORTH LINE OF LOT 7, A DISTANCE OF 123.50 FEET TO THE NORTHEAST CORNER OF LOT 7; THENCE SOUTH ALONG THE EAST LINE OF LOT 7, A DISTANCE OF 140.55 FEET TO THE POINT OF BEGINNING AT THE SOUTHEAST CORNER OF LOT 7 AFORESAID.

Permanent Parcel Number(s): 12-33-301-024-0000 & 12-33-301-028-0000

Street Address: 1903-2029 Mannheim Road, Melrose Park, Illinois