

FOR RECORDER'S USE ONLY

ASSIGNMENT OF MORTGAGE, SECURITY AGREEMENT AND OTHER COLLATERAL LOAN DOCUMENTS

6 SN

(this "Assignment and Assumption")

KNOW THAT BARCLAYS BANK PLC, a banking corporation organized under the laws of England, acting through its New York Branch, a branch of Barclays Bank PLC licensed to do business in the State of New York, having an office at 75 Wall Street, New York, New York 10265 ("Assignor"), in consideration of ten and 00/100 (\$10.00) dollars paid by MERRILL LYNCH MORTGAGE CAPITAL, INC., having an office at World Financial Center-North Tower, 250 Vesey Street, New York, New York 10281 ("Assignee"), hereby assigns transfers, sets over and conveys, effective as of the date hereof, to Assignee, all of Assignor's right, title and interest in and to:

(x) that certain Consolidated, Amended and Restated Mortgage dated August 31, 1989 and recorded with the Cook County Recorder of Deeds in Cook County, Illinois (the "Recorder's Office") on September 1, 1989 as Document No. 89413224 and filed with the Cook County Registrar of Titles in Cook County, Illinois (the "Registrar's Office") on September 5, 1989 as Document LR3822233, as the same may be amended by that certain Amendment to Consolidated, Amended and Restated Loan Documents dated as of April 26, 1990, recorded on April 27, 1990, with the Recorder's Office, as Documents No. 90-191897 and 90-191893 and filed with the Registrar's Office on April 27, 1990 as Document LR 3876427 and as further amended by that certain Second Amendment to Consolidated, Amended and Restated Loan Documents, dated as of June 5, 1990, and recorded on June 5, 1991, with the Recorder's Office, as Documents No. 91270775 and 91313291 and filed with the Registrar's Office on May 15, 1991 as Document LR 3964722, and as further amended by that certain Third Amendment to Consolidated, Amended and Restated Loan Documents, dated as of December 9, 1994, and recorded on December 15, 1994, with the Recorder's Office, as Document No. 04048915 (correcting Document No. 04035059 which was recorded on December 9, 1994) (collectively, the "Mortgage"); and

(y) that certain Consolidated Amended and Restated Assignment of Leases and Rents dated as of August 31, 1989 and recorded with the Recorder's Office on September 1, 1989 as Document No. 89413225 and filed with the Registrar's Office on September 5, 1989 as Document LR3822233 (the "Assignment of Leases and Rents").

TOGETHER with the bond(s) or note(s) or obligations(s) described in the Mortgage, and the moneys due and to grow due thereon with the interest; TO HAVE AND TO HOLD the same unto Assignee and to the successors, legal representatives and assigns of Assignee forever.

10/1 3-1 861922L 7226498 1H

Assignee hereby accepts the foregoing assignment and hereby assumes and promises to perform and observe all obligations and agreements of Assignor under the Mortgage and the Assignment of Leases and Rents arising from and after the date hereof.

It is expressly understood and agreed that, except as set forth in that certain Mortgage Loan Purchase Agreement, of even date herewith, between Assignee and Assignor, this Assignment is made without recourse to Assignor, and without covenant, representation or warranty express or implied, or by operation of law and Assignee for itself and its successors and assigns hereby discharges Assignor and its successors and assigns from any liability under or in connection with this Assignment and Assumption.

This Assignment and Assumption may be executed in any number of identical counterparts, each of which for all purposes is to be deemed an original, but all of which shall constitute collectively one agreement.

IN WITNESS WHEREOF, Assignor and Assignee have duly executed this Assignment and Assumption on October 12, 1997.

**BARCLAYS BANK PLC**

By: \_\_\_\_\_  
Name:  
Title:

**MERRILL LYNCH MORTGAGE CAPITAL, INC.**

By: John E. Skowronek  
Name: John E. Skowronek  
Title: Authorized Signatory

This instrument was prepared by and after recording should be returned to:

Sonnenschein Nath & Rosenthal  
1221 Avenue of the Americas  
24th Floor  
New York, New York 10020  
Marc B. Heller, Esq.

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Assignee hereby accepts the foregoing assignment and hereby assumes and promises to perform and observe all obligations and agreements of Assignor under the Mortgage and the Assignment of Leases and Rents arising from and after the date hereof.

It is expressly understood and agreed that, except as set forth in that certain Mortgage Loan Purchase Agreement, of even date herewith, between Assignee and Assignor, this Assignment is made without recourse to Assignor, and without covenant, representation or warranty express or implied, or by operation of law and Assignee for itself and its successors and assigns hereby discharges Assignor and its successors and assigns from any liability under or in connection with this Assignment and Assumption.

This Assignment and Assumption may be executed in any number of identical counterparts, each of which for all purposes is to be deemed an original, but all of which shall constitute collectively one agreement.

IN WITNESS WHEREOF, Assignor and Assignee have duly executed this Assignment and Assumption on October 2, 1997.

