



Doc# 2219557016 Fee \$63.00

SHSP FEE:\$9.00 RPRF FEE: \$1.00

KAREN A. YARBROUGH

COOK COUNTY CLERK

DATE: 07/14/2022 10:42 AM PG: 1 OF 7

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

Address of Property: 2718 W. Roscoe St. and 3401 N. California Ave., Chicago, IL 60618

Permanent Parcel Number(s) : 13-24-400-006-0000, 13-24-400-008-0000, 13-24-400-009-0000,
13-24-404-005-0000, 13-24-404-007-0000, 13-24-404-010-0000, 13-24-404-013-0000,
13-24-404-035-0000, 13-24-405-001-0000, 13-24-405-002-0000, 13-24-405-003-0000,
13-24-405-004-0000

Loan #AC-IL-DP-21-018-0280-002
(Riverview at Roscoe)

FIRST AMENDMENT TO MORTGAGE WITH ASSIGNMENT OF LEASES AND RENTS, SECURITY AGREEMENT AND FIXTURE FILING

This First Amendment to Mortgage With Assignment of Leases and Rents, Security Agreement and Fixture Filing (this "*First Amendment*") is made and entered into effective the 31st day of March, 2022, by and among **WMS Property, LLC**, an Illinois limited liability company ("*Mortgagor*"), and **A10 Bridge Asset Financing 2021-D, LLC**, a Delaware limited liability company ("*Note A Holder*", in such capacity and on behalf of the Note B Holder (as defined in the Loan Agreement), together with their respective successors and/or assigns, collectively referred to herein as the "*Mortgagee*").

RECITALS:

This First Amendment is entered into upon the basis of the following facts and understandings of the parties:

A. Mortgagor executed a Mortgage With Assignment of Leases and Rents, Security Agreement and Fixture Filing dated June 30, 2021 (the "*Original Mortgage*"), encumbering Mortgagor's fee simple interest in certain real property commonly known as 2718 W. Roscoe St. and 3401 N. California Ave., Chicago, Illinois 60618, and more particularly described on Exhibit A attached hereto and incorporated herein by this reference (the "*Mortgaged Property*"), evidencing Mortgagee's lien and security interest in the Mortgaged Property and other obligations of Mortgagor under the Original Mortgage. The Original Mortgage was recorded July 6, 2021, with the Cook County Clerk, Illinois, as Document #2118747030, and was assigned pursuant to that certain Assignment of Mortgage and Loan Documents made as of

UNOFFICIAL COPY

November 4, 2021, by A10 Capital, LLC, as Note A Holder, as assignor, and A10 REIT, LLC, as assignee, recorded November 10, 2021 with the Cook County Clerk, Illinois, as Document #2131419003, as further assigned pursuant to that certain Assignment of Mortgage and Loan Documents made as of November 4, 2021, by A10 REIT, LLC, as Note A Holder, as assignor, and A10 Revolving Asset Financing I, LLC, as assignee, recorded November 10, 2021 with the Cook County Clerk, Illinois, as Document #2131419005, as re-recorded with attached Scrivener's Affidavit on November 22, 2021 with the Cook County Clerk, Illinois, as Document #213257012, and as further assigned pursuant to that certain Assignment of Mortgage and Loan Documents made as of January 20, 2022, by A10 Revolving Asset Financing I, LLC, as Note A Holder, as assignor, and A10 Bridge Asset Financing 2021-D, LLC, as assignee, recorded February 2, 2022, with the Cook County Clerk, Illinois, as Document #2203315012 (together with the Original Mortgage, collectively referred to herein as the "**Mortgage**");

- B. The Original Mortgage incorrectly defines the Mortgagor and the Mortgagee; and
- C. The parties desire to amend the Mortgage to correctly define the Mortgagor and the Mortgagee as of the date hereof.

AGREEMENT:

NOW, THEREFORE, in consideration of the mutual promises contained herein, and other good and valuable consideration, the receipt and sufficiency of which are unconditionally acknowledged, and upon the recitals set forth above which are incorporated herein by this reference, the parties hereto mutually agree as follows:

1. The Mortgage is hereby modified as follows:
 - a. The opening paragraph of the Original Mortgage is hereby deleted in its entirety and replaced with the following:

THIS MORTGAGE WITH ASSIGNMENT OF LEASES AND RENTS, SECURITY AGREEMENT AND FIXTURE FILING (this "**Mortgage**") is made effective as of June 30, 2021, by **WMS Property, LLC**, an Illinois limited liability company (the "**Mortgagor**"), for the benefit of **A10 Capital, LLC**, a Delaware limited liability company ("**Note A Holder**", in such capacity and on behalf of the Note B Holder (as defined in the Loan Agreement), together with their respective successors and/or assigns, collectively referred to herein as the "**Mortgagee**").

