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Record and Return To:

First Horizon Bank
3451 Prescott Rd
Memphis, TN 38118

Doc#: 2328606202 Fee: \$107.00
Karen A. Yarbrough
Cook County Clerk
Date: 10/13/2023 11:12 AM Pg: 1 of 11

This Instrument Prepared By:

First Horizon Bank
3451 Prescott Rd
Memphis, TN 38118
800-382-5465

Loan #: **5300656038**

SATISFACTION OF MORTGAGE

FOR VALUABLE CONSIDERATION RECEIVED, the receipt and sufficiency of which is hereby acknowledged, the undersigned, **First Horizon Bank, successor by merger to IBERIABANK, a division of First Horizon Bank, successor by conversion to IBERIABANK** does hereby certify that a certain Mortgage, by **HMC PT POPLAR CREEK CROSSING, llc AND HMC PT PRAIRIE STONE CROSSING LLC** (collectively the "Borrower/Grantor"), has been paid in full and is hereby **RELEASED AND SATISFIED IN FULL** and the real estate described therein is fully released as described below:

Original Lender: **IBERIABANK**

Dated: **10/31/2019** Recorded: **11/07/2019** Instrument **1931141058** in Cook County, IL Loan Amount: **\$2,000,000.00**

Property Address: **2600 W SUTTON RD 4700 W HOFFMAN BLVD, HOFFMAN ESTATES , IL 60192**

Parcel Tax ID: **01-33-303-014-0000**

Legal: **SEE ATTACHED**

The party executing this instrument is the present holder of the document described herein.

IN WITNESS WHEREOF, this instrument was executed and delivered by the undersigned on **10/11/2023**.

First Horizon Bank, successor by merger to IBERIABANK, a division of First Horizon Bank, successor by conversion to IBERIABANK

By: 

Name: **R Devlin**

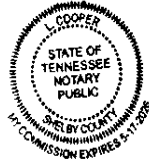
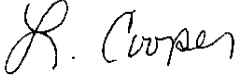
Title: **Vice President**

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STATE OF Tennessee } s.s.
COUNTY OF Shelby

On 10/11/2023, before me, **L Cooper**, Notary Public, personally appeared **R Devlin, Vice President of First Horizon Bank, successor by merger to IBERIABANK, a division of First Horizon Bank, successor by conversion to IBERIABANK**, personally known to me (or proved to me the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that she/he/they executed the same in her/his/their authorized capacity(ies), and that by her/his/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

Witness my hand and official seal.



Notary Public: **L Cooper**
My Commission Expires: **05/17/2026**
Commission #: **NA**

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**EXHIBIT A
TO
MORTGAGE, SECURITY AGREEMENT
AND ASSIGNMENT OF RENTS AND LEASES**

(Legal Description)

PARCEL 1:

LOT 1 IN POPLAR CREEK CROSSING RESUBDIVISION NO. 1, BEING A RESUBDIVISION OF PART OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 AND PART OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4, ALL IN SECTION 33, TOWNSHIP 42 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 12, 2010 AS DOCUMENT 1013244050, IN COOK COUNTY, ILLINOIS.

PARCEL 2:

A NON-EXCLUSIVE EASEMENT FOR THE BENEFIT OF PARCEL 1 AS CREATED BY THE GRANT FROM TARGET CORPORATION, A CORPORATION OF MINNESOTA, IN THE OPERATING AND EASEMENT AGREEMENT DATED FEBRUARY 23, 2005 AND RECORDED FEBRUARY 25, 2005 AS DOCUMENT 0505645134 OVER PORTIONS OF THE FOLLOWING LAND FALLING IN INGRESS AND EGRESS AREAS: LOT 1 IN THE POPLAR CREEK CROSSING SUBDIVISION RECORDED JUNE 28, 2007 AS DOCUMENT 0717922001.

