

UNOFFICIAL COPY

95296002

C

THIS INSTRUMENT WAS DRAFTED BY:

John Nicholas Suhr, Jr.
Arent Fox Kintner Plotkin
& Kahn
1050 Connecticut Avenue, N.W.
Washington, DC 20036-5339

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

Arent Fox Kintner Plotkin
& Kahn
1050 Connecticut Avenue, N.W.
Washington, DC 20036-5339
Attn: Bridget L. Lynch

. DEPT-01 RECORDING 155.00
. T40012 TRAN 3948 05/04/95 13:25:00
. #6316 # JM *-95-296002
. COOK COUNTY RECORDER

51845 Jm
A

ASSIGNMENT OF MORTGAGE AND OTHER DOCUMENTS

558

DATED as of the 14th day of April, 1995,

BY

WHC-TWO INVESTORS, L.P. ("Assignor"), a Delaware limited
partnership having an office at 100 Crescent Court, Suite 1000,
Dallas, Texas 75201,

TO

WLL REAL ESTATE LIMITED PARTNERSHIP ("Assignee"), a Delaware
limited partnership having an office at 100 Crescent Court, Suite
1000, Dallas, Texas 75201.

95296002

WITNESSETH:

In consideration of the amount allocable to the property
described herein that is set forth on Exhibit A to that certain
Distribution and Contribution Agreement by and among Assignor,
Assignee and the other parties named therein, Assignor, as
mortgagee or beneficiary, as applicable, of the Mortgages (as
defined herein), hereby assigns, delivers, sets over, and
transfers to Assignee all of Assignor's right, title and interest
in, to and under those certain mortgage(s) or deed(s) of trust
(the "Mortgages") identified on Exhibit A attached hereto and
incorporated herein, and relating to the real property described
on the attached Exhibit B, as the same may have been amended from
time to time;

TOGETHER WITH all of Assignor's right, title and interest
in, to and under the note(s) and the other obligations secured
thereby, the money due and to become due thereon, and all rights
accrued or to accrue thereunder; and

TOGETHER WITH all rights, remedies, collateral instruments
or other documents, instruments or agreements made or granted in

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

favor of Assignor in connection with the loan secured by such Mortgages (the "Loan"), including without limitation: (i) all right, title and interest in those documents described on Exhibit A attached hereto; (ii) all other guaranties, pledges, security interests, mortgages, deeds of trust, or other rights, interests or other collateral securing or guaranteeing payment of such Loan; (iii) all other rights and remedies of the undersigned in connection with the Loan, whether provided by contract or otherwise available under applicable law or in equity; and (iv) all rights and remedies provided under any loan agreements, security agreements, indemnities, letters of credit, title insurance policies, fire and casualty insurance policies, life insurance policies, escrows, accounts, certificates of deposit, claims (including proofs of claim), demands, causes of action and judgments in favor of Assignor or its predecessor in interest relating to the Loan, or other instruments or documents made, issued or delivered to or in favor of Assignor or its predecessors in interest in connection with the Loan, all as the same may have been amended from time to time;


TO HAVE AND TO HOLD by Assignee and its successors and assigns forever.

IN WITNESS WHEREOF, Assignor has duly executed this Assignment of Mortgage and Other Documents as of the day and year first above written.


WHC-TWO INVESTORS, L.P.,
a Delaware limited partnership

By: WHC-TWO Investors, Inc.,
a Delaware corporation,
General Partner

ATTESTATION:


Name: Kevin D. Naughton
Secretary

By:


Name: David M. Veil
Title: Vice President

{Seal}

95296002

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

STATE OF NEW YORK)
) ss
COUNTY OF NEW YORK)

I, Daisy Cuberg a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY, that David M. Weil, the Vice President of WHC-TWO Investors, Inc., a Delaware corporation and the general partner of WHC-TWO Investors, L.P., a Delaware limited partnership, personally known to me to be the same person whose name is subscribed to the foregoing instrument as such Vice President, appeared before me this day in person and acknowledged that he signed and delivered said instrument as such officer of said corporation, as their own free and voluntary act and as the free and voluntary act of the corporation for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 21 day April, 1995.

