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TRUSTMARK INSURANCE COMPANY (Mutual)

Lake Forest, Illinois

DEPT-01 RECORDING

\$27.50

T#2222 TRAN 4896 07/01/94 16:52:00

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COOK COUNTY RECORDER

## ASSIGNMENT OF NOTE AND MORTGAGE

WHEREAS, Trustmark Insurance Company (Mutual) ("Trustmark") is the surviving company of a merger between Bankers Mutual Life Insurance Company ("Bankers Mutual"), 500 West South Street, Freeport, Illinois 60132, and Benefit Trust Life Insurance Company, 400 Field Drive, Lake Forest, Illinois 60045. Said merger was effective January 1, 1994, pursuant to an Agreement of Merger approved by and a Certificate of Merger issued by the Illinois Department of Insurance. The Agreement of Merger and the Certificate of Merger were recorded in Stephenson County of the State of Illinois as Document Nos. 9846102 and 9846103. Pursuant to Section 166 of the Illinois Insurance Code, all property, real, personal and mixed of both Bankers Mutual and Benefit Trust was deemed to be transferred to and vested in Trustmark without further act or deed effective January 1, 1994.

NOW, THEREFORE, Trustmark Insurance Company (Mutual), of 400 Field Drive, Lake Forest, Illinois 60045, in exchange for Ten and 00/100 Dollars (\$10.00), and other value received, does hereby assign to Trustmark Life Insurance Company ("Assignee") of 400 Field Drive, Lake Forest, Illinois 60045, its successors and assigns, all rights and interests it may have as mortgagee under a Mortgage dated September 30, 1987 made by Harris Trust and Savings Bank, as Trustee under Trust Agreement dated January 15, 1981, and known as Trust No. 40986 (the "Trust") to Bankers Mutual Life Insurance Company, in the principal amount of One Hundred Eighty Two Thousand and 00/100 Dollars (\$182,000.00), recorded October 14, 1987, in Cook County, Illinois, as Document No. 87555315, covering the following described real estate:

SEE LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT A

Property Address: 409 Inland Drive, Building #12  
Wheeling, Illinois

Trustmark Insurance Company (Mutual) also assigns to Assignee, its successors and assigns, its right, title and interest to the Promissory Note described in and secured by the Mortgage, in the sum of One Hundred Eighty Two Thousand and 00/100 Dollars (\$182,000.00) dated September 30, 1987 executed by the Trust, and payable to the order of Bankers Mutual Life Insurance Company, together with all sums of money due and become due thereon with interest.

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Trustmark Insurance Company (Mutual) also assigns to Assignee, its successors and assigns, its right, title and interest in the following instruments:

A. Trust Deed made by the Trust in favor of Chicago Title and Trust Company, as Trustee, dated June 1, 1982, and recorded in Cook County, Illinois on June 29, 1982, as Document No. 26275366, in the amount of Three Hundred Five Thousand and 00/100 Dollars (\$305,000.00), which Trust Deed was subsequently assigned to Bankers Mutual by instrument recorded in Cook County, Illinois, on October 19, 1987, as Document No. 87562702.

B. Assignment of Rents made by the Trust in favor of Chicago Title and Trust Company, recorded in Cook County, Illinois on June 29, 1982, as Document No. 26275367, which Assignment of Rents was subsequently assigned to Bankers Mutual by instrument recorded October 19, 1987, as Document No. 87562702.

C. Assignment of Rents dated September 30, 1987 made by the Trust and Tiffany Court Apartments, by McGough Management, Inc., Lessor, to Bankers Mutual, recorded in Cook County, Illinois on October 14, 1987, as Document No. 87555316.

D. Assignment of Lessor's Interest in Leases dated September 30, 1987 made by the Trust and Tiffany Court Apartments, by McGough Management, Inc., Lessor, to Bankers Mutual, recorded in Cook County, Illinois, on October 14, 1987, as Document No. 87555317.

E. Security interest of Bankers Mutual, secured party, in certain described chattels on the land as disclosed by Financing Statement executed by the Trust, Debtor, and filed October 15, 1987, as No. 87U26404.

F. Security interest of Virick Ltd., secured party, in certain described chattels on the land as disclosed by Financing Statement executed by the Trust, Debtor, and filed June 30, 1982, as No. 82U24477, continuation filed June 23, 1987, as Document No. 87U16351, subsequently assigned to Bankers Mutual by instrument recorded October 19, 1987, as Document No. 87562702.

