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Karen A. Yarbrough
Cook County Clerk
Date: 07/05/2023 02:19 PM Pg: 1 of 10

ASSIGNMENT OF MORTGAGE, ASSIGNMENT OF LEASES AND RENTS AND SECURITY AGREEMENT

DBR INVESTMENTS CO. LIMITED, a Cayman Islands corporation
(Assignor)

to

GERMAN AMERICAN CAPITAL CORPORATION, a Maryland corporation
(Assignee)

Effective as of May 25, 2023

Property Address(es): 909 North Michigan Avenue, Chicago, IL 60611
Parcel No(s): 17-03-213-005-0000
County of Cook
State of Illinois

DOCUMENT PREPARED BY AND WHEN RECORDED, RETURN TO:
McCoy & Orta, P.C.
100 North Broadway, 26th Floor
Oklahoma City, Oklahoma 73102
Telephone: 888-236-0007

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ASSIGNMENT OF MORTGAGE, ASSIGNMENT OF LEASES AND RENTS AND SECURITY AGREEMENT

Effective as of the 25th day of May, 2023, DBR INVESTMENTS CO. LIMITED, a Cayman Islands corporation, having an address at 1 Columbus Circle, 15th Floor, New York, NY 10019 ("Assignor"), as the holder of the instrument hereinafter described and for valuable consideration hereby assigns, sells, transfers and delivers to GERMAN AMERICAN CAPITAL CORPORATION, a Maryland corporation, having an address at 1 Columbus Circle, 15th Floor, New York, NY 10019 ("Assignee"), its successors, participants and assigns, without recourse or warranty, all right, title and interest of Assignor in and to that certain:

MORTGAGE, ASSIGNMENT OF LEASES AND RENTS AND SECURITY AGREEMENT made by JSH MICHIGAN I, LLC, a Delaware limited liability company to Assignor, dated as of March 17, 2023 and recorded on March 21, 2023, as Document Number 2308022002 in the Recorder's Office of Cook County, Illinois (as the same may have been amended, modified, restated, supplemented, renewed or extended), securing payment of note(s) of even date therewith, in the original principal amount of \$14,241,000.00, and creating a first lien on the property described in Exhibit A attached hereto and by this reference made a part hereof.

Together with any and all other liens, privileges, security interests, rights, entitlements, equities, claims and demands as to which Assignor hereunder possesses or to which Assignor is otherwise entitled as additional security for the payment of the notes and other obligations described herein.

This instrument shall be binding upon and shall inure to the benefit of the parties hereto and their respective successors and assigns.


[SIGNATURE PAGE(S) TO FOLLOW]

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15 IN WITNESS WHEREOF, the Assignor has caused this instrument to be executed this day of June, 2023, to be effective as of the date first written above.


ASSIGNOR:

DBR INVESTMENTS CO. LIMITED, a
Cayman Islands corporation

By: 

Name: Matt Smith

Title: Director

By: 

Name: R. Chris Jones

Title: Director

Property of Cook County Clerk's Office

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STATE OF NEW YORK

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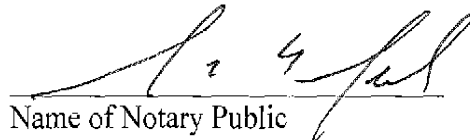
COUNTY OF NEW YORK

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On the 15th day of June, 2023, before me, the undersigned, a Notary Public in and for said state, personally appeared Matt Smith, as Director of DBR Investments Co. Limited, a Cayman Islands corporation, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

WITNESS my hand and official seal.


Name of Notary Public

My Commission Expires:



STATE OF NEW YORK

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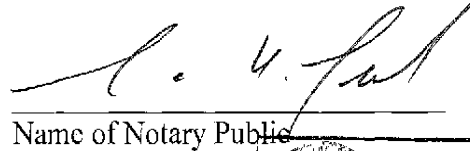
COUNTY OF NEW YORK

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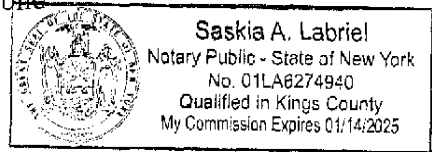
§

On the 15th day of June, 2023, before me, the undersigned, a Notary Public in and for said state, personally appeared R. Chris Jones, as Director of DBR Investments Co. Limited, a Cayman Islands corporation, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

WITNESS my hand and official seal.


