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9/3/92

FOR VALUABLE CONSIDERATION in had paid, the receipt and sufficiency of which is hereby acknowledged, FEDERAL DEPOSIT INSURANCE CORPORATION, AS RECEIVER OF CROSSLAND SAVINGS, FSB (formerly known as Metropolitan Savings Bank, FSB, and Metropolitan Savings Bank) (the "Assignor"), having its place of business at 211 Montague Street, Brooklyn, New York 11201, hereby sells, transfers, assigns and sets over, without recourse, representation or warranty of any kind whatsoever, express or implied, to DAIWA FINANCE CORP., a New York corporation (the "Assignee"), its successors and assigns, having its place of business at 200 Liberty Street, New York, New York 10281, all of Assignor's rights, title and interest in and to the deeds of trust, mortgages, and other collateral documents as described in Exhibit "A" attached hereto and incorporated herein, with respect to certain real property more particularly described in Exhibit "B" attached hereto and incorporated herein, given to secure the obligations evidenced by a promissory note referenced therein.

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COOK COUNTY RECORDER

9/18/92

IN WITNESS WHEREOF, Assignor has caused this assignment to be executed by its authorized Attorney-in-Fact, pursuant to a Power of Attorney dated March 18, 1991, and attached as Exhibit "C" hereto and incorporated herein as of the 17th day of December, 1992.

FEDERAL DEPOSIT INSURANCE CORPORATION, AS RECEIVER OF CROSSLAND SAVINGS, FSB

By: Christopher Weeks  
Christopher Weeks  
Attorney-in-Fact

Signed, sealed and delivered in the presence of:

Mary E. Evans

Merle R. Bickford

3150  
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This document was prepared by Mary E. Evans, Braen & Bartlett, 535 Connecticut Avenue, Norwalk, CT. 06854.

By: Mary E. Evans

RETURN TO:  
LEXIS Document Services  
135 South LaSalle, Suite 1162  
Chicago, IL 60603

6235 NC  
~~200420-2~~  
200420-2

TOP SECRET

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*[Handwritten signature]*

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STATE OF NEW JERSEY

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SS:

COUNTY OF MIDDLESEX

On this 17th day of December, 1992, before me, the undersigned, a Notary Public in and for the jurisdiction aforesaid, personally appeared Christopher Weeks, Attorney-in-Fact for Federal Deposit Insurance Corporation, as Receiver of CrossLand Savings, FSB, and being by me duly sworn, did say that he/she executed the foregoing and annexed instrument for the purposes contained therein on behalf of the Corporation and by authority of the Corporation, and he/she further acknowledged the instrument to be the free act and deed of the Corporation as Receiver of CrossLand Savings, FSB.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year first above written.

*[Handwritten Signature]*  
\_\_\_\_\_  
Notary Public

In and for the State of New Jersey  
My Commission Expires \_\_\_\_\_

CYNTHIA H. MILES  
A Notary Public of New Jersey  
My Commission Expires May 30, 1994

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## EXHIBIT "A"

Project: Chateau Champagne II  
Location: Hazel Crest, IL  
FHA No.: 071-35219

1. That certain Mortgage dated July 1, 1973, in the amount of \$1,240,400.00 executed by American National Bank and Trust Company of Chicago, Trustee under Trust No. 77924, a National Banking Association, (hereinafter referred to as "Mortgagor"), to Great Lakes Mortgage Corporation, (hereinafter referred to as "Mortgagee") filed for record in the Office of the Recorder of Deeds at Cook County, Illinois on July 27, 1973, as Document No. 2706908.
2. That certain Security Agreement dated June 1, 1974, executed by Mortgagor, as Debtor, and Mortgagee, as Secured Party.
3. All other instruments and documents evidencing, securing, or otherwise related to the Mortgage Note made by Mortgagor to Mortgagee dated July 1, 1973, in the original amount of \$1,240,400.00 held by FEDERAL DEPOSIT INSURANCE CORPORATION, AS RECEIVER OF CROSSLAND SAVINGS, FSB (formerly known as Metropolitan Savings Bank, FSB, and Metropolitan Savings Bank).

