

UNOFFICIAL COPY



2320115009

Doc# 2320115009 Fee \$88.00

RHSP FEE:\$18.00 RPRF FEE: \$1.00

KAREN A. YARBROUGH

COOK COUNTY CLERK

DATE: 07/20/2023 09:50 AM PG: 1 OF 6

PREPARED/MAIL TO:
George Kintz
Stewart Title
10 S. RIVERSIDE PLZ
Ste 1450
CHICAGO, IL 60606

The Space Above is Reserved for the Recorder's Stamp

AFFIDAVIT TO CORRECT CHAIN-OF-TITLE pursuant to §55 ILCS 5/3-5005

I, (NAME) George Kintz, the (TITLE) examiner
for the **COOK COUNTY RECORDER OF DEEDS OFFICE**, do hereby swear and affirm that I am the **AFFIANT** for this corrective

ordering affidavit, which seeks to correct the **ORDER** in which the following document number: see attached Exhibit A

was recorded with the **COOK COUNTY RECORDER OF DEEDS OFFICE** on the following date: October 7, 2021.

Furthermore, I, George Kintz, the **AFFIANT**, do hereby swear and affirm that the **COOK COUNTY RECORDER**

OF DEEDS OFFICE, was notified by Bridget Wansley the **GRANTOR, GRANTEE, AGENT** for the

GRANTOR/GRANTEE, or some qualified other **PARTY** with first-hand knowledge of the **DOCUMENT**, and that the above-referenced

document number was recorded out of **ORDER** in the chain-of-title for the **REAL PROPERTY WITH THE FOLLOWING DESCRIPTION:**

COMMONLY REFERRED TO ADDRESS:

164 N. Peoria Street
Chicago, IL 60607

PROPERTY IDENTIFICATION NUMBER:

see attached Exhibit C

LEGAL DESCRIPTION (SEE ATTACHED ORIGINAL DOCUMENT)

Finally, this Affidavit is being used **EXCLUSIVELY** to **CORRECT** the **ORDER** in which the original document or certified copy (see attached) was **RECORDED**, due to the **ERROR** of the **COOK COUNTY RECORDER OF DEEDS**, and to the best of the knowledge of the **AFFIANT**, does not include any **SCRIVENER'S** or **MATERIAL ERRORS**, and is now recorded in the correct order it should have been, by virtue of this affidavit and the sequence it is now recorded in.

George Kintz
AFFIANT'S SIGNATURE ABOVE

July 19, 2023

DATE CORRECTIVE ORDERING AFFIDAVIT SIGNED

Subscribed and sworn to before me, Name of Notary Public:
by the Above **AFFIANT** on the date below:

K.J. McCants

AFFIX NOTARY STAMP BELOW:

July 19, 2023

Signed: [Signature]



5/7/26

UNOFFICIAL COPY

Exhibit A

The following documents were recorded in the following order:

1. Construction Mortgage with Absolute Assignment of Leases and Rents, Security Agreement and Fixture Filing dated as of October 7, 2021 and recorded October 7, 2021 as document number 2128040025 made by Peoria Randolph LLC, a Delaware limited liability company, to Illinois Housing Development Authority, to secure an indebtedness in the amount of \$130,000,000.00.

Assignment of Mortgage and Loan Documents dated as of October 7, 2021 and recorded October 7, 2021 as document number 2128040026 made by Illinois Housing Development Authority, Assignor, to The Bank of New York Mellon Trust Company, N.A., a national banking association, as Trustee, Assignee, for the benefit of Wells Fargo Municipal Capital Strategies, LLC, a Delaware limited liability company, and Bank of America, N.A., a national banking association.

2. Construction Mortgage with Absolute Assignment of Leases and Rents, Security Agreement and Fixture Filing dated as of October 7, 2021 and recorded October 7, 2021 as document number 2128040027 made by Peoria Randolph LLC, a Delaware limited liability company, to Illinois Housing Development Authority, to secure an indebtedness in the amount of \$82,000,000.00.

Assignment of Mortgage and Loan Documents dated as of October 7, 2021 and recorded October 7, 2021 as document number 2128040028 made by Illinois Housing Development Authority, Assignor, to The Bank of New York Mellon Trust Company, N.A., a national banking association, as Trustee, Assignee, for the benefit of wells Fargo Bank, National Association, a national banking association, and Bank of America, N.A. a national banking association.

