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#### ASSIGNMENT OF TRUST DEED

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This Assignment of Trust Deed is made and entered as of the Associates, day of My, 1989, by Scarsdale Investment Associates, Ltd., an Illinois limited partnership ("SIA"), and Frank Morelli ("Morelli"), collectively, Assignor, to Michael H. Moss ("Moss"), Assignee.

#### WITNESSETH:

WHEREAS, American National Bank of Arlington Heights, as Trustee under Trust Agreement dated October 25, 1973, and known as Trust No. A319, executed a certain Trust Deed dated May 24, 1988 in the nature of a mortgage (the "Trust Deed") in favor of SIA; and

WHEREAS, the Trust Deed secures a certain Installment Note dated May 24, 1988 payable to "Esarer" in the principal amount of \$202,000 executed by American National Bank of Arlington Heights, as Trustee under Trust Agreement dated October 25, 1973 and November 23, 1977, and known as Trust No. A389 (the "Note"); and

WHEREAS, the Trust Deed was recorded June 1, 1988 as Document No. 188235218 , and encumber certain real property described on Exhibit A attached hereto and incorporated herein; and

WHEREAS, Morelli and Moss were the sole shareholders of Scarsdale Enterprises, Inc., an Illinois corporation ("SEI"), which is the General Partner of SIA, and pursuant to an agreement between Morelli and Moss dated March, 1989 (the "Agreement"), cpfd02.atd

Prepared by and Return to

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Prepared by and Keturn to Charles H. Perlman Barack, Ferrazzano, Kirachbaum & Perlman 333 West Wacker Drive, #2700 Chicago, IL 60606

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Morelli agreed to cause the payee to make certain payments to Moss from the payments due under the terms of the Note: and

WHEREAS, contemporaneously with the execution of this Assignment of Trust Deed, SIA and Morelli have assigned and/or caused assignment of the Note, and payments under the Note, to Moss and now desire to assign all of their right, title and interest in and to the Trust Deed to Moss to further secure the payments to Moss under the Note and aforesaid assignment, and Moss desires to accept this Assignment in accordance with the terms contained herein;

NOW, THEREFORE for good and valuable consideration, the sufficiency and receipt of which are hereby acknowledged, the parties agree as follows:

- 1. To the best of its knowledge SIA hereby represents and warrants to Moss that no defaults under the Trust Deed currently exist or heretofore existed which have not been cured, and the Trust Deed is in full force and effect and is fully enforceable according to its terms as of the date of this Assignment.
- 2. To the best of its knowledge SIA further represents and warrants to Moss that its right, title and interest in, to and under the Trust Deed up to and immediately prior to the time of this Assignment is superior to any and all other parties, and that no previous assignment, transfer or conveyance of any kind, either in whole or in part, has been made of the Trust Deed by it.

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- 3. To the best of its knowledge SIA further represents and warrants to Moss that there are no defenses, claims or offsets against the Trust Deed which would adversely affect its enforceability in whole or in part.
- 4. SIA further irrevocably and unconditionally assigns, conveys, transfers, warrants and sets over to Moss, all of its right, title and interest, to and under the Trust Deed.
- To the best of his knowledge Morelli hereby represents and warrants to Moss that the representations and warranties of SIA contained herein are true, complete and accurate, and irrevocably and unconditionally warrants, assigns, conveys, transfers and sets over to Moss, all of Morelli's right, title and interest, if any, in, to and under the Trust Deed.
- 6. SIA further represents and warrants to Moss that any and all requisite corporate and partnership acts necessary to authorize and effectuate this Assignment have been duly and properly taken.

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COOK COUNTY RECORDER

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This Assignment shall be binding upon the parties 7. their agents and employees, officers, directors, hereto, shareholders, heirs and estates, successors and assigns.

> SCARSDALE INVESTMENT ASSOCIATES, LTD., an Illinois limited partnership

Scarsdale Enterprises, Inc., an Illinois dorporation, its sole

General Partner

Dated:

By:

Dated:

FRANK MORELLI Individually

Subscribed and Sworn to before me this 22 day of May, 1989.

Notary Publ

"OFFICIAL SEAL" JOYCE SACHS

Notary Public, State of Illinois My Formission Expires April 7, 1993

Mdss hereby accepts the foregoing Assignment.

Assignee Mu (1,1969

Dated:

Subscribed and Sworn to /8 day before me this

of May, 1989.

