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CAUTION: Consult a lawyer before using or acting under this form. Neither the publisher nor the seller of this form makes any warranty with respect thereto, including any warranty of merchantability or fitness for a particular purpose.

KNOW ALL MEN BY THESE PRESENTS, that Assignor,  
Capitol Bank and Trust, an Illinois banking  
corporation,  
of 4801 West Fullerton Avenue, Chicago, IL

89499796

in consideration of Ten and 00/100 (\$10.00)---  
-----dollars

paid by Assignee, Jack Joss, as Trustee Under the  
Jack M. Joss Revocable Trust,

of 1020 North Oak Park Avenue, Oak Park, IL

Above Space For Recorder's Use Only

receipt whereof is hereby acknowledged, unconditionally  
does hereby sell,  
assign, transfer and set over to Assignee the mortgage dated September 1, 1988, from American  
National Bank and Trust Company of Chicago, A/T/U to Capitol Bank  
Trust No. 105763-04 and Trust, recorded in Recorder's office of Cook  
County, in the State of Illinois as document number 88400653 in book

of at page ; together with all of Assignor's right, title and interest in and to  
(a) the note, notes, accrued interest and other obligations secured thereby and payable in accordance therewith, and  
(b) the real estate described therein. The mortgage and the instrument or instruments secured thereby are delivered  
herewith to Assignee.

Assignor represents and warrants to Assignee that Assignor has full right and power to make this assignment, and  
that the following is true with respect to said mortgage:

Unpaid principal balance .....	\$ 178,468.73
Unpaid interest from 4/10 19 89 .....	\$ 1,225.71 (as of 5/3/89)
Tax deposit .....	\$
Insurance deposit .....	\$

Assignor further hereby sells, assigns, transfers and sets over to  
Assignee all of Assignor's right, title and interest in and to the following:

1. That certain guarantee ("5401 Guarantee") executed by 5401 Grand Avenue, a joint venture, running to Capitol Bank and Trust, and dated September 1, 1988;
2. That certain guarantee ("Joss Guarantee") executed by Jack M. Joss, running to Capitol Bank and Trust, and dated as of September 1, 1988;

but solely to the extent that the 5401 Guarantee and the Joss Guarantee relate or pertain to the guarantee of the payment of that certain Mortgage Note, executed September 1, 1988 by American National Bank of Chicago, A/T/U Trust No. 105763-04 ("ANB"), in the amount of \$200,000. It is expressly understood and agreed that the interest of Assignee under this assignment of interests in the 5401 Guarantee and the Joss Guarantee shall remain expressly subordinate to the interest of Assignor in such guarantees with-1000166-8802

Permanent Real Estate Index Number(s): 133510080688017 133-1000166-8802  
Address(es) of real estate: 5401 West Grand Avenue, Chicago, IL

IN WITNESS WHEREOF, Assignor has hereunto set his hand and seal this

day of May 19 89.

*Paul A. Smith* AVP (SEAL)

(SEAL)

This instrument was prepared by Paul A. Smith, Esq.,  
Portes, Sharp, Herbst & Kravets, Ltd.  
333 West Wacker Drive, Suite 500, Chicago, IL 60606  
(NAME AND ADDRESS)

MAIL TO { Paul A. Smith, Esq.  
Portes, Sharp, Herbst & Kravets, Ltd.  
333 West Wacker Drive, Suite 500  
Chicago, IL 60606

89-499796

OR RECORDER'S OFFICE BOX NO

60499796  
Mortgage Note in the amount of \$350,000, executed by ANB on September 1, 1988, which remains in full force and effect.

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# UNOFFICIAL COPY

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STATE OF ILLINOIS            )  
  ) SS  
COUNTY OF COOK            )

I, the undersigned, a Notary Public, in and for the County and State aforesaid, DO HEREBY CERTIFY, that David E. Coit, Assistant Vice President of CAPITOL BANK AND TRUST, a corporation, and \_\_\_\_\_,

\_\_\_\_\_ of said corporation, personally  
(Title)

known to me to be the same persons whose names are subscribed to the foregoing instrument as such Assistant Vice President and \_\_\_\_\_ respectively, appeared before me this

\_\_\_\_\_ (Title)  
day in person and acknowledged that they signed and delivered the said instrument as their own free and voluntary acts, and as the free and voluntary act of said corporation, for the uses and purposes therein set forth; and the said \_\_\_\_\_

(Title)  
did also then and there acknowledge that he, as custodian of the corporate seal of said corporation, did affix the said corporate seal of said corporation to said instrument as his own free and voluntary act, and as the free and voluntary act of said corporation, for the uses and purposes therein set forth.

Given under my hand and official seal, this 3rd day of May, 1989.