PARCEL 3:

A NON-EXCLUSIVE EASEMENT FOR THE BENEFIT OF PARCEL 1 AS CONTAINED IN DECLARATION OF COVENANTS AND EASEMENTS DATED AS OF OCTOBER 1, 2004 AND RECORDED OCTOBER 5, 2004 AS DOCUMENT 0427919072 TO USE THE DRIVEWAYS AS MAY EXIST FROM TIME TO TIME FOR THE SOLE PURPOSE OF PROVIDING PASSAGE BY MOTOR VEHICLES AND PEDESTRIANS OVER PORTIONS OF THE FOLLOWING LAND: LOT 4 IN POPLAR CREEK CROSSING RESUBDIVISION NO. 1 RECORDED MAY 12, 2010 AS DOCUMENT 1013244050.

PARCEL 4:

LOT 6A1 IN STONE EAGLE RESUBDIVISION, BEING A RESUBDIVISION OF LOT 6A IN FINAL PLAT OF RESUBDIVISION OF LOTS 5 AND 6 IN SEARS BUSINESS PARK AMENDED PLAT OF SUBDIVISION IN PART OF SECTIONS 32 AND 33, TOWNSHIP 42 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 11, 2012 AS DOCUMENT 1210229025, IN COOK COUNTY, ILLINOIS.

PARCEL 5:

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EASEMENT FOR INGRESS AND EGRESS AND PARKING OF VEHICULAR TRAFFIC FOR THE BENEFIT OF PARCEL 4 OVER THOSE PORTIONS OF LOT 6A2 IN STONE EAGLE RESUBDIVISION AFORESAID FALLING OUTSIDE THE PARKING EXCLUSION AREAS DENOTED ON THE PLAT OF SAID RESUBDIVISION, AS GRANTED PURSUANT TO NOTATION ON THE PLAT THEREOF AND THE COVENANTS, CONDITIONS, EASEMENTS AND RESTRICTIONS AGREEMENT DATED APRIL 16, 2012 AND RECORDED APRIL 18, 2012 AS DOCUMENT 1210950053, IN COOK COUNTY, ILLINOIS.

PARCEL 6:

A NON-EXCLUSIVE EASEMENT FOR THE BENEFIT OF PARCEL 1 AND PARCEL 4 AS CONTAINED IN RECIPROCAL EASEMENT AGREEMENT (POPLAR CREEK CROSSING SUBDIVISION AND PRAIRIE STONE CROSSING) DATED AS OF AUGUST 14, 2007, RECORDED OCTOBER 23, 2007 AS DOCUMENT 0729615115 AND RE-RECORDED OCTOBER 29, 2007 AS DOCUMENT 0730215123 FOR INGRESS AND EGRESS UPON, ACROSS AND BETWEEN THE ACCESS POINTS AS DEPICTED ON EXHIBIT D ATTACHED THERETO, AND OVER PORTIONS OF THE FOLLOWING LAND FALLING IN INGRESS AND EGRESS AREAS: LOT 6A OF THE RESUBDIVISION OF LOTS 5 AND 6 IN SEARS BUSINESS PARK RECORDED APRIL 20, 2001 AS DOCUMENT 0010323867;

AS AMENDED BY

THAT CERTAIN FIRST AMENDMENT TO RECIPROCAL EASEMENT AGREEMENT DATED AS OF FEBRUARY 13, 2008 AND RECORDED MARCH 19, 2008 AS DOCUMENT 0807918008,

THAT CERTAIN SECOND AMENDMENT TO RECIPROCAL EASEMENT AGREEMENT DATED AS OF APRIL 11, 2008 AND RECORDED MAY 21, 2008 AS DOCUMENT 0814210160,

THAT CERTAIN THIRD AMENDMENT TO RECIPROCAL EASEMENT AGREEMENT DATED AS OF JUNE 12, 2008 AND RECORDED AUGUST 8, 2008 AS DOCUMENT 0822103054,