Name of Notary Public

My Commission Expires:



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EXHIBIT A

LEGAL DESCRIPTION

Parcel 1 (retail parcel):

Retail Parcel 1:

That part of Lots 23 to 31, both inclusive and taken as a tract, (except the North half thereof), in Allmendinger's Lake Shore Drive Addition to Chicago, a subdivision of part of Block 13 in the Canal Trustees' Subdivision of the South Fractional 1/4 of Section 3, Township 39 North, Range 14, East of the Third Principal Meridian, lying below a horizontal plane having an elevation of +29.00 feet Chicago City Datum and lying above a horizontal plane having an elevation of +13.00 feet Chicago City Datum and lying within its horizontal boundary projected vertically and described as follows:

Beginning at the Northwest corner of the South half of said tract, thence North 89°37'05" East along the North line of the South half of said tract 43.19 feet; thence South 00°07'31" East 22.26 feet; thence North 89°41'09" East 12.27 feet; thence South 00°07'31" East 19.48 feet; thence North 89°41'09" East 6.34 feet; thence South 00°07'31" East 53.43 feet; thence South 89°41'09" West 5.17 feet; thence South 00°07'31" East 12.46 feet to a point on the South line of said tract; thence South 89°41'09" West along said South line 56.63 feet to the Southwest corner thereof; thence North 00°07'31" West along the West line of said tract 107.57 feet to the point of beginning, in Cook County, Illinois.

Retail Parcel 2:

That part of Lots 23 to 31, both inclusive and taken as a tract, (except the North half thereof), in Allmendinger's Lake Shore Drive Addition to Chicago, a subdivision of part of Block 13 in the Canal Trustees' Subdivision of the South Fractional 1/4 of Section 3, Township 39 North, Range 14, East of the Third Principal Meridian, lying below a horizontal plane having an elevation of +13.00 feet Chicago City Datum and lying above a horizontal plane having an elevation of +1.75 feet Chicago City Datum and lying within its horizontal boundary projected vertically and described as follows:

Beginning at the Northwest corner of the South half of said tract, thence North 89°37'05" East along the North line of the South half of said tract 25.28 feet; thence South 00°07'31" East 10.21 feet; thence North 89°41'09" East 16.19 feet; thence South 00°07'31" East 6.49 feet; thence North 89°41'09" East 5.09 feet; thence South 00°07'31" East 4.05 feet; thence South 89°41'09" West 46.56 feet to a point on the West line of said tract; thence North 00°07'31" West along said West line 20.71 feet to the point of beginning, in Cook County, Illinois.

Parcel 3:

The easement for light, air and view over and upon the Premises, described as follows:

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Commencing at a horizontal plane parallel to and 63.00 feet above Chicago City Datum and extending vertically upwards to the Zenith, beginning at a point on the North line of Parcel 2, a distance of 62.00 feet East of the Westerly line of said parcel 2; thence North along a line parallel to and 62.00 feet East of the Westerly line of Lots 23 to 31, inclusive (as a tract) in Allmendinger's Lake Shore Drive Addition to Chicago aforesaid, a distance of 30.00 feet to a point; thence East and parallel with the centerline of Lots 23 to 31, inclusive (as a tract), a distance of 88.00 feet to a point; thence South and parallel to the Westerly line of said tract, a distance of 30.00 feet to the centerline of said tract; thence West along the centerline of said tract, a distance of 88.00 feet to the place of beginning, as created by agreement between the Palmolive Peet Company, a corporation of Delaware and Chicago Title and Trust Company, a corporation of Illinois, as Trustee under Trust Agreement dated July 25, 1927 and known as Trust Number 19104 dated March 31, 1928 and recorded April 30, 1928 as document 10005790, and also recorded June 21, 1932 as document 11106014, and as continued and reserved by instrument dated December 26, 1958 and recorded December 26, 1958 as document 17413316, in Cook County, Illinois.

