

UNOFFICIAL COPY



Doc# 2118022009 Fee \$88.00

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

KAREN A. YARBROUGH

COOK COUNTY CLERK

DATE: 06/29/2021 09:45 AM PG: 1 OF 6

UPON RECORDATION RETURN TO:

Mayer Brown LLP
1221 Avenue of the Americas
New York, NY 10020-1001
Attn: Michael Kahn, Esq.
1024843-B

ASSIGNMENT OF ASSIGNMENT OF LEASES AND RENTS

FOR VALUABLE CONSIDERATION, the receipt and sufficiency of which is hereby acknowledged, **BANK OF AMERICA, N.A.**, as collateral agent for the benefit of the Pari Passu Secured Parties (as defined in the Assignment of Leases (as defined below)) (“**Assignor**”), having an office located at 101 North Tryon Street NC1-001-05-45, Charlotte, North Carolina 28255, does hereby grant, bargain, sell, convey, assign, transfer, and set over to **GLAS AMERICAS LLC**, a limited liability company organized and existing under the laws of the State of New York, as collateral agent for the Pari Passu Secured Parties (in such capacity, together with its successors and assigns in such capacity, the “**Assignee**”), having an address at 3 Second Street, Suite 206, Jersey City, New Jersey 07311, all of Assignor’s right, title and interest, in and to the following:

ASSIGNMENT OF LEASES AND RENTS, dated as of December 11, 2020 (the “**Assignment of Leases**”), by Plaza at Countryside, LLC an Indiana limited liability company to Assignor, recorded on December 18, 2020 as Document Number 2035319004, in the office of the County Recorder, Cook County, Illinois, affecting the real property described on Exhibit A attached hereto.

TO HAVE AND TO HOLD the same unto Assignee and to the successors, legal representatives and assigns of Assignee forever. In connection with said assignment, Assignor makes no representations and/or warranties of any kind except to the extent set forth in that certain Agent Resignation and Appointment Agreement (Collateral Agency) dated as June 21, 2021 between Assignor and Assignee. The foregoing document is being transferred “as is, where is” and without recourse to Assignor.

(The remainder of this page has been intentionally left blank.)

UNOFFICIAL COPY

IN WITNESS WHEREOF, Assignor has duly executed this Assignment as of June
21, 2021.

ASSIGNOR:

BANK OF AMERICA, N.A., as Collateral Agent

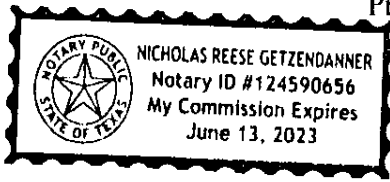
By: *Roger C. Davis*
Name: Roger C. Davis
Title: Senior Vice President

STATE OF TX)
COUNTY OF Coll)

This instrument was acknowledged before me, the undersigned Notary Public, on the 29 day of May, 2021, by Roger C. Davis, who personally appeared and is known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity as Senior Vice President of BANK OF AMERICA, N.A., and that by his/her signature on the instrument, the entity upon behalf of which he/she acted, executed the instrument.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Nicholas Reese Getzendanner



Printed: *Nicholas Reese Getzendanner*
Residing in *Mitchell TX*
My Commission Expires: *6/13/23*

UNOFFICIAL COPY

EXHIBIT A

Legal Description

Tax Parcel IDs: 18-16-111-012-0000; 18-16-301-013-0000; 18-16-301-006-0000

Appraisal Address: 20 Countryside Plaza, Countryside, Illinois 60525

Flood Addresses: 11, 20, 72 Countryside Plaza, Countryside, Illinois 60525

Real property in the City of Countryside, County of Cook, State of Illinois, described as follows:

PARCEL 1:

