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Doc#: 2303813113 Fee: \$98.00
Karen A. Yarbrough
Cook County Clerk
Date: 02/07/2023 10:13 AM Pg: 1 of 7

PREPARED BY AND UPON
RECORDING RETURN TO:
THOMAS R. RAINES
20 N. WACKER DRIVE, SUITE 556
CHICAGO, ILLINOIS 60606

Recorder's Office

SUBORDINATION FORM AGREEMENT

NOW COMES Brighton Industrial Park LLC, a Delaware limited liability company, the owner for the real estate commonly known as 2959 W. 47th Street, Chicago, Illinois 60632 (the "Property"), and hereby represents unto the City of Chicago, that it will complete or cause to be completed all repairs to said real estate as more fully set forth in case number 17 M1 402575, being a complaint filed by the City of Chicago relating to building violations existing in and upon said real estate, which complaints are presently pending in the Circuit Court of Cook County, Illinois.

That in consideration of the Affidavit of Mr. Daniel Espinoza, Authorized Signatory of Brighton Industrial Park, LLC, this day presented to the City of Chicago, the City of Chicago hereby subordinates Cook County Circuit Court case number 17 M1 402575 and the lien arising therefrom, any actions, claims, and any amounts owed with respect thereto as set forth in that certain Agreed Order of Injunction and Judgement recorded on April 1, 2021 as Document Number 2109155006, to the lien of DBR Investments Co. Limited (together with its successors and/or assigns, "Lender") and to the payment to Lender of the loan in the original principal amount of \$9,664,000.00 as evidenced by that certain Mortgage, Assignment of Leases and Rents and Security Agreement dated as of January 6, 2022, and recorded with the Cook County, Illinois Clerk's Office on ~~February~~ 1, 2023, as Document No. 2303215024 for the purpose of satisfying the requirements of Lender and permitting Old Republic National Title Insurance Company ("Title Company") to insure over the title objection specified in its Commitment for Title Insurance File Number# NCT22012223-2 relating to the building violations suits heretofore filed by the City of Chicago as case number 17 M1 402575 in the Circuit Court of Cook County, Illinois, which suits pertain to the real estate commonly known as 2959 W. 47th Street, Chicago, Illinois 60632, which real estate is legally described in Exhibit "A" attached hereto and made a part hereof. City of Chicago's agreement contained herein to so subordinate said cases is absolute and unconditional.

[signatures on following page]

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Dated: January 30, 2023.

BRIGHTON INDUSTRIAL PARK LLC,
a Delaware limited liability company

By: HYPERION CONSOLIDATED HOLDINGS
LLC, a Delaware limited liability company
Its: Sole Member

By: SEQUOIA MANAGEMENT, INC., an
Illinois corporation
Its: Sole Manager

By: *Daniel Espinoza-Reyna*
Daniel Espinoza-Reyna
Authorized Signatory

CITY OF CHICAGO, an Illinois
municipal corporation

By: *Steven Q Mykenta*
Name: *Steven Q Mykenta*
Title: *Special Agent in Charge*
603
90909

Corporation Counsel
Attorney for Plaintiff
2 N. LaSalle Street, Suite 320
Chicago, IL 60602

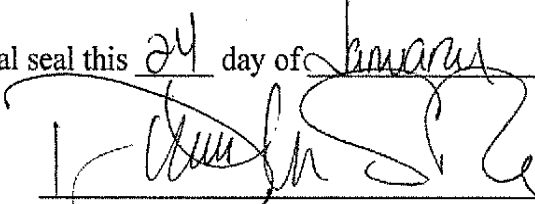
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STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

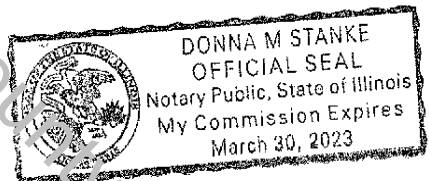
The undersigned, a Notary Public in and for the said County, in the State aforesaid, DO HEREBY CERTIFY that Daniel Espinoza-Reyna, the Authorized Signatory of **BRIGHTON INDUSTRIAL PARK LLC**, a Delaware limited liability company, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument as such authorized signatory appeared before me this day in person and acknowledged that he/she signed and delivered the said instrument as his/her own free and voluntary act and as the free and voluntary act of the company for the use and purposes therein set forth.

GIVEN under my hand and notarial seal this 24 day of January, 2023.



Notary Public

My Commission Expires:



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STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

The undersigned, a Notary Public in and for the said County, in the State aforesaid, DO HEREBY CERTIFY that Steven Q. McKeon, the Assistant Corp. Counsel of the CITY OF CHICAGO, an Illinois municipal corporation, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument as such assistant corporation counsel appeared before me this day in person and acknowledged that he/she signed and delivered the said instrument as his/her own free and voluntary act and as the free and voluntary act of the company for the use and purposes therein set forth.

