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2000

COLLATERAL ASSIGNMENT OF RENTS AND LEASES

LYONS FEDERAL TRUST AND SAVINGS BANK, ASSIGNEE

AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, NOT PERSONALLY BUT AS TRUSTITE UNDER TRUST AGREEMENT DATED NOVEMBER 25, 1906, AND KNOWN AS TRUST NUMBER 100562-07, ASSIGNOR

COLLATERAL ASSIGNMENT SECURING \$288.000.00 NOTE EFFECTIVE AS OF DECEMBER 31, 1956

THIS DOCUMENT PREPARED BY AND UPON RECORDING IS TO BE RETURNED TO:

GUERARD & DRENK LTD. 100 WEST ROOSEVELT ROAD, A-1 WHEATON, ILLINOIS 60187

JON SOLTHIN

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COLLATERAL ASSIGNMENT OF RENTS AND LEASES

LYONS PEDERAL TRUST AND SAVINGS SAMK, ASSIGNED

AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, NOT PERSONALLY BUT AS TRUSTEE UNDER TRUST AGREEMENT DATED NOVEMBER 25, 1986, AND KNOWN AS TRUST NUMBER 100 (62-07, ASSIGNOR

COLLATERAL ASSIGNMENT SECURING \$288,000.00 NOTE EFFECTIVE AS OF DECEMBER 31, 1986

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GUERARD & DRENK LTD. 100 WEST ROOSEVELT ROAD, A-1 WHEATON, ILLINGIS 60187

3 7 4 7 COLLATERAL ASSIGNMENT OF RENTS & LEASES

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COLLATERAL ASSIGNMENT OF RENTS & LEASES

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COLLATERAL ASSIGNMENT OF RENTS AND LEASES

THIS ASSIGNMENT, made this 31st day of December, 1986, is by and between AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, not personally but as Trustee under Trust Agreement dated November 25, 1986, and known as Trust Number 100662-07 whose address is 33 N. LaSalle Street, Chicago, Illinois, (hereinafter referred to as "Borrower" and/or "Assignor"), and LYONS FEDERAL TRUST AND SAVINGS BANK, whose address is 911 Elm, Hinsdale, Illinois (hereinafter referred to as the "Assignee").

- L.1 Assignor, for good and valuable consideration, the receipt of which is hereby acknowledged, does hereby bargain, sall, transfer, assign, convey, set over and deliver unto Assignee all right, title and interest of the Borrower in, to and under all leases together with any and all future leases hereinafter entered into by any lessor affecting the subject property commonly known as 7516-7518 N. Eastlake Terrace, Chicago, Illinois and legally described in Exhibit "A" attached hereto and made a part hereof, and all guaranties, amendments, extensions and renewals of said leases and any of them, all of which are hereinafter called the Leases", and all rents, income and profits which may now or hereafter be or become due or owing under the Leases, and any of them, or on account of the use of the subject property.
- 2.1 This Assignment is made for the purpose of securing:
- 2.1(a) The payment of the indebtedness (including any extensions or renewals thereof) evidenced by a certain Note of Borrower of even date herewith in the principal sum of TWO HUNDRED EIGHTY EIGHT THOUSAND AND NO/100 (\$288,000.00) DOLLARS (hereinafter referred to as the "Note") and secured by a certain Mortgage (hereinafter referred to as the "Mortgage") of even date herewith encumbering the subject property; and
- 2.1(b) The payment of all other sums with interest thereon becoming due and payable to Assignee under the provisions of the Mortgage and any other instrument constituting security for the Note; and
- 2.1(c) The performance and discharge of each and every term, covenant and condition of Borrower contained in the Note, Mortgage and any other instrument constituting security for the Note.
- 3.1 Assignor covenants and agrees with Assignee as follows:

COLLATERAS ASSIGNMENT OF RENTS AND LEASES

THE SIGNMENT, made this list div of decreas, 1840, is in ity and between AMERICAN NATIONAL BANK AND TRUET COMPANY OF CHICAGO, not personally but as Tracted to the Struck Agreement dated November 15, 1946, and known as the survey wimber 100662+07 whose iddicas is sub. Lames to the struck of the struck of the survey. Chidago, (Illinois, (hereinafter referred to as "Borrower" and Chicago, "Assignor"), and LYONS FEDERAL TRUST AND SAVINGS BANK, whose laddress is "li fir, (include, lilinois therefored to as the "Assignee").

