

ASSIGNMENT

This Assignment made this 18th day of April, 1989 by AETNA LIFE INSURANCE COMPANY, a Connecticut corporation ("Assignor") to the SECRETARY OF HOUSING AND URBAN DEVELOPMENT, of Washington, D.C., and his successors and assigns ("Assignee").

Recitals

A. On January 11, 1966, 1130 South Michigan Partnership, an Illinois limited partnership ("Borrower") executed a Note in the principal amount of \$11,022,400 ("Note") in favor of Draper and Kramer, Incorporated ("Interim Lender"). The Note was secured, in part, by (1) a Mortgage dated January 11, 1966 from Borrower to Interim Lender, which encumbered certain land and improvements in Cook County, Illinois and legally described in Exhibit A, attached hereto and made a part hereof ("Property"), which Mortgage was recorded with the Cook County, Illinois Recorder of Deeds ("Recorder") on February 17, 1966 as Document No. 19743521 ("Mortgage"), and (2) an Assignment of Rents and Leases dated October 8, 1968 from Borrower to Interim Lender, which was recorded with the Recorder on October 8, 1968 as Document No. 20638546 ("Lease Assignment").

B. On October 8, 1968, Interim Lender transferred and assigned to Assignor all of the right, title and interest of Interim Lender in and to the Note, the Mortgage, the Lease Assignment and the Property pursuant to an "Assignment of Real Estate Mortgage and Assignment of Rents and Leases", which was recorded with the Recorder on October 8, 1968 as Document No. 20638547.

C. Assignor has elected, under the provisions of the National Housing Act, as amended, to assign the Note, Mortgage and Lease Assignment to Assignee.

NOW THEREFORE, in consideration of the foregoing Recitals, and for other good and valuable consideration (including the issuance of Debentures by Assignee in favor of Assignor), the receipt and adequacy of which is hereby acknowledged, Assignor does hereby sell, assign, transfer and set over unto Assignee all of the right, title and interest of Assignor in and to the Note, Mortgage, Lease Assignment and Property.

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The foregoing assignment is without recourse or warranty, except that Assignor warrants (a) that no act or omission of Assignor has impaired the validity and priority of the Mortgage, (b) that the Mortgage is (i) prior to all mechanics' and materialmen's liens filed of record subsequent to the recording of the Mortgage regardless of whether such liens attached prior to such recording date, and (ii) prior to all liens and encumbrances which may have attached or defects which may have arisen subsequent to the recording of the Mortgage, except such liens or other matters as have been approved by Assignee, (c) that the sum of \$7,383,948.91, together with interest from April 1, 1989 at the rate of 5 1/4% per annum, computed as provided in the Note is actually due and owing under the Note and Mortgage, (d) that there are no offsets or counterclaims thereto, and (e) that Assignor has a good right to assign the Note, Mortgage and Lease Assignment.

IN WITNESS WHEREOF, Assignor has caused its duly authorized officers to execute this Assignment as of the date written above.

AETNA LIFE INSURANCE COMPANY

By: X 

Its _____

ASSISTANT VICE PRESIDENT 

ATTEST: 

Its Assistant Secretary

This instrument prepared by:

Dustin E. Neumark, Esq.
Sonnenschein Carlin Nath
& Rosenthal
8000 Sears Tower
Chicago, Illinois 60606

Property address:

1130 S. Michigan Avenue
Chicago, Illinois

Permanent Tax No.
17-15-309-029

89177448

DEN/3629r(1)

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STATE OF CONNECTICUT)
)
COUNTY OF HARTFORD) SS

I, Lynne Daryl Mow, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY that Elmet Moad, a Assistant Vice President, and William Kauter, a Assistant Secretary of Aetna Life Insurance Company, a Connecticut corporation, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such officers, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their 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 Notarial Seal this 19th day of April, 1989.

Lynne Daryl Mow
Notary Public

My Commission Expires: _____ NOTARY PUBLIC

LYNNE DARYL MOW
My Commission Expires: _____

DEN/3634r(1)

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Exhibit A

Lots 4, 5, 8 9 and Lot 12 (except the south 50 feet thereof), and (except from all of said lots that part taken for alley) in Block 21 in fractional Section 15 addition to Chicago in Section 15, Township 39 North, Range 14 east of the Third Principal Meridian, in Cook County, Illinois.

3635r(1)

Address: 1130 S. Michigan Ave.
Chicago, IL

PIN-15-309-029

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COOK COUNTY RECORDER

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