GIVEN under my hand and notarial seal this 26th day of January, 2023.

[Signature]

Notary Public



My Commission Expires: 2/27/23

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EXHIBIT A

LEGAL DESCRIPTION

PARCEL 1:

THAT PART OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE NORTH LINE OF SAID 1/4 SECTION, 1289.5 FEET EAST OF THE NORTHWEST CORNER THEREOF; THENCE SOUTH ON A LINE 1289.5 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID 1/4 SECTION, A DISTANCE OF 626 FEET; THENCE EAST ON A LINE PARALLEL WITH THE NORTH LINE OF SAID 1/4 SECTION, A DISTANCE OF 10 FEET; THENCE SOUTH ON A LINE 1299.5 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID 1/4 SECTION, A DISTANCE OF 173.52 FEET TO ITS INTERSECTION WITH THE NORTHERLY LINE OF A PARCEL OF LAND CONVEYED TO THE MICHIGAN CENTRAL RAILROAD COMPANY BY DEED RECORDED MAY 2, 1924 AS DOCUMENT 8396743 THENCE SOUTHEASTERLY ALONG THE NORTHERLY LINE OF SAID TRACT, SAID LINE BEING A STRAIGHTLINE, MAKING AN ANGLE WITH THE FIRST COURSE EXTENDED OF 42 DEGREES, 42-1/2 MINUTES, A DISTANCE OF 41 FEET, MORE OR LESS, TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF A PARCEL OF LAND CONVEYED TO THE CHICAGO RIVER AND INDIANA RAILROAD COMPANY BY DEED RECORDED AS DOCUMENT 6681798; THENCE NORTHEASTERLY ALONG SAID WESTERLY RIGHT OF WAY LINE, BEING A CURVED LINE CONVEX TO THE NORTHWEST AND HAVING A RADIUS OF 297 FEET TO A POINT 678 FEET SOUTH OF THE NORTH LINE OF SAID 1/4 SECTION; THENCE CONTINUING ALONG THE WESTERLY LINE OF SAID RIGHT OF WAY ON A STRAIGHT LINE TO ITS INTERSECTION WITH A LINE 626 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID 1/4 SECTION AT A POINT 1251 FEET WEST OF THE EAST LINE OF SAID 1/4 SECTION; THENCE EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 34 FEET TO ITS INTERSECTION WITH A LINE 1217 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID 1/4 SECTION; THENCE NORTH ON SAID PARALLEL LINE, A DISTANCE OF 10 FEET; THENCE WEST ON A LINE PARALLEL WITH THE NORTH LINE OF SAID 1/4 SECTION, A DISTANCE OF 27 FEET; THENCE NORTH ON A LINE 1244 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID 1/4 SECTION, A DISTANCE OF 616 FEET TO THE NORTH LINE OF SAID 1/4 SECTION; THENCE WEST ALONG SAID NORTH LINE, A DISTANCE OF 130.78 FEET TO THE PLACE OF BEGINNING, (EXCEPT THE NORTH 33 FEET THEREOF FALLING IN 47TH STREET), IN COOK COUNTY, ILLINOIS.

PARCEL 2:

THE WEST 95.94 FEET OF THE NORTH 616 FEET OF THE EAST 1244 FEET OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT THE NORTH 33 FEET THEREOF, USED AND OCCUPIED AS THE SOUTH 33 FEET OF THE WEST 47TH STREET, A PUBLIC STREET, ALSO EXCEPT THE SOUTH 10 FEET THEREOF USED AS THE NORTH 10 FEET OF PRIVATE ALLEY), IN COOK COUNTY, ILLINOIS.

PARCEL 3:

THAT PART OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS, TO WIT: BEGINNING AT A POINT ON THE NORTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 12, 1208 FEET EAST OF THE NORTHWEST CORNER THEREOF; THENCE SOUTH