3. Construction Mortgage with Absolute Assignment of Leases and Rents, Security Agreement and Fixture Filing dated as of October 7, 2021 and recorded October 7, 2021 as document number 2128040029 made by Peoria Randolph LLC, a Delaware limited liability company, for the benefit of STRS Ohio IL Real Estate Investments, LLC, a Delaware limited liability company, in the amount of \$82,000,000.00.

4. Memorandum of Option dated as of October 7, 2021 and recorded October 7, 2021 as document number 2128040030 made by and between Peoria Randolph LLC, a Delaware limited liability company, for the benefit of STRS Ohio IL Real Estate Investments, LLC, a Delaware limited liability company.

5. Intercreditor Agreement dated as of October 7, 2021 and recorded October 7, 2021 as document number 2128040031 made by among STRS Ohio IL Real Estate Investments, LLC, a Delaware limited liability company, The State Teachers Retirement Board of Ohio, Wells Fargo Bank, National Association, and Peoria Randolph LLC, a Delaware limited liability company.

6. Tax Regulatory Agreement dated October 1, 2021 and recorded October 7, 2021 as document number 2128040032 made by and between Peoria Randolph LLC, a limited liability company, Illinois Housing Development Authority and The Bank of New York Mellon Trust Company, N.A.

UNOFFICIAL COPY

7. Low Income Housing Tax Credit Extended Use Agreement dated October 7, 2021 and recorded October 7, 2021 as document number 2128040033 made by and between Illinois Housing Development Authority and Peoria Randolph LLC, a Delaware limited liability company.
8. IHDA Regulatory Agreement dated as of October 7, 2021 and recorded October 7, 2021 as document number 2128040034 made by and between Peoria Randolph LLC, a Delaware limited liability company, and Illinois Housing Development Authority.
9. UCC-1 Financing Statement naming Peoria Randolph LLC, as Debtor, The Bank of New York Mellon Trust, N.A., Secured Party, and IHDA, as Assignor Secured Party, recorded October 7, 2021 as document number 2128040035.
10. UCC-1 Financing Statement naming Peoria Randolph LLC, as Debtor, The Bank of New York Mellon Trust, N.A., Secured Party, and IHDA, as Assignor Secured Party, recorded October 7, 2021 as document number 2128040036.
11. UCC-1 Financing Statement naming Peoria Randolph LLC, as Debtor, STRS Ohio IL Real Estate Investments, LLC, Secured Party, recorded October 7, 2021 as document number 2128040037.

The recording order of said documents was incorrect, and should have been recorded in the following order. This Scrivener's Affidavit is to give notice of the correct recording order of the following documents:

1. Low Income Housing Tax Credit Extended Use Agreement dated October 7, 2021 and recorded October 7, 2021 as document number 2128040033 made by and between Illinois Housing Development Authority and Peoria Randolph LLC, a Delaware limited liability company.
2. IHDA Regulatory Agreement dated as of October 7, 2021 and recorded October 7, 2021 as document number 2128040034 made by and between Peoria Randolph LLC, a Delaware limited liability company, and Illinois Housing Development Authority.
3. Tax Regulatory Agreement dated October 1, 2021 and recorded October 7, 2021 as document number 2128040032 made by and between Peoria Randolph LLC, a limited liability company, Illinois Housing Development Authority and The Bank of New York Mellon Trust Company, N.A.
4. Construction Mortgage with Absolute Assignment of Leases and Rents, Security Agreement and Fixture Filing dated as of October 7, 2021 and recorded October 7, 2021 as document number 2128040025 made by Peoria Randolph LLC, a Delaware limited liability company, to Illinois Housing Development Authority, to secure an indebtedness in the amount of \$130,000,000.00.

Assignment of Mortgage and Loan Documents dated as of October 7, 2021 and recorded October 7, 2021 as document number 2128040026 made by Illinois Housing Development Authority, Assignor, to The Bank of New York Mellon Trust Company, N.A., a national banking association, as Trustee, Assignee, for the benefit of Wells Fargo Municipal Capital Strategies,

UNOFFICIAL COPY

LLC, a Delaware limited liability company, and Bank of America, N.A., a national banking association.

