

EAST

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AFTER RECORDED  
TITLE SERVICES AND WEST, LLC.  
610 E. ROOSEVELT ROAD  
SUITE 200  
WHEATON, IL 60187



loc# 2406015015 Fee \$88.00

HSP FEE: \$18.00 RPRF FEE: \$1.00

AREN A. YARBROUGH

COOK COUNTY CLERK

DATE: 02/29/2024 12:07 PM PG: 1 OF 5

①

212983

This instrument prepared by:

Applegate & Thorne-Thomsen, P.C.  
425 S. Financial Place, Suite 1900  
Chicago, Illinois 60605  
Attention: Diane K. Corbett

**TERMINATION AND RELEASE OF SECTION 202  
CAPITAL ADVANCE MORTGAGE, DEED OF TRUST/SECURITY DEED,  
REGULATORY AGREEMENT,  
SECTION 202 CAPITAL ADVANCE USE AGREEMENT AND OTHER  
INSTRUMENTS**

This Termination and Release of Section 202 Capital Advance Mortgage, Deed of Trust/Security Deed, Regulatory Agreement, Section 202 Capital Advance Use Agreement and Other Instruments (this "**Termination**") is made the 28 day of February, 2024, by and between the United States of America, Secretary of Housing and Urban Development (hereinafter called "**HUD**") and POAH Harvey East 151<sup>st</sup> Street Hold Limited Partnership, a limited partnership organized and existing under and by virtue of the laws of the State of Illinois (hereinafter called the "**Owner**"), provides as follows:

**Whereas**, YMCA of Metropolitan Chicago Foundation for Harvey II, a not-for-profit corporation organized and existing under and by virtue of the laws of the State of Illinois (the "**Prior Owner**"), executed and delivered to the United States of America acting by and through HUD a Capital Advance Program Mortgage Note in the principal amount of \$8,084,300.00, dated July 1, 2006 (the "**Note**");

**Whereas**, to secure the Note, the Prior Owner and HUD entered into the following documents encumbering that subject project numbered 071-EE174 (the "**Capital Advance Project Number**") and located in Harvey, Cook County, Illinois (the "**Property**"), the description of which is set forth in Exhibit A hereto:

- A. A Capital Advance Program Mortgage, Deed of Trust and Security Agreement from the Prior Owner to the United States of America acting by and through HUD in the original amount of \$8,084,300.00, dated July 1, 2006, and recorded on July 12, 2006, as document number 0619326177 (the "**Mortgage**").
- B. A Capital Advance Program Regulatory Agreement dated July 1, 2006, between the Prior Owner and HUD recorded as document number 0619326178 (the "**Regulatory Agreement**"), as modified by the First Amendment to Capital Advance Program

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Regulatory Agreement dated as of July 9, 2007, and recorded on July 13, 2007, as document number 0719422069 (the "**Modification Agreement**").

C. A Capital Advance Program Use Agreement dated July 1, 2006, between the Prior Owner and HUD recorded as document number 0619326179 on July 12, 2006 (the "**Section 202 Capital Advance Use Agreement**").

**Whereas**, to acquire the Property, the Owner and Prior Owner entered that certain Release and Assumption Agreement (Harvey East) dated as of June 20, 2019, and recorded on June 27, 2019, as document number 1917817114 in connection with the Note, Mortgage, Regulatory Agreement, and Section 202 Capital Advance Use Agreement; and

**Whereas**, the Owner and HUD have agreed to convert a Section 202 Project Rental Assistance Contract ("**PRAC**") providing rental assistance for sixty (60) units at the subject project located on the Property to a Project Based Rental Assistance ("**PBRA**") Housing Assistance Payments ("**HAP**") contract under the Rental Assistance Demonstration ("**RAD**").

**Now, Therefore**, in accordance with the Rental Assistance Demonstration – Final Implementation, Revision 4 Notice, H-2019-09 PIH-2019-23 (HA), issued September 5, 2019 and as may be amended, the Owner and HUD agree to (i) cancel the Note, and (ii) terminate and release the Mortgage, Modification Agreement, Regulatory Agreement, and the Section 202 Capital Advance Use Agreement; and

**Now, Therefore**, in consideration of mutual promises made, the parties hereto agree to this Termination and both HUD and the Owner are hereby released from any and all obligations thereunder.

*(signature page follows)*

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[Signature page to Termination of Capital Advance Regulatory and Use Agreement]

IN WITNESS WHEREOF, HUD has executed this Termination and Release this 15 day of February, 2024.

UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

By: Thomas R. Davis  
Thomas R. Davis

Its: Director, Office of Recapitalization

District of Columbia | ss.

On February 15, 2024, before me, Nichole M. Scott, Notary Public, personally appeared Thomas R. Davis, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under penalty of perjury under the laws of the District of Columbia that the foregoing paragraph is true and correct. Witness my hand and official seal.

Nichole M. Scott  
Notary Public

Print Name: Nichole M. Scott

My commission expires: November 14, 2026

District of Columbia  
Signed and Sworn to (or affirmed) before me on 2/15/2024 (Date)  
by Thomas R. Davis  
(Name(s) of Individual(s) Making Statement)  
Signature of Notarial Officer: Nichole M. Scott  
Title of Office: Notary  
My Commission Expires: November 14, 2026





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## EXHIBIT A LEGAL DESCRIPTION OF THE PROPERTY

\*\*\*LOT 1 IN YMCA HARVEY SUBDIVISION OF THE NORTH 328.16 FEET OF THE EAST 623.32 FEET (EXCEPTING THEREFROM THE NORTH 33.00 FEET AND THE EAST 33.00 FEET THEREOF) OF THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 36 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 6, 2006 AS DOCUMENT NUMBER 0618734091, IN COOK COUNTY, ILLINOIS.\*\*\*

Commonly known as: 166 West 151st Street, Harvey, Illinois 60426

PIN(s): 29-18-108-008-0000

Property of Cook County Clerk's Office

COOK COUNTY CLERK OFFICE  
RECORDING DIVISION  
118 N. CLARK ST. ROOM 120  
CHICAGO, IL 60602-1387

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