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COOK COUNTY, ILLINOIS  
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AURORA SPC, INC., a Maryland corporation, having its principal  
place of business at 210 West Pennsylvania Avenue, Suite 610, Towson, Maryland 21204

TO

*Handwritten signature*

THE BANK OF NEW YORK, a New York banking corporation, as trustee, 101 Barclay St., Floor  
12W, New York, New York 10286

TRANSFER AND ASSIGNMENT  
(Orland Square)

Dated as of April 14, 1994

Location: 151st Street and LaGrange (Rt. 45), Orland Park, Illinois

Permanent Tax No. 27-10-300-012

PREPARED BY AND RECORD AND RETURN TO:

Thomas L. Totten, Esquire  
Piper & Marbury  
36 South Charles Street  
Baltimore, Maryland 21201

94364496

BOX 300 STI

*Handwritten notes:*  
6/8/94  
CWA  
151 - 70373012

Property of Cook County Clerk's Office

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## TRANSFER AND ASSIGNMENT (Orland Square)

Dated as of April 15, 1994

FOR VALUE RECEIVED, the undersigned, AURORA SPC, INC., a Maryland corporation ("Assignor"), does hereby transfer, assign and convey unto THE BANK OF NEW YORK, a New York banking corporation, as trustee ("Mortgage Note Trust Trustee") under that certain IPLP Mortgage Note Trust Agreement dated as of the date hereof between Assignor and Mortgage Note Trust Trustee (the "Mortgage Note Trust Agreement"), without recourse, and except as expressly provided in the Mortgage Note Trust Agreement, without representation or warranty, the following relating to the property described on Exhibit A attached hereto:

(a) that certain Mortgage dated as of October 31, 1985 and recorded as Instrument Number 85261587 in Cook County, Illinois initially given to The Trustees of Mellon Participating Mortgage Commercial Properties Series 85/10 ("MPMT") by Chicago Title and Trust Company, as trustee under Trust Agreement dated June 15, 1985, and known as Trust No. 1086100, and Illinois Partners Limited Partnership, a Maryland limited partnership, formerly known as Six Anchors Limited Partnership, as amended and restated by that certain Amended and Restated Mortgage effective as of January 1, 1993 but dated as of September 28, 1993 and recorded as Instrument Number 93820405 in Cook County, Illinois, and as amended by that certain First Amendment to Amended and Restated Mortgage dated as of the date hereof and recorded or intended to be recorded in Cook County, Illinois prior hereto, together with the indebtedness secured thereby, the real and personal property described therein, and all right, title, interest, privileges and powers of Assignor in and to said property and in or under said Mortgage, as amended;

(b) that certain Assignment of Lease dated as of October 31, 1985 and recorded as Instrument Number 85261589 in Cook County, Illinois initially among MPMT, Chicago Title and Trust Company, as trustee under Trust Agreement dated June 15, 1985, and known as Trust No. 1086100, and Illinois Partners Limited Partnership, a Maryland limited partnership, formerly known as Six Anchors Limited Partnership, as amended by that certain Amendatory Agreement effective as of January 1, 1993 but dated as of September 28, 1993 and recorded as Instrument Number 93820406 in Cook County, Illinois, and as amended by that certain Second Amendatory Agreement dated as of the date hereof recorded or intended to be recorded in Cook County, Illinois prior hereto, together with the indebtedness secured thereby, the real and personal property described therein, and all right, title, interest, privileges and powers of Assignor in and to said property and in or under said Assignment of Lease and Amendatory Agreements; and

(c) that certain Subordination, Non-Disturbance and Attornment Agreement dated as of October 31, 1985 and recorded as Instrument Number 85261590 in Cook County, Illinois initially among MPMT and CPS Realty Partnership, an Illinois general partnership, and all right, title, interest, privileges and powers of Assignor in or under said Subordination, Non-Disturbance and Attornment Agreement.