5. Construction Mortgage with Absolute Assignment of Leases and Rents, Security Agreement and Fixture Filing dated as of October 7, 2021 and recorded October 7, 2021 as document number 2128040027 made by Peoria Randolph LLC, a Delaware limited liability company, to Illinois Housing Development Authority, to secure an indebtedness in the amount of \$82,000,000.00.

Assignment of Mortgage and Loan Documents dated as of October 7, 2021 and recorded October 7, 2021 as document number 2128040028 made by Illinois Housing Development Authority, Assignor, to The Bank of New York Mellon Trust Company, N.A., a national banking association, as Trustee, Assignee, for the benefit of Wells Fargo Bank, National Association, a national banking association, and Bank of America, N.A., a national banking association.

6. Construction Mortgage with Absolute Assignment of Leases and Rents, Security Agreement and Fixture Filing dated as of October 7, 2021 and recorded October 7, 2021 as document number 2128040029 made by Peoria Randolph LLC, a Delaware limited liability company, for the benefit of STRS Ohio IL Real Estate Investments, LLC, a Delaware limited liability company, in the amount of \$82,000,000.00.
7. Memorandum of Option dated as of October 7, 2021 and recorded October 7, 2021 as document number 2128040030 made by and between Peoria Randolph LLC, a Delaware limited liability company, for the benefit of STRS Ohio IL Real Estate Investments, LLC, a Delaware limited liability company.
8. Intercreditor Agreement dated as of October 7, 2021 and recorded October 7, 2021 as document number 2128040031 made by among STRS Ohio IL Real Estate Investments, LLC, a Delaware limited liability company, The State Teachers Retirement Board of Ohio, Wells Fargo Bank, National Association, and Peoria Randolph LLC, a Delaware limited liability company.
9. UCC-1 Financing Statement naming Peoria Randolph LLC, as Debtor, The Bank of New York Mellon Trust, N.A., Secured Party, and IHDA, as Assignor Secured Party, recorded October 7, 2021 as document number 2128040035.
10. UCC-1 Financing Statement naming Peoria Randolph LLC, as Debtor, The Bank of New York Mellon Trust, N.A., Secured Party, and IHDA, as Assignor Secured Party, recorded October 7, 2021 as document number 2128040036.
11. UCC-1 Financing Statement naming Peoria Randolph LLC, as Debtor, STRS Ohio IL Real Estate Investments, LLC, Secured Party, recorded October 7, 2021 as document number 2128040037.

UNOFFICIAL COPY

Exhibit B

The document numbers affected by this Scrivener's Affidavit is as follows:

2128040025

2128040026

2128040027

2128040028

2128040029

2128040030

2128040031

2128040032

2128040033

2128040034

2128040035

2128040036

2128040037

Property of Cook County Clerk's Office

UNOFFICIAL COPY

Exhibit C

Parcel 1:

Lots 7, 8 and the North 1/2 of Lot 11 in Block 34 in Carpenter's Addition to Chicago, being a subdivision of the Southeast 1/4 of Section 8, Township 39 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois.

Parcel 2:

The South 1/2 of Lot 11 and all of Lot 12 in Block 34 in Carpenter's Addition to Chicago in the Southeast 1/4 of Section 8, Township 39 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois.

Parcel 3:

That part of Lots 6, 9 and 10 in Block 34 in Carpenter's Addition to Chicago in the Southeast 1/4 of Section 8, Township 39 North, Range 14, East of the Third Principal Meridian, described as follows:

Beginning at a point on the East line of Lot 10 which is North 00 degrees 00 minutes 27 seconds West 4.00 feet from the Southeast corner thereof; thence South 89 degrees 49 minutes 42 seconds West 50.22 feet; thence North 00 degrees 00 minutes 19 seconds West 125.41 feet; thence South 89 degrees 58 minutes 08 Seconds East 50.28 feet to the East line of Lot 6 aforesaid; thence South 00 Degrees 00 minutes 27 seconds East 125.26 feet along the East line of Lots 6, 9 and 10 aforesaid to the point of beginning, in Cook County, Illinois.

Property address:

164 North Peoria Street, Chicago, IL 60607

Permanent Index Numbers:

17-08-432-004-0000
17-08-432-005-0000
17-08-432-006-0000
17-08-432-007-0000
17-08-432-016-0000