

Doc#: 2113401125 Fee: \$98.00  
Karen A. Yarbrough  
Cook County Clerk  
Date: 05/14/2021 06:53 AM Pg: 1 of 5

When recorded, return to:

Winstead PC  
600 Travis, Suite 5200  
Houston, Texas 77002  
Attn: Sheila Melo

CT

17016255-2NS 1/1

## MEMORANDUM OF FIRST AMENDMENT TO LOAN DOCUMENTS

THIS MEMORANDUM OF FIRST AMENDMENT TO LOAN DOCUMENTS (this "Memorandum") is entered into and delivered as of the date of the acknowledgements below, but effective as of April 11, 2021 (the "Effective Date"), by and between USEF GC CENTURY TOWER, LLC, a Delaware limited liability company ("Borrower"), and is in favor of BBVA USA, an Alabama banking corporation f/k/a Compass Bank ("Lender").

A. Lender entered into a Loan Agreement dated as of April 11, 2018, with Borrower (as same may have been heretofore amended, the "Agreement") pursuant to which Lender made a loan ("Loan") to Borrower as evidenced by that certain Real Estate Lien Note, each dated as of April 11, 2018, payable to the order of Lender and representing the obligation of Borrower to pay the original principal amount of FORTY MILLION ONE HUNDRED SIXTY-SEVEN THOUSAND SIX HUNDRED FIVE AND NO/100 DOLLARS (\$40,167,605.00) (together with all renewals, modifications, increases and extensions thereof, the "Real Estate Lien Note").

B. Borrower executed and delivered that certain Construction Mortgage, Security Agreement, Assignment of Rents and Financing Statement (the "Mortgage") dated effective as of April 11, 2018 for the benefit of Lender, recorded as Document No. 1810306102 in Cook County, Illinois, covering the real property described therein and incorporated herein for all purposes, together with all improvements, appurtenances, other properties (whether real or personal), rights and interests described in and encumbered by the Mortgage ("Property"), to secure the payment of the Real Estate Lien Note and performance by Borrower of the other obligations set forth in the Loan Documents (as herein defined).

C. Borrower and Lender have, pursuant to the terms of an Omnibus First Amendment to Loan Agreement and Real Estate Lien Note dated of even date, amended certain of the terms and provisions of the Agreement, the Real Estate Lien Note, the Mortgage, and the other related documents executed by Borrower or third parties pertaining to, evidencing or securing the Loan (collectively, the "Loan Documents") to delete the renewal options in their entirety and to extend the maturity date and the interest only period on the Real Estate Lien Note from April 11, 2021 to April 11, 2023.

D. Lender has represented to the Borrower that Lender is the current owner and holder of the Loan Documents.

E. Borrower is currently indebted and obligated to Lender pursuant to the terms of the Loan Documents.

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F. The Loan has its initial maturity on April 11, 2021 and the Loan Parties desire to extend the initial Maturity Date of the Loan and otherwise modify the Loan pursuant to the terms of that certain First Omnibus Amendment to Loan Agreement and Real Estate Lien Note dated of even date herewith, evidenced of record by this Memorandum.

G. Accordingly, the initial Maturity Date of the Loan has been extended to April 11, 2023.

Attachments:

Exhibit A: Property Description

[SIGNATURE PAGES FOLLOW]

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EXECUTED to be effective as of the date first written above.

**BORROWER:**

**USEF GC CENTURY TOWER, LLC,**  
a Delaware limited liability company

By: Golub Century Investors LLC  
a Delaware limited liability company  
its Administrative Manager

By: Golub Real Estate Corp.,  
an Illinois corporation  
its Manager

By: *M. Goldman*  
Name: *M. Goldman*  
Title: *Authorized Signatory*

THE STATE OF Illinois  
COUNTY OF Cook

§  
§  
§

This instrument was acknowledged before me on the 29<sup>th</sup> day of April, 2021 by Michael Goldman, Authorized Signatory of Golub Real Estate Corp., an Illinois corporation, Manager of Golub Century Investors LLC, a Delaware limited liability company, Administrative Manager of USEF GC CENTURY TOWER, LLC, a Delaware limited liability company, on behalf of said limited liability company.