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This Transfer and Assignment shall be binding upon the undersigned, its successors, legal representatives and assigns, and shall inure to the benefit of Mortgage Note Trust Trustee, its successors, legal representatives and assigns. The assignment of the aforementioned documents hereby "without recourse" shall not be deemed to be a limitation of any rights Mortgage Note Trust Trustee may have under the Mortgage Note Trust Agreement against Assignor as a result of any breach by Assignor of its representations and warranties thereunder.

IN WITNESS WHEREOF, the undersigned acting by and through its duly authorized officer has caused this Transfer and Assignment to be executed under seal on this 6<sup>th</sup> day of April, 1994.

AURORA SPC, INC., a Maryland corporation

By: David B. Townsend

Name: David B. Townsend

Title: Vice President

STATE OF NEW YORK )

COUNTY OF NEW YORK ) ss:

On this the 6<sup>th</sup> day of April, 1994, before me, Timothy J. Horman the undersigned officer, personally appeared DAVID B. TOWNSEND, who acknowledged her/himself to be the VICE PRESIDENT of AURORA SPC, INC., a Maryland corporation, and that she/he, as such officer being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by her/himself as such officer.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Timothy J. Horman  
Notary Public in and for said State

Timothy J. Horman  
Print Name

My commission expires:

TIMOTHY J. HORMAN  
Notary Public, State of New York  
No. 31-4975020  
Qualified in NY County  
Commission Expires Nov. 28, 1994

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11/15/2011 10:54:44

96th Avenue/151st Street  
Orland Park, Illinois  
Cook County  
PIN 27-10-300-012

**PARCEL 1:**

A TRACT OF LAND IN THE SOUTH 1/2 OF SECTION 10, TOWNSHIP 36 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING ON THE WEST LINE OF SAID SECTION 10 A DISTANCE OF 1276.60 FEET NORTH OF THE SOUTH LINE OF SAID SECTION 10; THENCE NORTH 00 DEGREES 01 MINUTES 40 SECONDS EAST 106.00 FEET ALONG THE WEST LINE OF SAID SOUTH 1/2; THENCE SOUTH 89 DEGREES 58 MINUTES 20 SECONDS EAST 50.40 FEET; THENCE SOUTH 77 DEGREES 59 MINUTES 08 SECONDS EAST 40.93 FEET; THENCE SOUTH 89 DEGREES 58 MINUTES 20 SECONDS EAST 231.00 FEET; THENCE SOUTH 83 DEGREES 35 MINUTES 28 SECONDS EAST 156.17 FEET; THENCE DUE EAST 512.84 FEET; THENCE SOUTH 30 DEGREES WEST 31.75 FEET; THENCE DUE EAST 65.60 FEET; THENCE SOUTH 79 DEGREES 42 MINUTES 36 SECONDS EAST 64.98 FEET; THENCE NORTH 45 DEGREES EAST 25.15 FEET; THENCE SOUTH 44 DEGREES 59 MINUTES 08 SECONDS EAST 80.59 FEET; THENCE NORTH 45 DEGREES 04 MINUTES 08 SECONDS EAST 56.03 FEET; THENCE SOUTH 45 DEGREES 00 MINUTES 25 SECONDS EAST 248.72 FEET; THENCE SOUTH 44 DEGREES 57 MINUTES 32 SECONDS WEST 55.89 FEET; THENCE SOUTH 44 DEGREES 54 MINUTES 17 SECONDS EAST 30.09 FEET; THENCE SOUTH 45 DEGREES WEST 231.00 FEET; THENCE DUE SOUTH 475.24 FEET; THENCE SOUTH 26 DEGREES 32 MINUTES 43 SECONDS WEST 45.50 FEET TO A POINT ON CURVE; THENCE NORTHWESTERLY ON A CURVE CONVEX TO THE SOUTH WEST HAVING A RADIUS OF 1536.30 FEET; AN ARC DISTANCE OF 320.54 FEET AND A CHORD BEARING OF NORTH 57 DEGREES 28 MINUTES 38 SECONDS WEST TO A POINT OF COMPOUND CURVE; THENCE NORTHWESTERLY ON A CURVE CONVEX TO THE SOUTH WEST HAVING A RADIUS OF 1414.59 FEET, AN ARC DISTANCE OF 296.29 FEET AND A CHORD BEARING OF NORTH 45 DEGREES 30 MINUTES WEST TO A POINT OF COMPOUND CURVE; THENCE NORTHWESTERLY ON A CURVE CONVEX TO THE SOUTH WEST HAVING A RADIUS OF 1949.66 FEET, AN ARC DISTANCE OF 576.12 FEET AND A CHORD BEARING OF NORTH 32 DEGREES 02 MINUTES 04 SECONDS WEST TO A POINT; THENCE SOUTH 67 DEGREES 25 MINUTES 52 SECONDS WEST 12.50 FEET TO A POINT ON CURVE; THENCE NORTHWESTERLY ON A CURVE CONVEX TO THE NORTH EAST HAVING A RADIUS OF 30 FEET, AN ARC DISTANCE OF 35.29 FEET AND A CHORD BEARING OF NORTH 56 DEGREES 16 MINUTES 12 SECONDS WEST TO A POINT OF TANGENT; THENCE NORTH 89 DEGREES 58 MINUTES 20 SECONDS WEST 285.74 FEET; THENCE SOUTH 78 DEGREES 01 MINUTES 15 SECONDS WEST 40.86 FEET; THENCE NORTH 89 DEGREES 58 MINUTES 20 SECONDS WEST 50.93 FEET TO THE PLACE OF BEGINNING ALL IN COOK COUNTY, ILLINOIS