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- 3.1(a) The sole ownership of the entire Lessor's Interest in the Leases is vested in Borrower, and that Borrower has not, and shall not, perform any acts or execute any other instruments which might prevent Assignee from fully exercising its rights under any of the terms, covenants and conditions of this Assignment.
- 3.1(b) Those Leases listed on the Schedule of Leases (attached hereto as Exhibit "B" and expressly made a part hereof) are valid and enforceable in accordance with their terms and have not been altered, modified, amended, terminated, cancelled, renewed or surrendered nor have any of the terms and conditions thereof been waived in any manner chatsoever except as approved in writing by Assignee.
- 3.1(c) There are no leases of the subject property except those listed on the Schedule of Leases.
- 3.1(d) None of the Leases shall be materially altered, modified, amended, terminated, cancelled or surrendered nor any term or condition thereof be waived without the prior written approval of the Assignee.
- 3.1(e) There are no defaults now existing under any of the Leases and there exists no state of facts which, with the giving of notice or lapse of time or both, would constitute a default under any of the Leases.
- 3.1(f) Assignor shall give prompt notice to Assignee of any notice received by Borrower claiming that a default has occurred under any of the Leases on the part of the Borrower, together with a complete copy of any such notice.
- 3.1(g) Each of the Leases shall remain in full force and effect irrespective of any merger of the interest of lessor and any lessee under any of the Leases.
- 3.1(h) Assignor will not permit any Lease to come before the Mortgage and shall subordinate all leases to the lien of the Mortgage.
 - 4.1 The parties further agree as follows:
- 4.1(a) This Assignment is absolute and is effective immediately. Notwithstanding the foregoing, until notice is sent to the Assignor in writing that a default has occurred, and has not been cured, under the terms and conditions of the Note or any other instrument constituting additional security for the Note (which notice is hereafter called the "Notice"), Assignor may receive, collect and enjoy the rents, income and profits accruing from the subject property.

- 13.1(a) 17ha sold ownership of the self a basapate in Rorsewar, and the Boshower, and the Boshower has not, and shall not, perform any orth or asceptancy other instruments which might prevent assigned than fully exercising its rights under sev of the cores, coverants and conditions of this Assignment.
- 3.1(b) Chose Leases lieted on the Chedalo or Leases (attached bereto as Exhibit "8" and everesly and expect part bereof med the part bare valid and enforcesble in accordance with their terms and have not been altered, modulied, amended, terminated, bencepted or surrender d nor leve sever better the terms and conditions thereof been wrived in my ander whatesoever except as approved in writing by Assistance.
- 1.1(c) . There are no leases of the subject subject subjects.
- 3.1(d) Nous of the trases chally cancelled or altered or cancelled or surrandered nor any term or anothing the walked or walked the prior or walked to walked written sources of the Assignor.
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- 4.1(b) In the event of any default at any time in the Note, Mortgage or any other instrument constituting additional security for the Note, Assigned may, at its option after service of a Notice, receive and collect all such rents, income and profits as they become due, from the subject property and under any and all Leases of all or any part of the subject property. Assigned shall thereafter continue to receive and collect all such rents, income and profits, as long as such default or defaults shall exist, and during the pendency of any foreclosure proceedings, and if there is a deficiency, during any redemption period.
- 4.1 c) Borrower heroby irrevocably appoints Assignee its true and lawful attorney with full power of substitution and with full power for Assignee in its own name and capacity or in the name and capacity of Assignor, from and after the service of the Notice of any default not having been cared, to demand, collect, receive and give complete acquittances for any and all rents, income and profits accruing from the subject property, and at Assignee's discretion to file any claim or take any other action or proceeding and make any settlement of any claims, in its own name or otherwise, which Assignee may deem necessary or desirable in order to collect and enforce the payment of the rents, income and profits. Lessees of the subject property are heroby expressly authorized directed to pay any and all amounts due Borrower pursuant to the Leases directly to Assigned or such nomines as Assignee may designate in writing delivered to and received by such lessees who are expressly relieved of any and all duty, liability or obligation to Borrower in respect of all payments so made.
- default that has not been cured, Assignee is hereby vested with full power to use all measures, legal and equitable, deemed by it necessary or proper to enforce this Assignment and to collect the rents, income and profits assigned hereunder, including the right of Assignee or its designee to enter upon the subject property, or any part thereof, with or without force and with or without process of law, and take possession of all or any part of the subject property together with all personal property, fixtures, documents, books, records, papers and accounts of Assignor relating thereto, and may exclude the Assignor, its agents and servants, wholly therefrom. Assignor hereby grants full power and authority to Assignee to exercise all rights, privileges and powers herein granted at any and all times after service of the Notice of any default that has not been cured, without further notice to Assignor, with full power to use and apply all of the rents and other income herein assigned to the payment of the costs of managing and