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ALONG A LINE 1208 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 12, A DISTANCE OF 672.73 FEET TO ITS INTERSECTION WITH THE EASTERLY LINE OF AN 18-FOOT RIGHT OF WAY OF THE CHICAGO RIVER AND INDIANA RAILWAY COMPANY; THENCE SOUTHEASTERLY ALONG A CURVED LINE (BEING THE EASTERLY LINE OF THE AFORESAID RIGHT OF WAY) CONVEX TO THE SOUTHWEST AND HAVING A RADIUS OF 279 FEET, A DISTANCE OF 101.86 FEET; THENCE CONTINUING ALONG A CURVED LINE, (BEING THE EASTERLY LINE OF THE AFORESAID RIGHT OF WAY) CONVEX TO THE NORTHEAST AND HAVING A RADIUS OF 297 FEET, A DISTANCE OF 62.67 FEET TO ITS INTERSECTION WITH A LINE 1299.5 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 12; RUNNING THENCE NORTH ALONG THE LAST MENTIONED LINE, 182.52 FEET TO A POINT WHICH IS 626 FEET SOUTH OF THE NORTH LINE OF THE NORTHWEST 1/4 OF THE AFORESAID SECTION 12, RUNNING THENCE WEST PARALLEL WITH THE NORTH LINE OF THE NORTHWEST 1/4 OF THE AFORESAID SECTION 12, A DISTANCE OF 10 FEET; THENCE NORTH ALONG A LINE PARALLEL WITH AND 1289.5 FEET EAST OF THE WEST LINE OF THE NORTHWEST 1/4 OF THE AFORESAID SECTION 12, A DISTANCE OF 626 FEET TO THE NORTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 12; THENCE WEST ALONG THE NORTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 12, A DISTANCE OF 81.5 FEET TO THE PLACE OF BEGINNING, EXCEPTING THEREFROM THE FOLLOWING: THAT PART OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID NORTHWEST 1/4, SECTION 12, THENCE NORTH 89 DEGREES, 57 MINUTES, 10 SECONDS EAST ALONG THE NORTH LINE THEREOF, 1299.00 FEET; THENCE DUE SOUTH, PARALLEL WITH THE WEST LINE OF SAID NORTHWEST 1/4, 626.00 FEET TO THE PLACE OF BEGINNING OF THIS PARCEL OF LAND; THENCE CONTINUING DUE SOUTH, PARALLEL WITH THE SAID WEST LINE OF THE NORTHWEST 1/4, 182.52 FEET TO A POINT IN THE NORTHEASTERLY LINE OF THE 18-FOOT RIGHT OF WAY OF THE CHICAGO RIVER AND INDIANA RAILWAY COMPANY; THENCE NORTH 30 DEGREES, 17 MINUTES WEST, 67.02 FEET TO THE POINT OF TANGENCY WITH A CURVED LINE; THENCE NORTHWESTERLY ALONG SAID CURVED LINE, CONVEX TO THE WEST, HAVING A RADIUS OF 275.34 FEET, A DISTANCE OF 131.35 FEET TO A POINT IN A LINE THAT IS 626.00 FEET SOUTH OF AND PARALLEL WITH THE AFORESAID NORTH LINE OF THE NORTHWEST 1/4; THENCE NORTH 89 DEGREES, 57 MINUTES, 30 SECONDS EAST ALONG SAID PARALLEL LINE, BEING THE SOUTH LINE OF A 20-FOOT PRIVATE ALLEY, 71 FEET TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCEL 4:

THAT PART OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID NORTHWEST 1/4 SECTION; THENCE NORTH 89 DEGREES, 57 MINUTES, 30 SECONDS EAST, ALONG THE NORTH LINE THEREOF, 1299.00 FEET; THENCE DUE SOUTH, PARALLEL WITH THE WEST LINE OF SAID NORTHWEST 1/4 626.00 FEET TO THE PLACE OF BEGINNING OF THIS PARCEL OF LAND; THENCE CONTINUING DUE SOUTH PARALLEL WITH THE SAID WEST LINE OF THE NORTHWEST 1/4 182.52 FEET TO A POINT IN THE NORTHEASTERLY LINE OF THE 18 FOOT RIGHT OF WAY OF THE CHICAGO RIVER AND INDIANA RAILWAY COMPANY; THENCE NORTH 30 DEGREES 17 MINUTES WEST, 67.02 FEET TO THE POINT OF TANGENCY WITH A CURVED LINE; THENCE NORTHWESTERLY ALONG SAID CURVE, CONVEX TO THE WEST, HAVING A RADIUS OF 275.34 FEET, A DISTANCE OF 131.35 FEET TO A POINT IN A LINE THAT IS 626.00 FEET SOUTH OF AND PARALLEL WITH THE AFORESAID NORTH LINE OF THE NORTHWEST 1/4; THENCE NORTH 89 DEGREES, 57 MINUTES, 30 SECONDS EAST, ALONG SAID PARALLEL LINE, BEING

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THE SOUTH LINE OF A 20 FOOT PRIVATE ALLEY, 71 FEET TO THE PLACE OF BEGINNING; IN COOK COUNTY, ILLINOIS.

Permanent Index Number: 19-12-100-039-0000, 19-12-100-040-0000
19-12-101-001-0000 and 19-12-101-015-0000

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