Pin # 36-2489103

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Parcel I

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Exh. b, t B

That part of the Southeast Quarter of the Southeast Quarter of Section 35, Township 36 North, Range 13, East of the Third Principal Meridian described as follows: Commencing on the East line of said Southeast Quarter at the Northeast corner of Har-Bar Addition to Hazel Crest as recorded February 24, 1972 as Torrens Document No. 2609335; thence North  $89^{\circ}52'32''$  West 596.05 feet along the North line of said Subdivision; thence North  $18^{\circ}04'43''$  West 132.4 feet to a point of curve; thence Northeasterly on a curve convex to the Southeast having a radius of 116 feet, an arc distance of 137.1 feet and a chord bearing of North  $33^{\circ}58'59''$  East to a point of tangent; thence North  $0^{\circ}07'28''$  East 42.00 feet; thence South  $89^{\circ}52'32''$  East 563.90 feet to the East line of said Southeast Quarter; thence South  $0^{\circ}04'30''$  West 275.00 feet along last said line to the place of beginning, all in Cook County, Illinois.

Parcel II

Easements and covenants for the benefit of Parcel I created by Use and Easement Agreement dated July 1, 1973 between American National Bank and Trust Company of Chicago as Trustee under Trust No. 75794 (Phase I Owner) and American National Bank and Trust Company of Chicago as Trustee under Trust No. 77924 (Phase II Owner) granting unto the Phase II Owner non-exclusive rights of use and easement over and upon and along the Community Facilities constructed on the Phase I Parcel and for ingress, egress, access, use and enjoyment of the Recreational Facilities, according to the terms thereof over and upon the following described property:

Commencing at the Northeast corner of the Southeast 1/4 of the Southeast 1/4 of Section 35, Township 36 North, Range 13, East of the Third Principal Meridian; thence South 0 degrees 04 minutes 30 seconds East 490.90 feet along the East line of said Southeast 1/4; thence North 89 degrees 52 minutes 32 seconds West 563.90 feet; thence North 0 degrees 07 minutes 28 seconds East 471.09 feet to a point of curve; thence Northeasterly on a curve convex to the Northwest having a radius of 99.31 feet, an arc distance of 102.88 feet to a point of reverse curve; thence Northerly on a curve convex to the East having a radius of 111.00 feet, an arc distance of 174.36 feet and a chord bearing North 14 degrees 29 minutes 03 seconds East to a point of tangent; thence North 30 degrees 30 minutes 57 seconds West 229.00 feet to the Southeast corner of Versailles Lane and Charlemagne Avenue in Chateaux Campagne Subdivision Unit S-1; thence North 59 degrees 29 minutes 03 seconds East 245.93 feet along the South line of said Charlemagne Avenue to a point of curvature; thence continuing on said South line Northeasterly on a curve convex to the Southeast, having a radius of 238.77 feet, an arc distance of 71.22 feet; thence North 89 degrees 55 minutes 30 seconds East 322.64 feet along the South line of Lots 79, 78 and 77 in said Subdivision to the East line of the Southeast 1/4 of said Section 35; thence South 0 degrees 04 minutes 30 seconds East 386.84 feet along last said East line; thence North 89 degrees 53 minutes 51 seconds West 218.00 feet; thence South 0 degrees 04 minutes 30 seconds East 200.00 feet to the North line of said Southeast 1/4 of the Southeast 1/4; thence South 89 degrees 53 minutes 51 seconds East 218.00 feet along last said line to the place of beginning, all in the East 1/2 of the Southeast 1/4 of said Section 35, containing 11.965 acres, more or less. All in the Village of Hazel Crest, Illinois.

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Exhibit C

POWER OF ATTORNEY

KNOW ALL PERSONS BY THESE PRESENTS, that the FEDERAL DEPOSIT INSURANCE CORPORATION, a Corporation organized and existing under an Act of Congress, hereinafter called the "FDIC", acting in its Receivership or separate Corporate capacity or as Manager of the FSLIC Resolution Fund has acquired certain assets for liquidation and determined that it is necessary to appoint a representative to act on its behalf in connection with the maintenance and liquidation of said assets, hereinafter called the "Acquired Assets."

That Christopher Weeks, has been duly appointed to execute and deliver documents of depository institutions as the representative of the FDIC; and

that under Section C (38) of the Resolution of FDIC's Board of Directors dated June 27, 1990, Seal No. 42112, the undersigned Karen M. Flynn, Liquidation Specialist, Division of Liquidation, is empowered to execute Powers of Attorney on behalf of FDIC.