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operating the subject property and of any indebtedness or liability of Borrower to Assignee, including but not limited to the payment of taxes, special assessments, insurance damaqe claims, the costs of maintaining, repairing, rebuilding and restoring the improvements on the subject property or of making the same rentable, attorneys' fees incurred in connection with the enforcement of this Assignment, and of principal and interest payments due from Borrower to Assignee on the Note and the Mortgage, all in such order as Assignee may determine according to provisions of the Security Documents executed herewith. Assignee shall be under no obligation to exercise or prosecute any of the rights or claims assigned to it hereunder or to perform or carry out any of the obligations of the lessor under any of the Leases and does not assume any of the liabilities in connection with or growing out of the covenants and agreements of Assignor in the Leases. It is further understood that this Assignment shall not operate to place responsibility for the control, care, management or repair of the subject property, or parts thereof, upon Assignee, it operate to make Assignee liable for the nor shall performance of any of the terms and conditions of any of the Leases, or for any waste of the subject property by any lessee under any of the Leases or any other person, or for any dangerous or defective condition of the subject property or for any negligence in the management, upkeep, repair or control of the subject property resulting in loss or injury or death to any lessee, licensen, employee or stranger.

- 4.1(e) Waiver of or acquiescence by Assignee in any default by the Assignor, or faiture of the Assignee to insist upon strict performance by the Assignor of any covenants, conditions or agreements in this Assignment, shall not constitute a waiver of any subsequent or other default or failure, whether similar or dissimilar.
- 5.1 The rights and remedies of Assignce under this Assignment are cumulative and are not in lieu of, but are in addition to any other rights or remedies which Assignee shall have under the Note or any other instrument constituting security for the Note, or at law or in equity.
- 6.1 If any term of this Assignment, or the application thereof to any person or circumstances, shall, to any extent, be invalid or unenforceable, the remainder of this Assignment, or the application of such term to persons or circumstances other than those as to which it is invalid or unenforceable, shall not be affected thereby, and each term of this Assignment shall be valid and enforceable to the fullest extent permitted by law.
- 7.1 All Notices to be given pursuant to this Assignment shall be sufficient and shall be deemed served if

operabling the subject property and of any indectained or Paring to the solid collection amorphism of reworks lower limit. to ather payment for gtaxes, special ascongnist Lusersner pramition, damage claims, the costs of solutions repairing b mebuilding and restoring who issumments on the subject sproperty or all making the case makeling and each foes incurred. In connection with the refinement of this Assignment, and of principal and let ceat payments are from Buckswer to Assignee on the Note and the Mortgage, all to such exder as Assignee may determine recorded to precipions of the Sacurity Documents organization arrawable. Are used in the lear to the learning to earphone of noidepidologic medea ed rights, or claims assigned to it hereunder or to melows or the solutions and an endingerious of the learner and for year of the Leagos and doos upt avenue any of the limbility at in commediation (with the growing aut of the coreacte and opnimication when on growing and access to the formal agraduation of the formal and the control of the plant and access to plant and and appeared that the plant of the plant responsibility for the control, care, management or egoir of the subject, property, or carse thereof, mean larger, nor and nor the subject of the subject performance of any of the terms and conclusion of any of the homes, for the homes, for the homes, lægeegi ander any of the Least or action of the person, or the any demagnment for the properties of for any modigance in the manacharm makery, repair a control of the subject property condition in the or injury or destricted any leases, licenser, emotors or attacourt.