A PART OF LAGRANGE GARDEN HOMES AND 59TH STREET AS VACATED IN THE WEST 1/2 OF SECTION 16, TOWNSHIP 38 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE WEST RIGHT OF WAY LINE OF LAGRANGE ROAD AND THE NORTH RIGHT OF WAY LINE OF 59TH STREET AS VACATED; THENCE DUE SOUTH 80.00 FEET ALONG LAST SAID WEST RIGHT OF WAY LINE; THENCE NORTH 89 DEGREES, 45 MINUTES, 22 SECONDS, WEST 760.19 FEET ALONG THE SOUTH RIGHT OF WAY LINE OF 59TH STREET AS VACATED FOR A PLACE OF BEGINNING; THENCE CONTINUING NORTH 89 DEGREES, 45 MINUTES, 22 SECONDS, WEST 524.48 FEET TO THE WEST LINE OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 16; THENCE NORTH 00 DEGREES, 02 MINUTES, 05 SECONDS WEST 40 FEET; THENCE NORTH 89 DEGREES, 45 MINUTES, 22 SECONDS WEST 2.29 FEET TO THE WEST LINE OF THE EAST 1,337 FEET OF THE NORTHWEST 1/4 OF SAID SECTION 16; THENCE NORTH 00 DEGREES, 00 MINUTES, 00 SECONDS EAST 611.88 FEET TO THE SOUTH LINE OF THE NORTH 22 ACRES OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 16; THENCE SOUTH 89 DEGREES, 41 MINUTES, 19 SECONDS EAST 542.55 FEET ALONG THE LAST SAID SOUTH LINE; THENCE SOUTH 00 DEGREES, 17 MINUTES, 32 SECONDS WEST 351.23 FEET; THENCE NORTH 89 DEGREES, 44 MINUTES, 56 SECONDS WEST 21.62 FEET; THENCE SOUTH 00 DEGREES, 15 MINUTES, 04 SECONDS WEST 62 FEET; THENCE SOUTH 89 DEGREES, 44 MINUTES, 56 SECONDS EAST 9 FEET; THENCE SOUTH 00 DEGREES, 15 MINUTES, 04 SECONDS WEST 238.01 FEET TO THE PLACE OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

PARCEL 2:

NON-EXCLUSIVE EASEMENTS FOR THE BENEFIT OF PARCEL 1 FOR THE PURPOSES OF INGRESS AND EGRESS; PASSAGE OF VEHICLES OVER THE PARKING AREAS, DRIVEWAYS, AISLES AND ENTRYWAYS AND SERVICE DRIVE; PARKING OF VEHICLES IN THE DESIGNATED PARKING AREAS AND SHOWN ON THE SITE PLAN; PASSAGE OF PEDESTRIANS IN PEDESTRIAN WALKWAYS, SIDEWALKS AND PARKING AREAS; THE DEPOSIT AND RETENTION OF STORM WATER ON THE AREA LABELED "RETENTION BASIN"; THE INSTALLATION, USE, OPERATION, MAINTENANCE, REPAIR, REPLACEMENT, RELOCATION AND REMOVAL OF UTILITY

UNOFFICIAL COPY

FACILITIES; THE MAINTAINING OF THE PARTY WALLS; AND SELF-HELP IN EXERCISING ANY RIGHT CREATED BY THE AGREEMENT OR ANY RIGHT TO INSTALL, CONSTRUCT, REPAIR, MAINTAIN, RELOCATE AND REMOVE ANY AND ALL COMMON AREA IMPROVEMENTS THAT THE DEVELOPER IS REQUIRED TO CONSTRUCT, REPAIR, MAINTAIN, RELOCATE AND REMOVE UNDER THE AGREEMENT BUT FAILS OR REFUSES TO DO, AS CREATED BY GRANT OF EASEMENTS, CONTAINED IN CONSTRUCTION, OPERATION AND RECIPROCAL EASEMENT AGREEMENT DATED AS OF AUGUST 19, 1988 AND RECORDED AUGUST 26, 1988 AS DOCUMENT NUMBER 88390544 BY AND BETWEEN LAGRANGE DEVELOPMENT COMPANY, AN INDIANA LIMITED PARTNERSHIP, AND KMART CORPORATION, A MICHIGAN CORPORATION; AND ASSIGNMENT AND ASSUMPTION AGREEMENT DATED AS OF DECEMBER 1, 1993 RECORDED JANUARY 7, 1994 AS DOCUMENT NUMBER 94022301 BY AND BETWEEN LAGRANGE DEVELOPMENT COMPANY LIMITED PARTNERSHIP, FORMERLY KNOWN AS LAGRANGE DEVELOPMENT COMPANY, AN INDIANA LIMITED PARTNERSHIP AND SIMON PROPERTY GROUP (ILLINOIS), L.P., AN ILLINOIS LIMITED PARTNERSHIP.