G. Subordination Agreement dated September 30, 1987, made by the Trust and Life Assurance Company of Pennsylvania in favor of

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EXHIBIT A

PARCEL 1: UNIT NOS. 12A TO 12F IN SPREADING OAKS CONDOMINIUM BUILDING NUMBER 12, AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED REAL ESTATE: THAT PART OF LOT 1 IN HENRY GRANDT AND OTHERS SUBDIVISION OF PART OF SECTIONS 12 AND 13, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 29, 1923 AS DOCUMENT 7790590, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 889.75 FEET EAST AND 270.60 FEET NORTH OF THE SOUTHWEST CORNER OF SAID LOT 1, AS MEASURED ALONG THE SOUTH LINE THEREOF AND ALONG A LINE AT RIGHT ANGLES THERETO (THE SOUTH LINE OF SAID LOT 1 HAVING AN ASSUMED BEARING OF DUE EAST-WEST FOR THIS LEGAL DESCRIPTION); THENCE NORTH 08 DEGREES 56 MINUTES 00 SECONDS WEST, 62.75 FEET; THENCE NORTH 81 DEGREES 04 MINUTES 00 SECONDS EAST, 42.88 FEET; THENCE SOUTH 08 DEGREES 56 MINUTES 00 SECONDS EAST, 62.75 FEET; THENCE SOUTH 81 DEGREES 04 MINUTES 00 SECONDS WEST, 10.58 FEET; THENCE NORTH 08 DEGREES 56 MINUTES 00 SECONDS WEST, 6.00 FEET; THENCE SOUTH 81 DEGREES 04 MINUTES 00 SECONDS WEST, 21.72 FEET; THENCE SOUTH 08 DEGREES 56 MINUTES 00 SECONDS EAST, 6.00 FEET; THENCE SOUTH 81 DEGREES 04 MINUTES 00 SECONDS WEST, 10.58 FEET TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS, WHICH SURVEY IS ATTACHED AS EXHIBIT 'B' TO THE DECLARATION OF CONDOMINIUM RECORDED AS DOCUMENT 25882006 TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS, IN COOK COUNTY, ILLINOIS ALSO PARCEL 2: EASEMENT FOR THE BENEFIT OF PARCEL 1 FOR INGRESS AND EGRESS AS CREATED BY DEED FROM HARRIS TRUST AND SAVINGS BANK, AS TRUSTEE UNDER TRUST NO. 4054 TO KENNETH E. PIEKUT DATED MARCH 19, 1981 AND RECORDED MARCH 26, 1981 AS DOCUMENT 25819113 INCORPORATING THE TERMS AND PROVISIONS OF THAT CERTAIN 'AGREEMENT TO PROVIDE PARTY WALL RIGHTS, EASEMENTS, COVENANTS AND RESTRICTIONS' RECORDED AS DOCUMENT 25806847 AND EXECUTED BY HARRIS TRUST AND SAVINGS BANK AS TRUSTEE UNDER TRUST AGREEMENT DATED JULY 29, 1980 AND KNOWN AS TRUST NUMBER 40667, LESSEE UNDER THE TERMS AND PROVISIONS OF 'LEASE AGREEMENT' DATED MARCH 1, 1981 AND EVIDENCED BY MEMORANDUM OF LEASE RECORDED MARCH 16, 1981 AS DOCUMENT 25806846, IN COOK COUNTY, ILLINOIS ALSO PARCEL 3: EASEMENT FOR INGRESS AND EGRESS FOR THE BENEFIT OF PARCEL 1 AS SET FORTH IN THE EASEMENT AGREEMENT DATED SEPTEMBER 1, 1978 MADE BY AND BETWEEN HARRIS TRUST AND SAVINGS BANK AS TRUSTEE UNDER TRUST AGREEMENT DATED NOVEMBER 10, 1977 AND KNOWN AS TRUST NO. 38086 AND WHEELING TRUST AND SAVINGS BANK AS TRUSTEE UNDER TRUST AGREEMENT DATED OCTOBER 21, 1968 AND KNOWN AS TRUST NOS. 631 AND 632, AND RECORDED OCTOBER 12, 1978 AS DOCUMENT 24666972, ALL IN COOK COUNTY, ILLINOIS

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