THAT CERTAIN FOURTH AMENDMENT TO RECIPROCAL EASEMENT AGREEMENT DATED AS OF JULY 11, 2008 AND RECORDED AUGUST 8, 2008 AS DOCUMENT 0822103055,

THAT CERTAIN FIFTH AMENDMENT TO RECIPROCAL EASEMENT AGREEMENT DATED AS OF SEPTEMBER 12, 2008 AND RECORDED DECEMBER 16, 2008 AS DOCUMENT 0835129074,

AND AS SUPPLEMENTED BY THAT CERTAIN ACKNOWLEDGEMENT REGARDING RECIPROCAL EASEMENT AGREEMENT DATED AS OF NOVEMBER 14, 2008 AND RECORDED DECEMBER 16, 2008 AS DOCUMENT 0835129075,

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AND FURTHER SUPPLEMENTED BY THAT CERTAIN ACKNOWLEDGEMENT REGARDING RECIPROCAL EASEMENT AGREEMENT DATED AS OF AUGUST 24, 2012 AND RECORDED SEPTEMBER 19, 2012 AS DOCUMENT 1226318075.

Addresses: 2600 W Sutton Rd, Hoffman Estates, IL 60192-3725
4700 W Hoffman Blvd, Hoffman Estates, IL 60192-3725

PIN Numbers: 01-33-301-005-0000
01-33-303-013-0000
01-33-303-014-0000

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EXHIBIT B TO MORTGAGE, SECURITY AGREEMENT AND ASSIGNMENT OF RENTS AND LEASES

[Permitted Exceptions]

Parcel 1 (Poplar Creek):

1. General Real Estate Taxes for the year 2019 and subsequent years a lien not yet due or payable.

Permanent Index Number: 01-33-301-005-0000

2. Grant dated February 8, 1951 and recorded March 1, 1951 as document 15021107 made by Christ Arens, Edwin Arens, Edna Arens Krause and Melvin Krause, her husband, George Arens, Clare Arens Harford and Ralph Harford, her husband, to Texas Illinois Natural Gas Pipeline Company; as amended by Amendment to Right of Way Agreement made by Natural Gas Pipeline of America and W2001 VHE Realty LLC, dated August 23, 2007 and recorded September 6, 2007 as document 0724939027, and the terms and provisions contained therein.
3. Terms and conditions contained in Annexation Agreement dated September 27, 2004 and recorded September 29, 2004 as document 0427339109 made by and between Hinsbrook Bank and Trust Company, as Trustee under Trust Number 01-056, Hinsbrook Bank and Trust as Trustee under Trust Number 01-057, Dubina Realty Corporation, Yamos Enterprises, L.L.C. and Village of Hoffman Estates.
4. Terms and provisions of Declaration Regarding Sales Tax Reporting made by and between Hinsbrook Bank and Trust Company as Trustee under Trust Agreement dated September 30, 2004 and known as Trust No. 04-037 and W2001 VHE Realty L.L.C., dated as of October 1, 2004 and recorded October 5, 2004 as document 0427919071.
5. Covenants and restrictions and easements relating to various matters including but not limited to easements for driveways, pedestrian access, detention ponds, sight lines, utility connections and permitted uses contained in the Declaration of Covenants and Easements dated as of October 1, 2004 and recorded October 5, 2004 as document 0427919072 made by and between W2001 VHE Realty, L.L.C., a Delaware limited liability company and Hinsbrook Bank and Trust Company, as Trustee under Trust Agreement dated September 30, 2004 and known as Trust Number 04-037, which does not contain a reversionary or forfeiture clause.