PARCEL 3:

THE NORTH THREE-QUARTERS OF LOT 11 (EXCEPT THE EAST 2 RODS OF THE NORTH 18 RODS THEREOF) IN SCHOOL TRUSTEES SUBDIVISION OF SECTION 16, TOWNSHIP 38 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, EXCEPT THEREFROM THAT PART DEDICATED FOR LAGRANGE ROAD AND 60TH PLACE BY PLAT OF DEDICATION RECORDED JANUARY 31, 1977 AS DOCUMENT NUMBER 23895144, AND EXCEPTING THEREFROM THE SOUTH ONE-HALF OF THE RIGHT OF WAY OF VACATED 59TH STREET LYING WEST OF THE WEST LINE OF LAGRANGE ROAD AND EAST OF THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 38 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, CONVEYED BY DEED RECORDED JULY 1, 1987 AS DOCUMENT NUMBER 87360087, IN COOK COUNTY, ILLINOIS.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED TRACT OF LAND:

THAT PART OF THE NORTH THREE-QUARTER OF LOT 11 IN SCHOOL TRUSTEES SUBDIVISION OF SECTION 16, TOWNSHIP 38 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT, SAID POINT BEING 50.0 FEET WEST OF THE EAST LINE OF LOT 11 AND 33.0 FEET NORTH OF THE SOUTH LINE OF NORTH 3/4 OF LOT 11; THENCE WEST ALONG A LINE WHICH IS PARALLEL TO AND 33.0 FEET NORTH OF THE SOUTH LINE OF THE NORTH 3/4 OF LOT 11, BEARING NORTH 89 DEGREES 45 MINUTES 58 SECONDS WEST, A DISTANCE OF 819.0 FEET TO A POINT; THENCE NORTH ALONG A LINE PARALLEL WITH THE EAST LINE OF LOT 11, BEARING NORTH 0 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 100.0 FEET TO A POINT; THENCE EAST ALONG A LINE PARALLEL TO THE SOUTH LINE OF THE NORTH 3/4 OF LOT 11,

UNOFFICIAL COPY

BEARING SOUTH 89 DEGREES 45 MINUTES 58 SECONDS EAST, A DISTANCE OF 160.0 FEET TO A POINT; THENCE NORTH ALONG A LINE PERPENDICULAR TO THE SOUTH LINE OF THE NORTH 3/4 OF LOT 11, BEARING NORTH 00 DEGREES 14 MINUTES 02 SECONDS EAST, A DISTANCE OF 157 FEET TO A POINT; THENCE WEST ALONG A LINE PARALLEL WITH THE SOUTH LINE OF THE NORTH 3/4 OF LOT 11, BEARING NORTH 89 DEGREES 45 MINUTES 58 SECONDS WEST, A DISTANCE OF 15.0 FEET TO A POINT; THENCE NORTH ALONG A LINE PARALLEL TO THE EAST LINE OF LOT 11, BEARING NORTH 0 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 631.58 FEET TO A POINT; THENCE EAST ALONG A LINE PARALLEL WITH THE SOUTH LINE OF THE NORTH 3/4 OF LOT 11, BEARING SOUTH 89 DEGREES 45 MINUTES 58 SECONDS EAST, A DISTANCE OF 299.36 FEET TO A POINT; THENCE SOUTH ALONG A LINE PARALLEL TO THE EAST LINE OF LOT 11, BEARING SOUTH 0 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 218.58 FEET TO A POINT; THENCE EAST ALONG A LINE PARALLEL WITH THE SOUTH LINE OF THE NORTH 3/4 OF LOT 11, BEARING SOUTH 89 DEGREES 45 MINUTES 58 SECONDS EAST, A DISTANCE OF 174.0 FEET TO A POINT; THENCE NORTH ALONG A LINE PARALLEL TO THE EAST LINE OF LOT 11, BEARING NORTH 0 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 38.0 FEET TO A POINT; THENCE EAST ALONG A LINE PARALLEL TO THE SOUTH LINE OF THE NORTH 3/4 OF LOT 11, BEARING SOUTH 89 DEGREES 45 MINUTES 58 SECONDS EAST, A DISTANCE OF 200.0 FEET TO A POINT ON A LINE 50.0 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF LOT 11; THENCE SOUTH ALONG SAID LINE, BEARING SOUTH 0 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 708.0 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM THE FOLLOWING DESCRIBED TRACT OF LAND:

THAT PART OF THE NORTH THREE-QUARTERS OF LOT 11 (EXCEPT THE EAST 2 RODS OF THE NORTH 18 RODS THEREOF) IN SCHOOL TRUSTEES SUBDIVISION OF SECTION 16, TOWNSHIP 38 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, EXCEPT THEREFROM THAT PART DEDICATED FOR LAGRANGE ROAD AND 60TH PLACE BY PLAT OF DEDICATION RECORDED JANUARY 31, 1977 AS DOCUMENT NUMBER 23805144, AND EXCEPTING THEREFROM THE SOUTH ONE-HALF OF THE RIGHT OF WAY OF VACATED 59TH STREET LYING WEST OF THE WEST LINE OF LAGRANGE ROAD AND EAST OF THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 38 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, CONVEYED BY DEED RECORDED JULY 1, 1987 AS DOCUMENT NUMBER 87360087, IN COOK COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 11.84 FEET SOUTH AND 20.98 FEET WEST OF THE NORTHEAST CORNER OF THE ABOVE REFERENCED TRACT; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST 86.00 FEET; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST 33 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST 9.00 FEET; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST 32.00 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS WEST 61.00 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST 86.00 FEET;

UNOFFICIAL COPY

THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST 126.00 FEET TO THE PLACE OF BEGINNING.

