

# UNOFFICIAL COPY

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## ASSIGNMENT OF TRUST DEED

89241065

This Assignment of Trust Deed is made and entered as of the 2nd day of May, 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. A389, 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 "Earer" 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. 88235218, 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

*CP*  
*M*

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

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EXHIBIT

STATEMENT OF WORK

The undersigned, [Name], of the County of Cook, State of Illinois, do hereby certify that the within and foregoing is a true and correct copy of the original as the same appears in the files of the undersigned.

WITNESSETH MY HAND AND SEAL OF OFFICE

this [Date] day of [Month], 19[Year].

Attest my hand and seal of office this [Date] day of [Month], 19[Year].

Notary Public in and for the State of Illinois

My Commission Expires on [Date]

EXHIBIT

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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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...the party to make certain payments...

...under the terms of the lease...

...with the exception of this...

...and shall have assigned and/or...

...and person's order, as shown to...

...to each of their rights, title and...

...to be used to meet the needs of...

...and shall be deemed to have...

...in accordance with the...

...

...and shall be deemed to have...

...of which are hereby acknowledged...

...

...of the knowledge of the undersigned...

...under the Third Cook County...

...and shall have and hold unto...

...and shall be deemed to have...

...of the date of this assignment...

...and shall be deemed to have...

...and shall be deemed to have...

...and shall be deemed to have...

...and shall be deemed to have...

...and shall be deemed to have...

...and shall be deemed to have...

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COOK COUNTY

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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.

5. 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.

LHP  
AM

89241065

. DEPT-01 \$15.25  
. T#3333 TRAN 0801 05/26/89 13:11:00  
. #9124 # C \*-89-241065  
. COOK COUNTY RECORDER

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Faint, mostly illegible text, possibly a receipt or official document, covering the upper and middle portions of the page.

Property of Cook County Clerk's Office

5/20/2006



DATE: 5-20-06  
OFFICE: COUNTY CLERK  
COUNTY: COOK  
CITY: CHICAGO

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

SCARSDALE INVESTMENT ASSOCIATES, LTD.,  
an Illinois limited partnership

By: Scarsdale Enterprises, Inc., an  
Illinois corporation, its sole  
General Partner

Dated: 5/24/89

By: \_\_\_\_\_

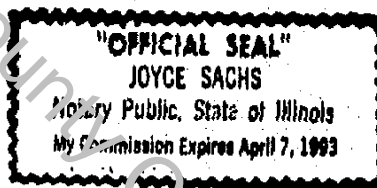
Its: \_\_\_\_\_

Dated: 5/24/89

FRANK MORELLI, Individually

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

Joyce Sachs  
Notary Public

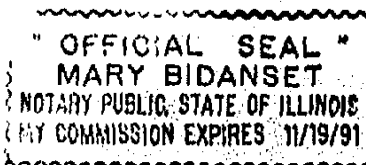


Moss hereby accepts the foregoing Assignment.

Michael H. Moss  
Michael H. Moss, Assignee  
Dated: May 11, 1989

Subscribed and Sworn to  
before me this 18 day  
of May, 1989.

Mary Bidanset  
Notary Public



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being and upon which is being...  
...and ...  
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PROPERTY OF COOK COUNTY CLERK'S OFFICE