Daisy Cuberg
Notary Public

My commission expires:

DAISY CUBERG
Notary Public, State of New York
No. 03-4771953
Qualified in Bronx County
Certificate filed in New York County
Commission Expires April 30 1996

UNOFFICIAL COPY

Property of Cook County Clerk's Office

EXHIBIT A

1. Mortgage Note dated March 26, 1990 by Harris Trust and Savings Bank, as trustee under Trust Agreement dated April 10, 1989 and known as Trust No. 94444, and 430 Erie Associates Limited Partnership, an Illinois limited partnership, to the order of ITT Commercial Finance Corp., a Nevada corporation, in the principal amount of \$4,700,000.
2. Mortgage and Security Agreement dated March 26, 1990, by Harris Trust and Savings Bank, as trustee under Trust Agreement dated April 10, 1989 and known as Trust No. 94444, as mortgagor, and ITT Commercial Finance Corp., a Nevada corporation, as mortgagee, recorded on March 28, 1990 as Document No. 90137127 in the Official Records of Cook County, Illinois.
3. Assignment of Leases, Rents, Profits and Contracts dated March 26, 1990, by 430 Erie Street Associates Limited Partnership, an Illinois limited partnership, and Harris Trust and Savings Bank, as trustee under Trust Agreement dated April 10, 1989, and known as Trust No. 94444, to ITT Commercial Finance Corp., a Nevada corporation, recorded on March 28, 1990 as Document No. 90137128 in the Official Records of Cook County, Illinois;
4. Memorandum of Modification of Mortgage dated August 16, 1991, by Harris Trust and Savings Bank, as trustee under Trust Agreement dated April 10, 1989, and known as Trust No. 94444, recorded on August 21, 1991 as Document No. 91428457 in the Official Records of Cook County, Illinois;
5. Memorandum of Modification of Mortgage dated May 21, 1993, by Harris Trust and Savings Bank, as trustee under Trust Agreement dated April 10, 1989, and known as Trust No. 94444, recorded on May 26, 1993 as Document No. 93397965 in the Official Records of Cook County, Illinois.
6. UCC-1 Financing Statement #90-U-06422 filed 3/28/90 and UCC-3 assigning such to WHC-TWO Investors, L.P.
Recorder of Deeds
Cook County, Illinois

Debtor: 430 Erie Associates Limited Partnership
7. UCC-1 Financing Statement #90-U-06423 filed 3/28/90 and UCC-3 assigning such to WHC-TWO Investors, L.P.
Recorder of Deeds
Cook County, Illinois

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

Debtor: Harris Trust and Savings Bank as Trustee u/t/a dated April 10, 1989, known as Trust No. 94444 and not individually

8. UCC-1 Financing Statement #2889189 filed 8/30/91 and UCC-3 assigning such to WHC-TWO Investors, L.P.
Secretary of State, Illinois

Debtor: ZVI/430 Associates Limited Partnership

9. UCC-1 Financing Statement #91-U-14713 filed 8/21/91 and UCC-3 assigning such to WHC-TWO Investors, L.P.
Recorder of Deeds
Cook County, Illinois

Debtor: ZVI/430 Associates Limited Partnership

10. UCC-1 Financing Statement #2697996 filed 4/2/90 and UCC-3 assigning such to WHC-TWO Investors, L.P.
Secretary of State, Illinois

Debtor: 430 Erie Associates Limited Partnership

11. UCC-1 Financing Statement #2697997 filed 4/2/90 and UCC-3 assigning such to WHC-TWO Investors, L.P.
Secretary of State, Illinois

Debtor: Harris Trust and Savings Bank as Trustee u/t/a dated April 10, 1989, known as Trust No. 94444 and not individually

95296002

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

430 West Erie
ITT - 10012
(ITT - 12)

EXHIBIT B

LOTS 15, 16, 17 AND 18 IN BLOCK 10 IN HIGGINS LAW AND CO'S ADDITION TO CHICAGO
OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 14
EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

Street Address: 430 West Erie, Chicago, Illinois

Tax ID No.: 17-09-124-013

Tax ID No.: 17-09-124-014

Property of Cook County Clerk's Office

95296002

UNOFFICIAL COPY

Property of Cook County Clerk's Office