Notary

OFFICIAL SEAL MARY BIDANSET NOTARY PUBLIC STATE OF ILLINOIS CHY COMMISSION EXPIRES 11/19/91

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LEGAL DESCRIPTION
Trust Deed Dated May 24, 1988

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 41 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE POINT OF INTERSECTION OF THE WEST-LINE OF THE EAST. HALF OF SAID QUARTER SECTION, WITH THE SOUTH UNE OF THE EAST HALF OF SAID QUARTER SECTION; THENCE NORTH 0"-14'-17" EAST, ALONG THE SAID WEST LINE \$39.63 FT; THENCE SOUTH 89"-45"-43" EAST, 119.99 FT. TO A POINT ON THE WEST RIGHT-OF-WAY OF MACKBERRY DRIVE AS DEDICATED; THENCE SOUTH 0"-14'-17" WEST ALONG SAID WESTERLY RIGHT-OF-WAY LINE 46.16 FEET, THENCE SOUTH 69'-45-43' EAST, 1 65.00 FT.; THENCE SOUTH D'-1 4'-17" EAST, 9.47 FEET, TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 0"-14-17" WEST, 510.53 FT.; THENCE SOUTH 35"-46'-50" EAST, 12106 FT,; THENCE SOUTH 89"-56'-13" EAST, 715.00 FT.; THENCE NORTH 50"-02-20" EAST, 127.25 FT. TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF EAST AVENUE AS DEDICATED; THENCE NORTH 54"-15-43" WEST, ALONG THE SAID WESTERLY RIGHT-OF-WAY LINE 33.64 FT.; THENCE NORTHERLY ALONG THE SAID WEST RIGHT-OF-WAY LINE OF EAST AVENUE AS DEDICATED, 21 9.07 FT., ALONG AN ARC OF A CIRCLE WHOSE RADIUS IS 436.00 FT., AND BEING CONVEX TO THE WEST; THENCE NORTH 89"-56"-13" WEST, ALONG THE SOUTH LINE OF STREAMWOOD GREEN UNIT FOUR PHASE ONE 378.00 FT.; THEMUS HORTH 48"-44"-54" WEST, \$0.37 FT.; THENCE NORTH 0"-14"-17" WEST, 260,00 FT.; THENCS NORTH 89"-45-43" WEST, 185.00 FT. TO A POINT ON THE WEST RIGHT-OF-WAY SHE OF PEPPERIORE CIRCLE AS DEDICATED; THENCE NORTH O'-14'-17' EAST ALONG SAU WESTERLY HIGHT-OF-WAY, 20.53 FT.; THENCE NORTH-89"-45-43" WEST, 1 05.00 FT. TO THE POINT OF BEGINNING. ALL IN COOK COUNTY, ILLINOIS.

and

THAT PART OF THE EAST HALE OF THE SOUTHWEST QUARTER AND PART OF THE WEST HALF OF THE SOUTHEAST QUARTER ALL IN SECTION 24, TOWNSHIP 41 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINING AT THE BOUTHNEST CORNER OF THE SAID EAST HALF: THENCE NORTH 0"14" 17 EAST, ALONG THE WEST LINE OF SAID EAST HALF 939.63 FT., TO THE SOUTHWEST CORNER OF LOT 11 IN STREAMWOOD GREEN UNIT A PHASE 1 SUBCINISION BEING A Subdimision in the said east half of said quarter section; the following THREE DESCRIBED COURSES ARE ALONG THE BOUTHEPLY UNES OF THE SAID STREAMWOOD GREEN UNIT 4 PHASE I SUBDIMISION, THENCE SOUTH 8 1'45'43' EAST, 119.99 FEET.; Thence south 0°14'17" west, 46.16 feet; thence south 89'45'43' east 165.00 FEET, TO THE SOUTHEAST CORNER OF LOT 31 IN THE AFORES 40 JUBDINISION; THENCE South o' 14'17' West, 520 feet; Thence South 35' 46'50' FAST 12106 feet; THENCE SOUTH 89' 56'13' EAST, 71 8.00 FEET; THENCE NORTH 50 0220' EAST, 127.25 feet, to a point on the westerly right-of-way line of east evenile as dedicated Thence south 64" 1643" East, along the Baid Westerly Right-O.- Will line, 170.00 feet; thence southeasterly continuining along the baid westerly right-of-way LINE, 306.30 FEET ALONG AN ARC OF A CIRCLE WHOSE RADIUS IS \$64.00 FEET AND being convex to the northeast, to a point on the south line of the west malf OF THE SOUTHEAST QUARTER OF BAID SECTION 24; THENCE SOUTH 89' 58'1 5" WEFT, ALONG THE SAID BOUTH LINE, 13557 FEET TO THE SOUTHWEST CORNER OF SAID WEST HALF; (SAID CORNER ALSO BEING THE SOUTHEAST CORNER OF SAID EAST HALF); THENCE NORTH 89' 56'13' WEST, ALONG THE SOUTH LINE OF THE SAID EAST HALF, 132164 FEET to the point of begining. All in cook county, klinois.

Address of Property: Vacant, Streamwood, Illinois Real Estate PIN: 06-24-302-002

( W) 80 021065

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