  
\_\_\_\_\_  
Notary Public

Commission Expires:

\_\_\_\_\_  
\_\_\_\_\_

Notary Public  
State of Illinois  
Commission Expires 3/31/91

89499796

LEGAL DESCRIPTION

PARCEL 1:

THE LEASEHOLD ESTATE, CREATED BY THE INSTRUMENT HEREIN REFERRED TO AS THE LEASE EXECUTED BY:

BOARD OF EDUCATION OF THE CITY OF CHICAGO, A BODY POLITIC AND CORPORATE, AS LESSOR, AND CHASE BRASS AND COPPER COMPANY, INCORPORATED, A CORPORATION OF CONNECTICUT, AS LESSEE, DATED APRIL 25, 1952, AND

RECORDED APRIL 28, 1952 AS DOCUMENT 15327948 WHICH LEASE DEMISES THE FOLLOWING DESCRIBED LAND FOR A TERM OF YEARS BEGINNING DECEMBER 1, 1951 AND ENDING NOVEMBER 30, 2026, TO WIT:

THAT PART OF THE WEST 1/2 OF THE NORTH WEST 1/4 OF SECTION 33, TOWNSHIP 40 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN BOUNDED AS FOLLOWS:

COMMENCING AT THE POINT OF INTERSECTION OF THE SOUTH LINE OF SAID WEST 1/2 OF THE NORTH WEST 1/4 WITH THE WEST LINE OF NORTH LONG AVENUE AND RUNNING THENCE NORTH ALONG THE SAID WEST LINE OF NORTH LONG AVENUE AND 32 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID WEST 1/2 OF THE NORTH WEST 1/4, A DISTANCE OF 369.39 FEET TO THE POINT OF INTERSECTION OF SAID WEST LINE WITH THE SOUTHWESTERLY LINE OF WEST GRAND AVENUE; THENCE NORTHWESTERLY ALONG SAID SOUTHWESTERLY LINE OF WEST GRAND AVENUE; SAID LINE FORMING A SOUTH WEST ANGLE OF 105 DEGREES 13 MINUTES 10 SECONDS WITH THE WEST LINE OF NORTH LONG AVENUE; AND BEING ALSO 40 FEET SOUTHWESTERLY OF THE CENTER LINE OF SAID WEST GRAND AVENUE AS IMPROVED AND OCCUPIED BY THE CITY OF CHICAGO, A DISTANCE OF 372.73 FEET TO A POINT; THENCE SOUTH PARALLEL WITH SAID EAST LINE OF THE WEST 1/2 OF THE NORTH WEST 1/4 A DISTANCE OF 464.75 FEET TO A POINT IN THE SOUTH LINE OF SAID NORTH WEST 1/4 OF SAID SECTION 33; THENCE EAST ALONG SAID SOUTH LINE A DISTANCE OF 359.67 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS

PARCEL 2:

EASEMENT FOR THE BENEFIT OF PARCEL 1 OF THE LAND, CREATED BY THE INSTRUMENT AFORESAID REFERRED TO AS THE LEASE, FOR THE PURPOSE OF INSTALLING, OPERATING, MAINTAINING, RENEWING AND REMOVING OF A RAILROAD SWITCH TRACK SERVING PARCEL 1 OF THE LAND AND THE MOVEMENT OF RAILROAD CARS AND LOCOMOTIVES OVER SAID TRACK, SAID EASEMENT BEING OVER THE FOLLOWING DESCRIBED LAND:

THAT PART OF THE WEST 1/2 OF THE NORTH WEST 1/4 OF SECTION 33, TOWNSHIP 40 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE SOUTH LINE OF THE WEST 1/2 OF THE NORTH WEST 1/4 OF SAID SECTION, WHICH POINT IS 392.67 FEET WEST OF THE POINT OF INTERSECTION OF SAID SOUTH LINE WITH THE EAST LINE OF THE WEST 1/2 OF THE NORTH WEST 1/4 OF SAID SECTION; THENCE NORTH ALONG A LINE PARALLEL WITH THE EAST LINE OF THE WEST 1/2 OF THE NORTH WEST 1/4 OF SAID SECTION A DISTANCE OF 17 FEET; THENCE WEST ALONG A LINE 17 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE WEST 1/2 OF THE NORTH WEST 1/4 OF SAID SECTION, TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF THE CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD COMPANY; THENCE EASTERLY ALONG SAID RIGHT OF WAY LINE TO THE POINT OF INTERSECTION OF THE SAID RIGHT OF WAY LINE WITH THE SOUTH LINE OF THE WEST 1/2 OF THE NORTH WEST 1/4 OF SAID SECTION; THENCE EAST ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

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