**PARCEL 2:**

THE RECIPROCAL AND NON-EXCLUSIVE RIGHTS, EASEMENTS AND PRIVILEGES OF USE, EGRESS, INGRESS, PARK UTILITY AND OTHER PURPOSES CREATED AND GRANTED AS AND APPURTENANCE TO PARCEL 1 ABOVE, TOGETHER WITH ALL THE RIGHTS, POWERS, PRIVILEGES AND BENEFITS ACCRUING TO THE OWNER OF SAID PARCEL 1, ITS SUCCESSORS, LEGAL REPRESENTATIVES AND ASSIGNS, AS CREATED, DEFINED AND LIMITED BY THAT CERTAIN EASEMENT AND OPERATING AGREEMENT DATED MARCH 15, 1976 AND RECORDED AUGUST 10,

94364496

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Orland 2/2

96th Avenue/151st Street  
Orland Park, Illinois  
Cook County

PIN 27-10-300-012

1976 AS DOCUMENT NUMBER 23591873, EXECUTED BY AND BETWEEN ORLAND PARK VENTURE, A JOINT VENTURE, MARSHALL FIELD AND COMPANY, A DELAWARE CORPORATION, SEARS, ROEBUCK AND COMPANY., A NEW YORK CORPORATION AND J. C. PENNY PROPERTIES, INC., A DELAWARE CORPORATION AS AMENDED BY DOCUMENT NUMBER 24240428 DATED SEPTEMBER 15, 1977 AND RECORDED DECEMBER 16, 1977 EXECUTED BY URBAN INVESTMENT AND DEVELOPMENT COMPANY, A DELAWARE CORPORATION, SUCCESSOR IN INTEREST TO ORLAND PARK VENTURE, MARSHALL FIELD AND COMPANY, A DELAWARE CORPORATION, SEARS, ROEBUCK AND COMPANY., A NEW YORK CORPORATION, J. C. PENNY PROPERTIES, INC., A DELAWARE CORPORATION AND CARSON FIRIE SCOTT AND COMPANY, A DELAWARE CORPORATION, IN, ON, OVER, UPON AND UNDER THE TRACT OF LAND DESCRIBED IN THE EASEMENT AND OPERATING AGREEMENT DATED MARCH 15, 1976 AND RECORDED AUGUST 10, 1976 AS DOCUMENT NUMBER 23591873 (EXCEPT THOSE PORTIONS OCCUPIED OR TO BE OCCUPIED BY BUILDINGS AND STRUCTURES), IN COOK COUNTY, ILLINOIS

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