*Michael Leahy*  
Notary Public

*Michael Leahy*  
Printed Name of Notary

My Commission Expires: *08/01/2022*



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## Exhibit "A"

### Property Description

#### PARCEL 1:

LOTS 1 AND 2 TAKEN AS A TRACT IN METROPOLITAN'S RESUBDIVISION OF LOT 5 IN BLOCK 19 IN ORIGINAL TOWN OF CHICAGO, IN SECTION 9, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT THAT PART OF SAID TRACT WHICH LIES ABOVE A HORIZONTAL PLANE HAVING AN ELEVATION OF +14.66 FEET CHICAGO CITY DATUM (ALL ELEVATIONS HEREINAFTER DESCRIBED ARE CHICAGO CITY DATUM) AND WHICH LIES BELOW A HORIZONTAL PLANE HAVING AN ELEVATION OF +27.67 FEET AND IS BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID TRACT (THE SOUTHWEST CORNER OF SAID TRACT ALSO BEING THE SOUTHWEST CORNER OF SAID LOT 1); THENCE SOUTH  $89^{\circ}07'22''$  EAST ALONG THE SOUTH LINE OF SAID TRACT, A DISTANCE OF 3.56 FEET (THE SOUTH LINE OF SAID TRACT ALSO BEING THE NORTH LINE OF W LAKE STREET); THENCE NORTH  $00^{\circ}00'00''$  EAST, 1.86 FEET TO THE PLACE OF BEGINNING; THENCE CONTINUING NORTH  $00^{\circ}00'00''$  EAST, 4.52 FEET; THENCE NORTH  $90^{\circ}00'00''$  WEST, 1.83 FEET; THENCE NORTH  $00^{\circ}00'00''$  EAST, 17.63 FEET; THENCE SOUTH  $90^{\circ}00'00''$  EAST, 1.43 FEET; THENCE NORTH  $00^{\circ}26'46''$  WEST, 6.42 FEET; THENCE NORTH  $90^{\circ}00'00''$  WEST, 1.38 FEET; THENCE NORTH  $00^{\circ}00'00''$  EAST, 12.58 FEET; THENCE SOUTH  $90^{\circ}00'00''$  EAST, 0.64 FEET; THENCE NORTH  $00^{\circ}00'00''$  EAST, 0.89 FEET; THENCE SOUTH  $90^{\circ}00'00''$  EAST, 0.75 FEET; THENCE NORTH  $00^{\circ}18'50''$  EAST, 3.85 FEET; THENCE NORTH  $90^{\circ}00'00''$  WEST, 1.41 FEET; THENCE NORTH  $00^{\circ}00'00''$  EAST, 12.53 FEET; THENCE SOUTH  $90^{\circ}00'00''$  EAST, 6.19 FEET; THENCE NORTH  $00^{\circ}00'00''$  EAST, 3.50 FEET; THENCE SOUTH  $90^{\circ}00'00''$  EAST, 18.44 FEET; THENCE SOUTH  $00^{\circ}00'00''$  WEST, 2.65 FEET; THENCE SOUTH  $90^{\circ}00'00''$  EAST, 2.70 FEET; THENCE NORTH  $00^{\circ}00'00''$  EAST, 7.49 FEET; THENCE SOUTH  $90^{\circ}00'00''$  EAST, 19.88 FEET; THENCE SOUTH  $00^{\circ}00'00''$  WEST, 17.44 FEET TO A POINT HEREINAFTER REFERRED TO AS POINT "A"; THENCE NORTH  $90^{\circ}00'00''$  WEST, 15.25 FEET; THENCE SOUTH  $00^{\circ}00'00''$  WEST, 16.61 FEET; THENCE NORTH  $90^{\circ}00'00''$  WEST, 0.52 FEET; THENCE SOUTH  $00^{\circ}00'00''$  WEST, 3.17 FEET TO A POINT OF CURVE, THENCE SOUTHERLY AND WESTERLY ALONG A CURVED LINE CONVEX TO THE SOUTHEAST HAVING A RADIUS OF 4.0 FEET, AN ARC DISTANCE OF 6.29 FEET TO A POINT OF TANGENCY (THE CHORD OF SAID ARC BEARS SOUTH  $45^{\circ}00'07''$  WEST, 5.66 FEET), THENCE NORTH  $90^{\circ}00'00''$  WEST ALONG A LINE TANGENT TO SAID LAST DESCRIBED CURVED LINE AT SAID LAST DESCRIBED POINT, A DISTANCE OF 0.24 FEET; THENCE SOUTH  $00^{\circ}00'00''$  WEST, 4.88 FEET; THENCE SOUTH  $90^{\circ}00'00''$  EAST, 0.15 FEET; THENCE SOUTH  $00^{\circ}00'00''$  WEST, 7.45 FEET; THENCE NORTH  $90^{\circ}00'00''$  WEST, 2.0 FEET; THENCE SOUTH  $00^{\circ}00'00''$  WEST, 0.63 FEET; THENCE NORTH  $90^{\circ}00'00''$  WEST, 3.0 FEET; THENCE SOUTH  $00^{\circ}00'00''$  WEST, 7.70 FEET; THENCE NORTH  $85^{\circ}06'00''$  WEST, 20.52 FEET TO THE PLACE OF BEGINNING.