- b. As of the date hereof, the "**Mortgagee**" under the Mortgage is: "**A10 Bridge Asset Financing 2021-D, LLC**, a Delaware limited liability company ("**Note A Holder**", in such capacity and on behalf of the Note B Holder (as defined in the Loan Agreement), together with their respective successors and/or assigns, collectively referred to herein as the "**Mortgagee**").

UNOFFICIAL COPY

EXHIBIT A
TO
FIRST AMENDMENT

Legal Description of Mortgaged Property

PARCEL 1:

THE SOUTH 250 FEET OF THE NORTH 769.22 FEET OF THE SOUTH 1238.50 FEET OF THE WEST 333 FEET (EXCEPT THE WEST 33 FEET TAKEN FOR NORTH CALIFORNIA AVENUE) OF THE SOUTH EAST 1/4 OF SECTION 24, TOWNSHIP 40 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN BEING PART OF LOT 14 IN COUNTY CLERK'S DIVISION OF UNSUBDIVIDED LANDS AND PART OF BLOCK 2 AND VACATED ALLEY IN ELECTRIC PARK SUBDIVISION BOTH IN THE SOUTH EAST 1/4 OF SECTION 24, TOWNSHIP 40 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS;

PARCEL 2:

LOT 25 IN BELMONT AND ELSTON AVENUE ADDITION TO CHICAGO BEING A SUBDIVISION IN THE SOUTH 1/2 OF SECTION 24, TOWNSHIP 40 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS;

PARCEL 3:

LOTS 21, 22, 23 AND 24 IN BELMONT AND ELSTON AVENUE ADDITION TO CHICAGO, BEING A SUBDIVISION IN THE SOUTH 1/2 OF SECTION 24, TOWNSHIP 40 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 6, 1891, AS DOCUMENT NUMBER 1564100 IN BOOK 53 OF PLATS, PAGE 14

PARCEL 4:

THE SOUTH 180.00 FEET OF THE WEST 174.00 FEET OF THE NORTH 519.22 FEET OF THE SOUTH 1238.50 FEET (EXCEPT THE WEST 33.00 FEET THEREOF TAKEN FOR CALIFORNIA AVENUE) OF THE SOUTHEAST 1/4 OF SECTION 24, TOWNSHIP 40 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 5:

THE EAST 208.00 FEET OF THE WEST 382.00 FEET OF THE SOUTH 180.00 FEET OF THE NORTH 519.22 FEET OF THE SOUTH 1238.50 FEET OF THE SOUTHEAST 1/4 OF SECTION 24, TOWNSHIP 40 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, BEING PART OF THE LOT 14 IN COUNTY CLERK DIVISION OF SUBDIVIDED LANDS AND PART OF BLOCK 2 AND VACATED ALLEY IN ELECTRIC

UNOFFICIAL COPY

PARK SUBDIVISION, BOTH IN THE SOUTHEAST 1/4 OF SECTION 24, IN COOK COUNTY, ILLINOIS.

PARCEL 6:

A TRACT OF LAND, LYING WEST OF A LINE WHICH IS 389 FEET AND 3 INCHES (MEASURED ALONG THE NORTHLINE OF WEST ROSCOE STREET) EAST OF THE EAST LINE OF NORTH CALIFORNIA AVENUE AND WHICH RUNS NORTH FROM AND AT RIGHT ANGLES TO THE SAID NORTH LINE OF WEST ROSCOE STREET WHICH TRACT OF LAND AFORESAID IS CONTAINED IN THE FOLLOWING DESCRIBED LAND: COMMENCING AT A POINT IN THE NORTH AND SOUTH CENTER LINE OF SECTION 24, TOWNSHIP 40 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, 1238.5 FEET NORTH OF THE SOUTH LINE OF SAID SECTION RUNNING; THENCE EAST TO A POINT ON OR NEAR THE WEST BANK OF THE NORTH BRANCH OF THE CHICAGO RIVER AND DISTANCE FROM THE POINT OF BEGINNING 719.2 FEET; THENCE NORTH 7 DEGREES 30 MINUTES WEST, 303.5 FEET TO A POINT WEST OF SAID NORTH BRANCH OF THE CHICAGO RIVER; THENCE WEST 679.2 FEET TO SAID NORTH AND SOUTH CENTER LINE OF SAID SECTION 24; THENCE SOUTH ALONG SAID NORTH AND SOUTH CENTER LINE 300 FEET TO THE POINT OF BEGINNING, (EXCEPTING FROM THE SAID TRACT THE WEST 33 FEET TAKEN FOR NORTH CALIFORNIA AVENUE AND THE SOUTH 33 FEET TAKEN FOR ROSCOE STREET), IN COOK COUNTY, ILLINOIS.