THEREFORE, said FEDERAL DEPOSIT INSURANCE CORPORATION for the purpose of facilitating the maintenance and liquidation of the foregoing acquired assets in accordance with its rights and privileges, does hereby authorize and empower Christopher Weeks, as its attorney-in-fact to:

(1) Sign, seal and deliver as the act and deed of the FDIC any instrument in writing, and to do every other thing necessary and proper for the collection and recovery of any and all monies and properties of every kind and nature whatsoever for and on behalf of the FDIC and to give proper receipts and acquittances therefor in the name and on behalf of the FDIC;

(2) Release, discharge or assign any and all judgments, mortgages on real estate or personal property (including the release and discharge of the same of record in the office of any Prothonotary or Register of Deeds wherever located where payments on account of the same in redemption or otherwise may have been made by the debtor(s)), and to endorse receipt of such payment upon the records in any appropriate public office;

(3) Receipt, collect and give all proper acquittances for any other sums of money owing to the FDIC for any acquired asset which the attorney-in-fact may sell or dispose of;

(4) Execute any and all transfers and assignments as may be necessary to assign any securities or other choses in action;

(5) Sign, seal, acknowledge and deliver any and all agreements as shall be deemed necessary or proper by the attorney-in-fact in the care and management of the Acquired Assets;

(6) Sign, seal, acknowledge and deliver indemnity agreements and surety bonds in the name of and on behalf of the FDIC;

(7) Sign receipts for the payment of all rents and profits due or to become due on the Acquired Assets;

(8) Execute, acknowledge and deliver deeds of real property in the name of the FDIC;

(9) Extend, postpone, release and satisfy or take such other action regarding any mortgage lien held in the name of the FDIC;

(10) Execute, acknowledge and deliver in the name of the FDIC a power of attorney wherever necessary or required by law to any attorney employed by the FDIC;

(11) Foreclose any mortgage or other lien on either real or personal property, wherever located;

(12) Do and perform every act necessary for the use; liquidation or collection of the Acquired Assets held in the name of the FDIC;

PREPARED BY: Irene B. Janovsky  
IRENE B. JANOVSKY

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(13) Sign, seal, acknowledge and deliver any and all documents as may be necessary to settle any action(s) or claim(s) asserted against the FDIC, either in its Receivership or Corporate capacity, or as Manager of the FSLIC Resolution Fund.

This Power of Attorney shall be effective immediately and shall continue until terminated by any official of the FDIC authorized to do so by the Board of Directors of the FDIC.

IN WITNESS WHEREOF, the FDIC by its duly authorized officers empowered in that behalf by appropriate Resolution of its Board of Directors, has caused these presents to be subscribed in its name and its corporate seal to be therunto affixed this 18th day of March, 1991.

FEDERAL DEPOSIT INSURANCE CORPORATION

By: Karen M. Flynn  
Karen M. Flynn  
Liquidation Specialist  
Division of Liquidation

ATTEST: M. Jane Williamson  
M. Jane Williamson  
Assistant Executive Secretary

050493

SIGNED, SEALED AND DELIVERED  
IN THE PRESENCE OF:

David K. Johnson  
Donald L. Ferguson

UNITED STATES OF AMERICA }  
DISTRICT OF COLUMBIA } SS

On this 18th day of March, 1991 before me, Notary Public in and for the District of Columbia, personally appeared Karen M. Flynn and M. Jane Williamson, to me known personally, who being by me first duly sworn did each depose that they are respectively Liquidation Specialist, Division of Liquidation and Assistant Executive Secretary of the Federal Deposit Insurance Corporation, the Corporation in whose name the foregoing power of attorney has been subscribed, who further said that the seal affixed to the said power of attorney is the corporate seal of the said Federal Deposit Insurance Corporation, and that the said power of attorney was subscribed on behalf of the said Corporation and its seal thereto affixed by due authority of the Corporation's Board of Directors, and the said Karen M. Flynn and M. Jane Williamson acknowledged the said power of attorney to be the free act and deed of the said Corporation.

Deborah A. [Signature]  
Notary Public, District of Columbia  
United States of America  
My commission expires June 14, 1993

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