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mailed postage prepaid, certified or registered mail, return receipt requested, to the addresses of the parties hereto as delineated below, or to such other address as a party may request in writing. Any time period provided in the giving of any Notice hereunder shall commence upon the date such Notice is deposited in the mail.

IF TO ASSIGNEE:

Lyons Federal Trust and Savings Bank

911 Elm Street

Hinsdale, Illinois 60521 ATTN: General Counsel

COPY TO:

Guerard & Drenk Ltd. 100 West Roosevelt Road, A-1 Wheaton, Illinois 60187 ATTN: Richard M. Guerard, Esq.

IF TO ASSIGNOR:

American National Bank and Trust Company of Chicago, Trust 100662-07 23 N. LaSalle Street Chicago, IL 60690

ATTW Land Trust Department

COPY TO:

Altheimer & Gray
333 West Vacker Drive, Suite 2600
Chicago, IL 50606
Attn: Janet A O'Brien

- 8.1 The term "Assignor", "Assignee", and "Borrower" shall be construed to include the heirs, personal representatives, successors and assigns thereof. The gender and number used in this Assignment are used as a reference term only and shall apply with the same effect whether the parties are of the masculine or feminine gender, corporate or other form, and the singular shall likewise include the plural.
- 9.1 This Assignment may not be amended, modified or changed nor shall any waiver of any provision hereof be effective as against Assignee, except only by an instrument in writing and signed by the party against whom enforcement of any waiver, amendment, change, modification or discharge is sought.

THIS ASSIGNMENT is executed by Borrower, not personally but as Trustee as aforesaid, in the exercise of the power and authority conferred upon and vested in it, as such Trustee (and each of the undersigned hereby warrants that each possess full power and authority to execute this

mbiled postage prepaid, certified or registered med, return receipt requested, to the addresses of the period for herers as delineaged below, or to such other address as a party saveragued in writing. Any time partical provided is the determinant and Wotlow hereunder shall commente upon the data such Wotlow deposited in the mail.

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Guerard & Drenk Std. 190 West Roseevelt Ross, N-1 Wheaton, Illinois 4018/ WTTN: Richard M. Gerrard, M

TF TO ASSIGNOS:

American National Roll and Trust Company of Chicago Perst (80562-07 33 H. LaSalle Street Chicago, IL 50697 (ATTM: Land Trust Department

cor ro:

Altheimer e Gray 233 west wacker Brive, Buite 2000 Chieropy II 50006 Atbur Janet B. O'Brien

"Borrower": The term "Assignor", "Assignee", net "Borrower": Shall be constraed to include the helical personal terminates the helical terminates are used to this terminates are used to this terminates term only and east apply with the marking only and east apply with the helical the cancelline or terminates, are of the macualine or terminates, are of the cancelline or terminates are included the comporates of the same strong the comporates or other.

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THIS ASSIGNMENT is executed by Serroser, est the parties of the power as allowed, is the exercise of the power and authority conferred upon and erabed in it, so such Trustee (and each of the selectioned because the the the three back passess full power and authority to execute the

instrument), and it is expressly understood and agreed that nothing herein contained shall be construed as creating liability on Borrower, American National Bank and Trust Company of Chicago personally to perform any covenant either expressed or implied herein contained, all such liability, any being expressly waived by every person now or hereafter claiming any right or security hereunder.

IN WITNESS WHEREOF, the said Assignor has caused this instrument to be signed and sealed as of the date first above written.

B.
ATTEST:
Its: American National Bank and Trust Company of Chicago, not personally but as Trustee under Trust Agreement dated November 25, 1986, and known as Trust Number 100662-07

The lite Office Office

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in the wirness whereof, the said Assigner has sance that that the instrumental to the last the last the above written.