ALSO EXCEPT THAT PART OF SAID TRACT WHICH LIES ABOVE A HORIZONTAL PLANE HAVING AN ELEVATION OF +14.66 FEET AND WHICH LIES BELOW THE FOLLOWING DESCRIBED HORIZONTAL, INCLINING AND DECLINING PLANES AND IS BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT POINT "A" AFORESAID, SAID POINT HAVING AN ELEVATION OF +26.27 FEET; THENCE SOUTH  $00^{\circ}00'00''$  WEST ALONG A DECLINING PLANE, A DISTANCE OF 0.50 FEET TO A POINT HAVING AN ELEVATION OF +25.99 FEET; THENCE SOUTH  $90^{\circ}00'00''$  EAST ALONG A HORIZONTAL PLANE HAVING AN ELEVATION OF +25.99 FEET, A DISTANCE OF 3.25 FEET; THENCE SOUTH  $00^{\circ}00'00''$  WEST ALONG A DECLINING PLANE A DISTANCE OF 7.33 FEET TO A POINT HAVING AN ELEVATION OF 21.91 FEET; (THE FOLLOWING 6 COURSES AND DISTANCES ARE ALONG A HORIZONTAL PLANE HAVING AN ELEVATION OF +21.91 FEET) HENCE CONTINUING SOUTH  $00^{\circ}00'00''$  WEST, 1.62 FEET; THENCE NORTH  $90^{\circ}00'00''$  WEST, 2.76 FEET;

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THENCE SOUTH 00°-00'-00" WEST, 4.47 FEET; THENCE NORTH 90°-00'-00" WEST, 2.30 FEET; THENCE NORTH 00°-00'-00" EAST, 6.09 FEET; THENCE NORTH 90°-00'-00" WEST, 13.44 FEET; THENCE NORTH 00°-00'-00" EAST ALONG AN INCLINING PLANE, A DISTANCE OF 7.83 FEET TO A POINT HAVING AN ELEVATION OF +26.27 FEET; THENCE SOUTH 90°-00'-00" EAST ALONG A HORIZONTAL PLANE HAVING AN ELEVATION OF +26.27 FEET, A DISTANCE OF 15.25 FEET TO THE PLACE OF BEGINNING.