THE FOREGOING SECOND LESS AND EXCEPT PARCEL IS ALSO DESCRIBED AS:

A PART OF THE NORTH THREE-QUARTERS OF LOT 11 IN SCHOOL TRUSTEES SUBDIVISION OF SECTION 16, TOWNSHIP 38 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE WEST RIGHT OF WAY LINE OF LAGRANGE ROAD AND THE SOUTH RIGHT OF WAY OF VACATED 59TH STREET; THENCE N89°44'01"W ALONG SAID SOUTH RIGHT OF WAY LINE A DISTANCE OF 16.32 FEET; THENCE S00°15'59"W, A DISTANCE OF 12.20 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S00°15'59"W, A DISTANCE OF 86.00 FEET; THENCE N89°44'01"W, A DISTANCE OF 49.00 FEET; THENCE S00°15'59"W, A DISTANCE OF 9.00 FEET; THENCE N89°44'01"W, A DISTANCE OF 32.00 FEET; THENCE N00°15'59"E, A DISTANCE OF 9.00 FEET; THENCE N89°44'01"W, A DISTANCE OF 45.00 FEET; THENCE N00°15'59"E, A DISTANCE OF 86.00 FEET; THENCE S89°44'01"E, A DISTANCE OF 126.00 FEET TO THE POINT OF BEGINNING.

PARCEL 4:

NON-EXCLUSIVE EASEMENTS FOR THE BENEFIT OF PARCEL 3 FOR INGRESS AND EGRESS, PARKING, UTILITIES AND CONSTRUCTION, RECONSTRUCTION, ERECTION AND MAINTENANCE OF FOUNDATIONS, FOOTINGS, SUPPORTS, CANOPIES, ROOFS AND OTHER OVERHANGS AND OTHER SIMILAR APPURTENANCES TO THE ABOVE DESCRIBED LAND, CREATED, DEFINED, LIMITED AND GRANTED BY THE CERTAIN CONSTRUCTION, OPERATION AND RECIPROCAL EASEMENT AGREEMENT DATED DECEMBER 30, 1976 BY AND BETWEEN LAGRANGE DEVELOPMENT COMPANY, AN INDIANA LIMITED PARTNERSHIP, AND THE MAY DEPARTMENT STORES COMPANY, A NEW YORK CORPORATION, RECORDED FEBRUARY 24, 1977 AS DOCUMENT NUMBER 23830713 AS AMENDED BY FIRST AMENDMENT THERETO DATED MARCH 10, 1980 AND RECORDED MARCH 13, 1980 AS DOCUMENT NUMBER 25390400; AS AMENDED BY SECOND AMENDMENT THERETO DATED NOVEMBER 20, 1985 AND RECORDED JANUARY 28, 1986, AS DOCUMENT NUMBER 86037341 AND AS AMENDED BY THIRD AMENDMENT THERETO DATED NOVEMBER 28, 1989 RECORDED DECEMBER 4, 1989 AS DOCUMENT NUMBER 89575692; AND ASSIGNMENT AND ASSUMPTION AGREEMENT DATED AS OF DECEMBER 1, 1993 RECORDED JANUARY 7, 1994 AS DOCUMENT NUMBER 94022301 BY AND BETWEEN LAGRANGE DEVELOPMENT COMPANY LIMITED PARTNERSHIP, FORMERLY KNOWN AS LAGRANGE DEVELOPMENT COMPANY, AN INDIANA LIMITED PARTNERSHIP AND SIMON PROPERTY GROUP (ILLINOIS), L.P., AN ILLINOIS LIMITED PARTNERSHIP; AS AMENDED BY FOURTH AMENDMENT THERETO DATED JUNE 6, 2003 AND RECORDED JULY 2, 2003 AS DOCUMENT NUMBER 0318327061; AS AMENDED BY FIFTH AMENDMENT THERETO DATED SEPTEMBER 24, 2004 AND RECORDED DECEMBER 14, 2004 AS DOCUMENT NUMBER 0434919001.