Parcel 4:

Easements for the maintenance of a refrigeration or chilled water plant located in the Southwest corner of the sub-basement of the 919 North Michigan Avenue building, as created by an amended and restated easement agreement between Lehnendorff 919 Michigan Associates and the Westin Chicago Limited Partnership dated May 30, 2001 and recorded June 6, 2001 as document 0010499021, in Cook county, Illinois, over the Land described as follows:

Easement parcel 1 (Chiller Room)

All the Land property and space lying above a horizontal plane having an elevation of -19.86 feet below Chicago City Datum and below a horizontal plane having an elevation of -2.14 feet below Chicago City Datum and within the vertical projection of the boundary line of following described parcel of Land: all that part the North half of Lots 23 to 31, both inclusive, in Allmendinger's Lake Shore Drive Addition to Chicago, a Subdivision of part of Block 13 in the Canal Trustee's Subdivision of the South fractional quarter of Section 7, Township 39 North, Range 14 East of the Third Principal Meridian, in Cook county, Illinois, described as follows: commencing at the Southwest corner of the North half of Lots 23 to 31 aforesaid; thence East along the South line of the North half of Lots 23 to 31, a distance of 7.32 feet; thence North along a line perpendicular to the South line of the North half of Lots 23 to 31, a distance of 3.20 feet to the intersection of the North face of a brick wall with the East face of a brick wall and the point of beginning of this description; thence continuing North along the East face of a brick wall 21.78 feet to the South face of a brick wall; thence East along said South face, perpendicular to the last described line, 17.00 feet to the East face of a brick wall; thence North along said East face, perpendicular to the last described line, 5.63 feet to the South face of a concrete column; thence East along said South face, perpendicular to the last described line, 1.20 feet to the East face of said column; thence North along said East face, perpendicular to the last described line, 3.09 feet to the South face of a brick wall; thence East along said South face, perpendicular to the last described line, 16.50 feet; thence South perpendicular to the last described line, 2.44 feet to the South face of a concrete column; thence East along said South face, perpendicular to the last

Reference No.: 6110.032

Matter Name: 909 North Michigan Avenue

Pool: BMARK 2023-V2

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described line, 32.13 feet to the West face of a brick wall; thence South along said West face, perpendicular to the last described line, 17.26 feet to the South face of a brick wall; thence East along said South face, perpendicular to the last described line, 5.91 feet to the West face of a brick wall; thence South along said West face, perpendicular to the last described line, 10.80 feet to the North face of a brick wall; thence West along said North face, perpendicular to the last described line, 72.34 feet to the East face of a brick wall and the point of beginning;

Easement Parcel 2:

All the Land property and space lying above a horizontal plane having an elevation of -9.29 feet below Chicago City Datum and below a horizontal plane having an elevation of -7.99 feet below Chicago City Datum and within the vertical projection of the boundary line of following described parcel of Land:

All that part the North half of Lots 23 to 31, both inclusive, in Allmendinger's Lake Shore Drive Addition to Chicago, a Subdivision of part of Block 13 in the Canal Trustee's Subdivision of the South fractional quarter of Section 3, Township 39 North, Range 14 East of the Third Principal Meridian, in Cook county, Illinois, described as follows: commencing at the Southwest corner of the North half of Lots 23 to 31 aforesaid; thence East along the South line of the North half of Lots 23 to 31, a distance of 104.85 feet to the point of beginning of this description; thence continuing East along said South line, 1.30 feet; thence North along a line, perpendicular to said South line, 5.39 feet; thence West along a line, perpendicular to the last described line, 26.49 feet to the West face of a brick wall; thence South along said West face, perpendicular to the last described line, 1.30 feet; thence East along a line, perpendicular to the last described line, 25.19 feet; thence South perpendicular to the last described line, 4.09 feet to the South line of the North half of Lots 23 to 31 aforesaid and the point of beginning.

Easement Parcel 3:

All the Land property and space lying above a horizontal plane having an elevation of -7.29 feet below Chicago City Datum and below a horizontal plane having an elevation of -6.19 feet below Chicago City Datum and within the vertical projection of the boundary line of following described parcel of Land: all that part the North half of Lots 23 to 31, both inclusive, in Allmendinger's Lake Shore Drive Addition to Chicago, a Subdivision of part of Block 13 in the Canal Trustee's Subdivision of the South fractional quarter of Section 3, Township 39 North, Range 14 East of the Third Principal Meridian, in Cook County, Illinois, described as follows: commencing at the Southwest corner of the North half of Lots 23 to 31 aforesaid; thence East along the South line of the North half of Lots 23 to 31, a distance of 103.32 feet; thence North along a line perpendicular to the last described line 6.86 feet to the point of beginning of this description; thence continuing North 1.10 feet; thence West along a line, perpendicular to the last described line, 23.66 feet to the West face of a brick wall; thence South along said West face, perpendicular to the last described line, 1.10 feet; thence East along a line, perpendicular to the last described line, 23.66 feet to the point of beginning.