ALSO EXCEPT THAT PART OF SAID TRACT WHICH LIES ABOVE A HORIZONTAL PLANE HAVING AN ELEVATION OF +16.02 FEET AND WHICH LIES BELOW A HORIZONTAL PLANE HAVING AN ELEVATION OF +27.67 FEET AND IS BOUNDED AND DESCRIBED AS FOLLOWS; COMMENCING AT THE NORTHWEST CORNER OF SAID TRACT (THE NORTHWEST CORNER OF SAID TRACT ALSO BEING THE NORTHWEST CORNER OF SAID LOT 1); THENCE SOUTH 00°-01'-22" EAST ALONG THE WEST LINE OF SAID TRACT, A DISTANCE OF 1.37 FEET (THE WEST LINE OF SAID TRACT ALSO BEING THE EAST LINE OF N. WELLS STREET); THENCE SOUTH 89°-10'-43" EAST, 2.67 FEET TO THE PLACE OF BEGINNING; THENCE CONTINUING SOUTH 89°-10'-43" EAST, 15.54 FEET; THENCE SOUTH 00°-49'-17" WEST, 3.0 FEET; THENCE SOUTH 90°-00'-00" EAST, 9.87 FEET; THENCE SOUTH 00°-00'-00" WEST, 3.90 FEET; THENCE SOUTH 90°-00'-00" EAST, 11.56 FEET; THENCE SOUTH 00°-00'-00" WEST, 18.88 FEET; THENCE SOUTH 90°-00'-00" EAST, 21.21 FEET; THENCE SOUTH 00°-00'-00" WEST, 4.06 FEET; THENCE NORTH 90°-00'-00" WEST, 15.78 FEET; THENCE SOUTH 00°-00'-00" WEST, 31.15 FEET; THENCE NORTH 90°-00'-00" WEST, 18.05 FEET; THENCE SOUTH 00°-00'-00" WEST, 6.41 FEET; THENCE NORTH 90°-00'-00" WEST, 0.61 FEET; THENCE SOUTH 00°-00'-00" WEST, 2.95 FEET TO A POINT HERINAFTER REFERRED TO AS POINT "B"; THENCE NORTH 90°-00'-00" WEST, 17.81 FEET; THENCE NORTH 00°-00'-00" EAST, 3.49 FEET; THENCE NORTH 90°-00'-00" WEST, 7.17 FEET; THENCE NORTH 00°-00'-00" EAST, 8.0 FEET; THENCE SOUTH 90°-00'-00" EAST, 2.12 FEET; THENCE NORTH 00°-00'-00" EAST, 4.97 FEET; THENCE SOUTH 90°-00'-00" EAST, 1.42 FEET; THENCE NORTH 00°-00'-00" EAST, 4.18 FEET; THENCE NORTH 90°-00'-00" WEST, 1.39 FEET; THENCE NORTH 00°-00'-00" EAST, 4.90 FEET; THENCE NORTH 90°-00'-00" WEST, 2.15 FEET; THENCE NORTH 00°-00'-00" EAST, 8.06 FEET; THENCE SOUTH 90°-00'-00" EAST, 2.23 FEET; THENCE NORTH 00°-16'-41" EAST, 4.12 FEET; THENCE NORTH 90°-00'-00" WEST, 2.25 FEET; THENCE NORTH 00°-00'-00" EAST, 8.0 FEET; THENCE SOUTH 90°-00'-00" EAST, 2.22 FEET; THENCE NORTH 00°-10'-00" EAST, 4.92 FEET; THENCE SOUTH 90°-00'-00" EAST, 1.23 FEET; THENCE NORTH 00°-16'-22" WEST, 4.20 FEET; THENCE NORTH 90°-00'-00" WEST, 1.31 FEET; THENCE NORTH 00°-09'-57" WEST, 4.94 FEET; THENCE NORTH 90°-00'-00" WEST, 2.12 FEET; THENCE NORTH 00°-00'-00" EAST, 9.45 FEET; THENCE SOUTH 87°-23'-15" EAST, 1.32 FEET; THENCE NORTH 01°-14'-30" WEST TO THE PLACE OF BEGINNING.

ALSO EXCEPT THAT PART OF SAID TRACT WHICH LIES ABOVE A HORIZONTAL PLANE HAVING AN ELEVATION OF +15.25 FEET AND WHICH LIES BELOW A HORIZONTAL PLANE HAVING AN ELEVATION OF +16.02 FEET AND IS BOUNDED AND DESCRIBED AS FOLLOWS; COMMENCING AT POINT "B" AFORESAID; THENCE NORTH 90°-00'-00" WEST, 2.65 FEET TO THE PLACE OF BEGINNING; THENCE CONTINUING NORTH 90°-00'-00" WEST, 5.80 FEET; THENCE NORTH 00°-00'-00" EAST, 4.22 FEET; THENCE SOUTH 90°-00'-00" EAST, 5.80 FEET; THENCE SOUTH 00°-00'-00" WEST, 4.22 FEET TO THE PLACE OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

## PARCEL 2:

NON-EXCLUSIVE EASEMENTS FOR THE BENEFIT OF PARCELS 1 FOR INGRESS AND EGRESS NECESSARY FOR MAINTENANCE PURPOSES; STRUCTURAL SUPPORTS; USE OF FACILITIES;

SUPPORT, ENCLOSURE, USE AND MAINTENANCE WITH RESPECT TO WALLS AND HORIZONTAL SLABS ALONG COMMON BOUNDARIES; MINOR ENCROACHMENTS; USE OF THE LOADING DOCK, FIRST FLOOR BATHROOM AND THE ELEVATOR LOCATED ON THE SOUTHEAST SIDE OF THE BUILDING; TOGETHER WITH GENERAL INGRESS AND EGRESS RIGHTS NECESSARY FOR THE OPERATION OF PARCEL 1, AS SET FORTH IN AND CREATED BY ARTICLE II OF DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS FOR 182 WEST LAKE, CHICAGO, ILLINOIS, RECORDED AS DOCUMENT 0634109064 IN COOK COUNTY, ILLINOIS.

AMENDMENTS TO THE DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS RECORDED DECEMBER 17, 2013 AS DOCUMENT NUMBER 1335110077 AND RECORDED DECEMBER 17, 2013 AS DOCUMENT NUMBER 1335722047.