(Affects Parcels 1 and 3)

6. Covenants and restrictions and easements including passage and parking of vehicles over and across the parking and driveway areas and for passage and accommodation of pedestrians

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over and across the parking, driveways and sidewalk areas, for passage and accommodation of pedestrians and vehicles upon, over and across the permanent access drive, and a sign easement for the construction, reconstruction, replacement, operation, maintenance and repair of sign structures, contained in Operation and Easement Agreement dated February 23, 2005 and recorded February 25, 2005 as document 0505645134 between Target Corporation and W2001 VHE Realty L.L.C., which does not contain a reversionary or forfeiture clause.

Supplemental Agreement recorded July 29, 2010 as document 1021049031 as to Lot 3 in Resubdivision No. 1.

Supplemental Agreement recorded August 10, 2010 as document 1022255020 as to Lot 2 in Resubdivision No. 1.

(Affects Parcels 1 and 2)

7. Covenants, terms, and conditions contained in Memorandum of Route 59 Intersection and Traffic Signal Agreement between the owners of the land West and East of the intersection in Route 59, East of the Shopping Center, recorded February 16, 2006 as document 0604732105. Amendment to Memorandum of Route 59 Intersection and Traffic Signal Agreement recorded May 20, 2009 as document 0914022063.
8. (1) Building lines, easements, easement provisions and IDOT note as shown on the Plat of Poplar Creek Crossing Subdivision recorded June 28, 2007 as document 0717922001, as follows:
 - a. 20 foot building setback line
 - b. 5 foot, 10 foot, 15 foot, 20 foot, 33 foot, 35 foot and varying distances public utility easements
 - c. stormwater detention easement
 - d. 10 foot street light easement
 - e. specific easements with additional provisions granted to Village of Hoffman Estates and to utility service providers and their successors that hold a license or franchise
 - f. specific easements with additional provisions granted to Commonwealth Edison, Ameritech Illinois a.k.a. S.B.C., and Northern Illinois Gas Company
 - g. storm water management facilities easement agreement with terms and provisions made by owner to Village of Hoffman Estates
 - h. IDOT approval with respect to roadway access. Plans required for permits for access driveways.
 - i. 27 foot, 28 foot, 33 foot, 35 foot, 36 foot 39 foot and varying distances ingress and egress and public utility easements
- (2) And as shown on the Plat of Poplar Creek Crossing Resubdivision #1 recorded May 12, 2010 as document 1013244050, as follows:
 - j. 20 foot building setback line amending and partially abrogating line at a. above
 - k. 20 foot public utility easement
 - l. 20 foot ingress and egress and public utility easement

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- m. Declaration regarding existing easements and utility lines and the terms and provisions thereof
 - n. specific easements with additional provisions granted to Village of Hoffman Estates and to utility service providers and their successors that hold a license or franchise
 - o. specific easements with additional provisions granted to Commonwealth Edison (ComEd), AT&T Illinois a.k.a. S.B.C., and Northern Illinois Gas Company.
9. Terms and conditions in Memorandum of Route 59 Signalized Intersection Escrow Agreement entered into between W2001 VHE Realty L.L.C. and Chicago Title Land Trust Company, as Trustee of Trust No. 1079317 under Trust Agreement dated February 9, 1981 and Trust No. 1079831 under Trust Agreement dated May 4, 1981, dated April 28, 2009 and recorded May 1, 2009 as document 0912122121.
10. Rights of the owners of land bordering on the Pond in respect to the water of said Detention Pond.

Parcel 4 (Prairie Stone):

- 1. General Real Estate Taxes for the 2012 and subsequent years, a lien not yet due or payable.

Permanent Index Number: 01-33-303-013-0000 and 01-33-303-014-0000

- 2. Easement granted to Texas Illinois Natural Gas Pipeline Company, its successors and assigns, to install and maintain a pipeline recorded June 22, 1954 as document 15106722, as amended by instrument recorded March 17, 1981 as document 25808170, further amended by instrument recorded February 16, 2006 as document 0604708108, and the terms and provisions contained therein.