Easement Parcel 4:

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All the Land property and space lying above a horizontal plane having an elevation of -5.04 feet below Chicago City Datum and below a horizontal plane having an elevation of -4.79 feet below Chicago City Datum and within the vertical projection of the boundary line of following described parcel of Land: all that part the North half of Lots 23 to 31, both inclusive, in Allmendinger's Lake Shore Drive Addition to Chicago, a Subdivision of part of Block 13 in the Canal Trustee's Subdivision of the South fractional quarter of Section 3, Township 39 North, Range 14 East of the Third Principal Meridian, in Cook county, Illinois, described as follows: commencing at the Southwest corner of the North half of Lots 23 to 31 aforesaid; thence East along the South line of the North half of Lots 23 to 31, a distance of 109.62 feet to the point of beginning of this description; thence continuing East along said South line, 0.25 feet; thence North along a line, perpendicular to said South line, 6.46 feet; thence West along a line, perpendicular to the last described line, 30.21 feet to the West face of a brick wall; thence South along said West face, perpendicular to the last described line, 0.25 feet; thence East along a line, perpendicular to the last described line, 29.96 feet; thence South perpendicular to the last described line, 6.21 feet to the South line of the North half of Lots 23 to 31 aforesaid and the point of beginning.

Easement Parcel 5:

All the Land property and space lying above a horizontal plane having an elevation of -9.29 feet below Chicago City Datum and below a horizontal plane having an elevation of -7.99 feet below Chicago City Datum and within the vertical projection of the boundary line of following described parcel of Land: all that part the North half of Lots 23 to 31, both inclusive, in Allmendinger's Lake Shore Drive Addition to Chicago, a Subdivision of part of Block 13 in the Canal Trustee's Subdivision of the South fractional quarter of Section 3, Township 39 North, Range 14 East of the Third Principal Meridian, in Cook County, Illinois, described as follows: commencing at the Southwest corner of the North half of Lots 23 to 31 aforesaid; thence East along the South line of the North half of Lots 23 to 31, a distance of 107.87 feet; thence North along a line perpendicular to said South line 15.63 feet to the point of beginning of this description; thence continuing North 3.60 feet; thence West along a line, perpendicular to the last described line, 34.12 feet to the West face of a brick wall; thence South along said West face, perpendicular to the last described line, 3.60 feet; thence East along a line, perpendicular to the last described line, 34.12 feet to the point of beginning.

Easement Parcel 6:

All the Land property and space lying above a horizontal plane having an elevation of -9.29 feet below Chicago City Datum and below a horizontal plane having an elevation of -7.29 feet below Chicago City Datum and within the vertical projection of the boundary line of following described parcel of Land:

All that part the North half of Lots 23 to 31, both inclusive, in Allmendinger's Lake Shore Drive Addition to Chicago, a Subdivision of part of Block 13 in the Canal Trustee's Subdivision of the South fractional quarter of Section 3, Township 39 North, Range 14 East of the Third Principal Meridian, in Cook county, Illinois, described as follows: commencing at the Southwest corner of the North half of Lots 23 to 31 aforesaid; thence East along the South line of the North half of

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Lots 23 to 31, a distance of 107.87 feet; thence North along a line perpendicular to said South line 13.63 feet to the point of beginning of this description; thence continuing North 2.00 feet; thence West along a line, perpendicular to the last described line, 2.45 feet; thence South along a line, perpendicular to the last described line, 2.00 feet; thence East along a line, perpendicular to the last described line, 2.45 feet to the point of beginning.