JUNE C/E

American Marronni Bank and Tract Crepant of Chicago, to precentally but on Fruet codor Frask Agreemant dukal beyese'er 25, 1935, and known trees Marker 193662-07

> CORPORATE SEAL

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SS) COUNTY OF C O O K) I, the undersigned, a Notary Public, in and for the aforesaid, DO County and State HEREBY CERTIFY, Peter H. Johanson personally known to me to be the Second Vice President of American National Bank and Trust Company of Chicago as Trustee under Trust WILL WILL WILL OF 62-07, a National , personally Banking Association, and ASSISTANT SECRETARY of to me to be the corporation, and personally known to to be the same me persons whose names to the foregoing are subscribed instrument, appeared before me this severally acknowledged that as such booond Vice President day in person Instrument as possessed and delivered and instrument as possessed tent and said corporation, and caused the corporate seal of said corporation to be affixed thereto, pursuant to authority, given by the Board of Directors of said corporation as their

Given under my hand and official seal, this day

free and voluntary set, and as the free and voluntary act and deed of said corporation, for the uses and purposes

Notary Public

My Commission Expires:

"OFFICIAL SEAL"
Karon E. Burns
Falar Pullic, State of Illinois
Comm. L. A. Rus 72 /91

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STATE OF ILLINOIS

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| ibed<br>vfia      | AABK E.<br>ADSTAL                                              | - 支援が許なり構造                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Alleg B. 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| •••               | ansig ar <del>tista</del> er                                   | ا سرداد م <sup>ا</sup> ستعد الای ما الحرور ( الله الله الله الله الله الله الله ال                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | ene e e e e e e e e e e e e e e e e e e                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                          | 470033<br>(2007) 14 (40 4)<br>(30 ) (40 4) | "OFFICIAL S<br>Ration E. 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#### EXHIBIT "A"

### Legal Description

Lot 13 and the south 10 feet of Lot 14 in the Subdivision of Lots 1 to 4 of Block 5 in Birchwood Beach, a Subdivision of part of Section 29. Township 41 North, Range 14 East of the Third Principal Meridian, in Cook County, Illinois.

11-29-303-011 M. ( Alc

Topenty of County Clerk's Office Address: 7516-7518 N. Eastlake Terrace, Chicago, Illinois

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#### Legal Description

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Cook Colling Cook Address: 7516-7518 N. Eastlake Terrace, Chicago, Milloor

#### EXHIBIT "B"

#### Rent Roll 7516-7518 N. Eastlake Terrace

| <u>Apartment</u> | Tenants                               | Lease<br><u>Date</u> | Expiration Date    |
|------------------|---------------------------------------|----------------------|--------------------|
| l-G              | Thomas Havel                          | 3/10/86              | 4/30/87            |
| 1-5              | Deborah Hirschfield                   | 3/10/86              | 4/30/87            |
| 2-5              | Thelma Padawer                        | 8/12/86              | 9/30/87            |
| 3-S              | Piyachat Seesawat,<br>Carl Kutsmode   | 7/5/86               | 4/30/87            |
| 1-N *Month       | Elizabeth Jochner to month, renewable |                      | 1/31/87*<br>ption. |
| 2-N              | Terry Schilling                       | 3/26/86              | 4/30/87            |
| 3 <b>-</b> N     | Jan Holby<br>Elizabeth Warren         | 6/21/86              | 4/30/87            |
| 1-G North is     | vacant.                               | 6/21/86              | Orrica             |

### 7516-7518 N. Eastlake Terrace

| magiration,         | Mar troid            |                                            |                |
|---------------------|----------------------|--------------------------------------------|----------------|
| #JPQ                | of the               | Tenanta                                    | TOWN TOWART    |
| 4/30/67             | 48\01\£              | Thomas Bayel                               | 1              |
| 4,730,787           | 38/X01X6             | Deborah Hirschius id                       | <b>a</b>       |
| \$4.00 DE 1/8       | (1/12/3 h            | minelma, Padusor                           | \$ ** <b>X</b> |
| 130/67              | #3\2\C               | Pirachat Secured                           | 4.4            |
| 1/31/87*<br>option. | 13/31/21<br>50/18/21 | williabeth Jucher mith to month, rene-mole | on*            |
| , VENOUND.          |                      | Terry Schilling                            | W-\$           |
| 4/36/52             | 6871 <b>57.</b>      | Jan Holby,<br>Wlizabeth Warre              | <b>N-</b> 8    |
|                     |                      | is vacant.                                 | 2-C Worth      |
|                     |                      |                                            |                |