Second Amendment to Right of Way Agreement recorded March 27, 2008 as document 0808710000 relating to the agreed description of the right of way for the pipeline, made by and between Natural Gas Pipeline Company of America and U.G. Prairie Stone LP, and the terms and provisions contained therein.

- 3. Easement granted to Badger Pipeline Co., its successors and assigns, to install and maintain a pipeline recorded June 23, 1954 as document 15941168, and the terms and provisions contained therein.
- 4. Rights, easements, covenants, conditions and restrictions contained in the Sears Business Park Declaration of Protective Covenants recorded March 8, 1991 as document 91105432, as amended and supplemented by instruments recorded as documents 91383966, 91554407, 94944869 and 95408255 relating to, but not limited to, assessments, use, development, approval of improvements, building setback lines, parking, landscaping easements, external structures, underground utilities, maintenance, signs, directional and traffic control signs and easements reserved by the association and declarant.

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Fourth Supplementary Declaration to Sears Business Park Declaration of Protective Covenants recorded February 14, 2007 as document 0704518041 and re-recorded November 5, 2008 as document 0831018027, and the terms and provisions contained therein.

Amended "Declaration Restricting Uses" and Notice of Approval Of Uses Pursuant To "Sears Business Park Declaration of Protective Covenants" dated December 28, 2007 and recorded January 2, 2008 as document 0800209153, and the terms and provisions contained therein.

Note: Estoppel Certificate effective as of October 7, 2011 and recorded October 14, 2011 as document 128703039, relating to the Declaration indicates there are no valid assessment liens against the real estate as October 14, 2011.

Assignment of Declarant's Interest in the Sears Business Park Declaration of Protective Covenants recorded on June 02, 2016, as Document No. 1615457008.

Second Amendment to Sears Business Park Declaration of Protective Covenants recorded on March 30, 2017, as Document No. 1708939175.

5. Easement granted to West Shore Pipe Line Company, successor to Badger Pipe Line Company, its successors and assigns, to install and maintain a pipeline recorded June 24, 1998 as document 98540595, and the terms and provisions contained therein.
6. Terms and provisions of an unrecorded Development Agreement made by and between Sears Roebuck and Co. and the Village of Hoffman Estates, a Memorandum of which was recorded April 16, 1991 as document 91173868.

First Amendment recorded April 5, 2001 as document 0010273248.

Second Amendment recorded April 5, 2001 as document 0010273247.

7. Covenants, conditions and restrictions contained in an unrecorded Development Agreement as disclosed by a Memorandum of which was recorded April 19, 1991 as document 91181055 relating to development of the land.
8. Terms, provisions and conditions of Grant of Underground Telephone and Electric Utility Easements recorded May 2, 1997 as document 97310340 made by American National Bank and Trust Company of Chicago, as Trustee under Trust Agreement dated June 6, 1989, and known as Trust Number 108506-00 to and for the benefit of Ameritech Illinois and Commonwealth Edison Company.
9. Plat of Easement for sanitary and watermain purposes in favor of the Village of Hoffman Estates recorded July 24, 1998 as document 98647349 and the terms and provisions contained therein.
10. Terms, provisions and conditions of the Sign Easement Agreement recorded June 11, 1998 as document 98494655, and corrected by instrument recorded June 19, 1998 as document

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98522422, made by and between American National Bank and Trust Company of Chicago, as Trustee under Trust Agreement dated June 6, 1989 and known as Trust Number 108506-00 and the Prairie Stone Property Owners Association.