Easement Parcel 7:

All the Land property and space lying above a horizontal plane having an elevation of -7.29 feet below Chicago City Datum and below a horizontal plane having an elevation of -5.99 feet below Chicago City Datum and within the vertical projection of the boundary line of following described parcel of Land: all that part the North half of Lots 23 to 31, both inclusive, in Allmendinger's Lake Shore Drive Addition to Chicago, a Subdivision of part of Block 13 in the Canal Trustee's Subdivision of the South fractional quarter of Section 3, Township 39 North, Range 14 East of the Third Principal Meridian, in Cook county, Illinois, described as follows: commencing at the Southwest corner of the North half of Lots 23 to 31 aforesaid; thence East along the South line of the North half of Lots 23 to 31, a distance of 107.87 feet to the point of beginning of this description; thence North along a line, perpendicular to said South line, 15.63 feet; thence West along a line, perpendicular to the last described line, 2.45 feet; thence South along a line, perpendicular to the last described line, 15.63 feet to the South line of the North half of Lots 23 to 31 aforesaid; thence East along said South line, 2.45 feet to the point of beginning.

Easement Parcel 8:

All the Land property and space lying above a horizontal plane having an elevation of -9.29 feet below Chicago City Datum and below a horizontal plane having an elevation of -8.19 feet below Chicago City Datum and within the vertical projection of the boundary line of following described parcel of Land: all that part the North half of Lots 23 to 31, both inclusive, in Allmendinger's Lake Shore Drive Addition to Chicago a Subdivision of part of Block 13 in the Canal Trustee's Subdivision of the South fractional quarter of Section 3, Township 39 North, Range 14 East of the Third Principal Meridian, in Cook county, Illinois, described as follows: commencing at the Southwest corner of the North half of Lots 23 to 31 aforesaid; thence East along the South line of the North half of Lots 23 to 31, a distance of 103.32 feet; thence North along a line perpendicular to said South line 10.33 feet to the point of beginning of this description; thence continuing North 5.30 feet; thence East along a line, perpendicular to the last described line, 1.10 feet; thence South along a line, perpendicular to the last described line, 5.30 feet; thence West along a line, perpendicular to the last described line, 1.10 feet to the point of beginning.

Easement Parcel 9:

All the Land property and space lying above a horizontal plane having an elevation of -9.29 feet below Chicago City Datum and below a horizontal plane having an elevation of -5.09 feet below Chicago City Datum and within the vertical projection of the boundary line of following described parcel of Land: all that part the North half of Lots 23 to 31, both inclusive, in Allmendinger's Lake Shore Drive Addition to Chicago, a Subdivision of part of Block 13 in the

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Canal Trustee's Subdivision of the South fractional quarter of Section 3, Township 39 North, Range 14 East of the Third Principal Meridian, in Cook County, Illinois, described as follows: commencing at the Southwest corner of the North half of Lots 23 to 31 aforesaid; thence East along the South line of the North half of Lots 23 to 31, a distance of 103.32 feet; thence North along a line perpendicular to said South line 8.33 feet to the point of beginning of this description; thence continuing North 2.00 feet; thence East along a line, perpendicular to the last described line, 1.10 feet; thence South along a line, perpendicular to the last described line, 2.00 feet; thence West along a line, perpendicular to the last described line, 1.10 feet to the point of beginning.

Easement Parcel 10:

All the Land property and space lying above a horizontal plane having an elevation of -7.29 feet below Chicago City Datum and below a horizontal plane having an elevation of -5.09 feet below Chicago City Datum and within the vertical projection of the boundary line of following described parcel of Land: all that part the North half of Lots 23 to 31, both inclusive, in Allmendinger's Lake Shore Drive Addition to Chicago, a Subdivision of part of Block 13 in the Canal Trustee's Subdivision of the South fractional quarter of Section 3, Township 39 North, Range 14 East of the Third Principal Meridian, in Cook county, Illinois, described as follows: commencing at the Southwest corner of the North Half of Lots 23 to 31 aforesaid; thence East along the South line of the North half of Lots 23 to 31, a distance of 103.32 feet to the point of beginning of this description; thence continuing East along said South line 1.10 feet; thence North along a line perpendicular to said South line 8.33 feet thence West along a line, perpendicular to the last described line, 1.10 feet; thence South along a line, perpendicular to the last described line, 8.33 feet to the South line of the North half of Lots 23 to 31 aforesaid and the point of beginning.

Parcel 5:

Easements for ingress and egress, structural support, use of facilities, common walls, ceilings and floors, utilities, emergency fire escapes/stairways, encroachments, retail owned facilities, loading and deliveries, trash compactors, bathrooms, cafeteria, and signage as created by Declaration of Covenants, Conditions, Restrictions and Easements dated 3/17/23 and recorded March 21, 2023 as document number 2308022000 over the Hotel Parcel as defined therein.