PARCEL 7:

THE NORTH 56 FEET OF THE SOUTH 1594.4 FEET OF THE SOUTH EAST 1/4 OF SECTION 24, TOWNSHIP 40 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING WEST OF THE NORTH BRANCH OF THE CHICAGO RIVER AS ESTABLISHED AND USED BY THE SANITARY DISTRICT OF CHICAGO, AND EAST OF A LINE 308.77 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID SOUTH EAST 1/4 OF SECTION 24, BEING A PART OF LOT 17 IN THE COUNTY CLERK'S DIVISION OF UNSUBDIVIDED LANDS IN THE SOUTH EAST 1/4 OF SAID SECTION 24, IN COOK COUNTY, ILLINOIS.

PARCEL 8:

A TRACT OF LAND LYING EAST OF A LINE WHICH IS 389 FEET 3 INCHES (MEASURED ALONG THE NORTH LINE OF WEST ROSCOE STREET) EAST OF THE EAST LINE OF NORTH CALIFORNIA AVENUE AND WHICH RUNS NORTH FROM AND AT RIGHT ANGLES TO SAID NORTH LINE OF WEST ROSCOE STREET, WHICH TRACT OF LAND AFORESAID IS CONTAINED IN THE FOLLOWING DESCRIBED LAND: COMMENCING AT A POINT IN THE NORTH AND SOUTH CENTER LINE OF SECTION 24, TOWNSHIP 40 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, 1238.5 FEET NORTH OF THE SOUTH LINE OF SAID SECTION, RUNNING THENCE EAST TO A POINT ON OR NEAR THE WEST BANK OF THE NORTH BRANCH OF THE CHICAGO RIVER AND DISTANT FROM THE POINT OF BEGINNING, 719.2

UNOFFICIAL COPY

FEET; THENCE NORTH 7 DEGREES 30 MINUTES WEST 303.5 FEET TO A POINT WEST OF SAID NORTH BRANCH OF THE CHICAGO RIVER; THENCE WEST 679.2 FEET TO SAID NORTH AND SOUTH CENTER LINE OF SAID SECTION; THENCE SOUTH AND ALONG SAID NORTH AND SOUTH CENTER LINE 300 FEET TO THE POINT OF BEGINNING (EXCEPT FROM SAID TRACT OF LAND THE EAST 91.9 FEET OF SAID PREMISES TAKEN AND APPROPRIATED FOR THE PURPOSE OF STRAIGHTENING SAID NORTH BRANCH OF THE CHICAGO RIVER AND ALSO EXCEPTING THEREFROM THE SOUTH 33 FEET THEREOF DEDICATED FOR STREET PURPOSES SEPTEMBER 12, 1894) IN COOK COUNTY, ILLINOIS.

PARCEL 9:

LOT 20 IN THE BOATYARD AT BELMONT AND THE RIVER SUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTHEAST 1/4 OF SECTION 24, TOWNSHIP 40 NORTH RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AS DOCUMENT 08163174, IN COOK COUNTY, ILLINOIS

Permanent Parcel Number(s): 13-24-400-006-0000, 13-24-400-008-0000, 13-24-400-009-0000, 13-24-404-005-0000, 13-24-404-007-0000, 13-24-404-010-0000, 13-24-404-013-0000, 13-24-404-035-0000, 13-24-405-001-0000, 13-24-405-002-0000, 13-24-405-003-0000, 13-24-405-004-0000

Street Address: 2718 W. Roscoe St. and 3401 N. California Ave., Chicago, IL 60618