11. Easements in favor of Commonwealth Edison Company, Ameritech Illinois a.k.a. Illinois Bell Telephone Company, Cable Companies, Northern Illinois Gas Company (Nicor) and the Village of Hoffman Estates, their respective successors and assigns, to install, operate and maintain all equipment necessary for the purpose of serving the land and other property, together with right of access to said equipment, and the provisions relating thereto as contained in document 0812122039, as shown on and as shown on Stone Eagle Resubdivision recorded April 11, 2012 as document 1210229025.
12. Quit Claim Conveyance of Roadway Improvements dated January 3, 2005 and recorded July 14, 2005 as document 0519549001 made by Sears, Roebuck and Co., a New York corporation, to the Village of Hoffman Estates, and the terms and conditions thereof.
13. Easements, restrictions and the provisions therein contained, as shown on Stone Eagle Resubdivision recorded April 11, 2012 as document 1210229025.
 - a. 10' Sanitary and 10' Watermain Easements
 - b. 10' Water Main Easements
 - c. 10' Storm Sewer Easements
14. Parking, Access, Ingress and Egress Provisions as contained in the Certificate appended to the Plat of Stone Eagle Resubdivision recorded April 11, 2012 as document 1210229025.
15. Reciprocal Easement Agreement made by W2001 VHE Realty, L.L.C. and UG Prairie Stone, LP recorded October 23, 2007 as document 0729615115 and re-recorded October 29, 2007 as document 0730215123, and the terms and provisions contained therein.
16. Plat of Easement and Vacation recorded March 11, 2008 as document 0807116025, granting 4' and 10' watermain and 10' sanitary sewer easements, and the terms and provisions contained therein.
17. Covenants, Conditions, Easements and Restrictions contained in the document recorded April 18, 2012 as document 1210950053 which does not contain a reversionary or forfeiture clause, and the terms, provisions, conditions and limitations contained therein.
18. Terms, Provisions and Conditions contained in Notice of Watershed Management Permit Requirements and Obligations of Perpetual Maintenance & Operation recorded on June 08, 2017, as document 1715949123.

Parcels 1 (Poplar Creek) and 4 (Prairie Stone):

1. Reciprocal Easement Agreement made by W2001 VHE Realty, L.L.C. and UG Prairie Stone, LP recorded October 23, 2007 as document 0729615115 and re-recorded October 29, 2007 as document 0730215123, and the terms and provisions contained therein.

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First Amendment to Reciprocal Easement Agreement recorded March 19, 2008 as document 0807918008, and the terms and provisions contained therein.

Second Amendment to Reciprocal Easement Agreement recorded May 21, 2008 as document 0814210160, and the terms and provisions contained therein.

Third Amendment to Reciprocal Easement Agreement recorded August 8, 2008 as document 0822103054, and the terms and provisions contained therein.

Fourth Amendment to Reciprocal Easement Agreement recorded August 8, 2008 as document 0822103055, and the terms and provisions contained therein.

Consent to Reciprocal Easement Agreement and Use Restrictions (Poplar Creek Crossing Subdivision and Prairie Stone Crossing) recorded December 16, 2008 as document 0835129071, and the terms and provisions contained therein.

Consent to Reciprocal Easement Agreement and Use Restrictions (Poplar Creek Crossing Subdivision and Prairie Stone Crossing) recorded December 16, 2008 as document 0835129072, and the terms and provisions contained therein.

Consent to Reciprocal Easement Agreement and Mutual Use Restrictions (Poplar Creek Crossing Subdivision and Prairie Stone Crossing) recorded December 16, 2008 as document 0835129073, and the terms and provisions contained therein.

Fifth Amendment to Reciprocal Easement Agreement recorded December 16, 2008 as document 0835129074, and the terms and provisions contained therein.

Acknowledgment Regarding Reciprocal Easement Agreement by and between W2001 VHE Realty, L.L.C. and UG Prairie Stone, LP dated as of November 14, 2008 (Poplar Creek Crossing Subdivision and Prairie Stone Crossing) recorded December 16, 2008 as document 0835129075.

Acknowledgment Regarding Reciprocal Easement Agreement by and between W2001 VHE Realty, L.L.C. and Prairie Stone Crossing, L.L.C. dated as of August 24, 2012 (Poplar Creek Crossing Subdivision and Prairie Stone Crossing) recorded September 19, 2012 as document 1226318075.