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EXHIBIT A TO EXHIBIT E

## 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 LINE OF THE EAST HALF OF SAID QUARTER SECTION; THENCE NORTH  $0^{\circ}-14'-17''$  EAST, ALONG THE SAID WEST LINE 939.63 FT.; THENCE SOUTH  $89^{\circ}-45'-43''$  EAST, 119.99 FT. TO A POINT ON THE WEST RIGHT-OF-WAY OF HACKBERRY DRIVE AS DEDICATED; THENCE SOUTH  $0^{\circ}-14'-17''$  WEST ALONG SAID WESTERLY RIGHT-OF-WAY LINE 46.16 FEET; THENCE SOUTH  $89^{\circ}-45'-43''$  EAST, 165.00 FT.; THENCE SOUTH  $0^{\circ}-14'-17''$  EAST, 9.47 FEET, TO THE TRUE POINT OF BEGINNING; THENCE SOUTH  $0^{\circ}-14'-17''$  WEST, 510.53 FT.; THENCE SOUTH  $35^{\circ}-46'-50''$  EAST, 121.06 FT.; THENCE SOUTH  $89^{\circ}-56'-13''$  EAST, 715.00 FT.; THENCE NORTH  $50^{\circ}-02'-20''$  EAST, 127.25 FT. TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF EAST AVENUE AS DEDICATED; THENCE NORTH  $54^{\circ}-15'-43''$  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, 219.07 FT., ALONG AN ARC OF A CIRCLE WHOSE RADIUS IS 436.00 FT., AND BEING CONVEX TO THE WEST; THENCE NORTH  $89^{\circ}-56'-13''$  WEST, ALONG THE SOUTH LINE OF STREAMWOOD GREEN UNIT FOUR PHASE ONE 378.00 FT.; THENCE NORTH  $48^{\circ}-44'-54''$  WEST, 80.37 FT.; THENCE NORTH  $0^{\circ}-14'-17''$  WEST, 260.00 FT.; THENCE NORTH  $89^{\circ}-45'-43''$  WEST, 165.00 FT. TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF PEPPERIDGE CIRCLE AS DEDICATED; THENCE NORTH  $0^{\circ}-14'-17''$  EAST ALONG SAID WESTERLY RIGHT-OF-WAY, 20.53 FT.; THENCE NORTH  $89^{\circ}-45'-43''$  WEST, 105.00 FT. TO THE POINT OF BEGINNING. ALL IN COOK COUNTY, ILLINOIS.

and

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

BEGINING AT THE SOUTHWEST CORNER OF THE SAID EAST HALF; THENCE NORTH  $0^{\circ}14'17''$  EAST, ALONG THE WEST LINE OF SAID EAST HALF 939.63 FT., TO THE SOUTHWEST CORNER OF LOT 11 IN STREAMWOOD GREEN UNIT 4 PHASE 1 SUBDIVISION (BEING A SUBDIVISION IN THE SAID EAST HALF OF SAID QUARTER SECTION); THE FOLLOWING THREE DESCRIBED COURSES ARE ALONG THE SOUTHERLY LINES OF THE SAID STREAMWOOD GREEN UNIT 4 PHASE 1 SUBDIVISION, THENCE SOUTH  $89^{\circ}45'43''$  EAST, 119.99 FEET; THENCE SOUTH  $0^{\circ}14'17''$  WEST, 46.16 FEET; THENCE SOUTH  $89^{\circ}45'43''$  EAST 165.00 FEET, TO THE SOUTHEAST CORNER OF LOT 31 IN THE AFORESAID SUBDIVISION; THENCE SOUTH  $0^{\circ}14'17''$  WEST, 520 FEET; THENCE SOUTH  $35^{\circ}46'50''$  EAST, 121.06 FEET; THENCE SOUTH  $89^{\circ}56'13''$  EAST, 715.00 FEET; THENCE NORTH  $50^{\circ}02'20''$  EAST, 127.25 FEET, TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF EAST AVENUE AS DEDICATED; THENCE SOUTH  $54^{\circ}15'43''$  EAST, ALONG THE SAID WESTERLY RIGHT-OF-WAY LINE, 170.00 FEET; THENCE SOUTHEASTERLY CONTINUING ALONG THE SAID WESTERLY RIGHT-OF-WAY LINE, 306.30 FEET ALONG AN ARC OF A CIRCLE WHOSE RADIUS IS 364.00 FEET AND BEING CONVEX TO THE NORTHEAST, TO A POINT ON THE SOUTH LINE OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 24; THENCE SOUTH  $89^{\circ}56'13''$  WEST, ALONG THE SAID SOUTH LINE, 135.57 FEET TO THE SOUTHWEST CORNER OF SAID WEST HALF; (SAID CORNER ALSO BEING THE SOUTHEAST CORNER OF SAID EAST HALF); THENCE NORTH  $89^{\circ}56'13''$  WEST, ALONG THE SOUTH LINE OF THE SAID EAST HALF, 1321.64 FEET TO THE POINT OF BEGINNING. ALL IN COOK COUNTY, ILLINOIS.

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

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CWP  
my

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Prepared by and Return to:

Charles H. Perlman  
Barack, Ferrazzano, Kirschbaum  
& Perlman  
333 West Wacker Drive  
Suite 2700  
Chicago, IL 60606

Property of Cook County Clerk's Office

AMERICAN BAR ASSOCIATION  
STAMP