BARCLAYS BANK PLC

By:

*[Signature]*  
Name: Peter Harrington  
Title: Vice President

MERRILL LYNCH MORTGAGE CAPITAL, INC.

By:

Name:  
Title:

This instrument was prepared by and after recording should be returned to:

Sonnenschein Nath & Rosenthal  
1221 Avenue of the Americas  
24th Floor  
New York, New York 10020  
Marc B. Heller, Esq.

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

I, Edward J. Welch a Notary Public in and for said county, in the State aforesaid,  
DO HEREBY CERTIFY that John E. Gluszek of **MERRILL LYNCH  
MORTGAGE CAPITAL, INC.**, personally known to me to be the same person whose name is  
subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that  
(s)he signed and delivered the said instrument as his/her own free and voluntary act for the uses and  
purposes set forth therein.

GIVEN under my hand and Notarial Seal this 16<sup>th</sup> day of October, 1997.

Edward J. Welch

Notary Public

My Commission Expires:  
**EDWARD J. WELCH**  
Notary Public, State of New York  
No. 03-452664  
Qualified in Putnam County  
Commission Expires Oct. 31, 1998

Qualified in \_\_\_\_\_ County  
Registered with the City of \_\_\_\_\_

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

I, \_\_\_\_\_ a Notary Public in and for said county, in the State aforesaid,  
DO HEREBY CERTIFY that \_\_\_\_\_ of **BARCLAYS BANK PLC**,  
personally known to me to be the same person whose name is subscribed to the foregoing instrument,  
appeared before me this day in person and acknowledged that (s)he signed and delivered the said  
instrument as his/her own free and voluntary act for the uses and purposes set forth therein.

GIVEN under my hand and Notarial Seal this \_\_\_\_\_ day of \_\_\_\_\_, 1999.

\_\_\_\_\_  
Notary Public

My Commission Expires:  
\_\_\_\_\_

Qualified in \_\_\_\_\_ County  
Registered with the City of \_\_\_\_\_

UNOFFICIAL COPY

Property of Cook County Clerk's Office

STATE OF NEW YORK )  
 ) SS:  
COUNTY OF NEW YORK )

I, \_\_\_\_\_ a Notary Public in and for said county, in the State aforesaid,  
DO HEREBY CERTIFY that \_\_\_\_\_ of MERRILL LYNCH  
MORTGAGE CAPITAL, INC., personally known to me to be the same person whose name is  
subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that  
(s)he signed and delivered the said instrument as his/her own free and voluntary act for the uses and  
purposes set forth therein.

GIVEN under my hand and Notarial Seal this \_\_\_\_\_ day of \_\_\_\_\_, 199\_.

\_\_\_\_\_  
Notary Public

My Commission Expires:  
\_\_\_\_\_

Qualified in \_\_\_\_\_ County  
Registered with the City of \_\_\_\_\_

STATE OF NEW YORK )  
 ) SS:  
COUNTY OF NEW YORK )

I, John P. C. Ma a Notary Public in and for said county, in the State aforesaid,  
DO HEREBY CERTIFY that Peter Harrington of BARCLAYS BANK PLC,  
personally known to me to be the same person whose name is subscribed to the foregoing instrument,  
appeared before me this day in person and acknowledged that (s)he signed and delivered the said  
instrument as his/her own free and voluntary act for the uses and purposes set forth therein.

GIVEN under my hand and Notarial Seal this 15<sup>th</sup> day of October, 1997

[Signature]  
Notary Public

My Commission Expires:  
\_\_\_\_\_

**JOHN CHIA CHI MA**  
Notary Public, State of New York  
No. 4989369  
Qualified in Nassau County  
Commission Expires December 2, 1997

Qualified in \_\_\_\_\_ County  
Registered with the City of \_\_\_\_\_



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STREET ADDRESS:

CITY:

COUNTY:

TAX NUMBER:

LEGAL DESCRIPTION:

PARCEL 1:

THAT PART OF LOT 2 LYING WEST OF A STRAIGHT LINE DRAWN IN A SOUTHERLY DIRECTION FROM A POINT ON THE NORTH LINE OF LOT 2, 11 3/4 INCHES EAST OF THE NORTH WEST CORNER OF SAID LOT 2 TO A POINT IN THE SOUTH LINE OF LOT 2, 9 5/8 INCHES EAST OF THE SOUTH WEST CORNER OF SAID LOT 2, ALL OF LOT 3 AND LOT 4 (EXCEPT THE WEST 18 FEET OF THE EAST 19 FEET) ALL OF LOTS 5, 6, 7, 8, 9 AND THE WEST 1/2 OF LOT 10 IN BLOCK 18 IN KINZIE'S ADDITION TO CHICAGO IN SECTION 10, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

ALSO

PARCEL 2:

ALL THAT PART OF THE VACATED EAST AND WEST 18 FOOT PUBLIC ALLEY SOUTH OF AND ADJOINING THE SOUTH LINE OF LOTS 5 TO 6 BOTH INCLUSIVE LYING NORTH OF AND ADJOINING THE NORTH LINE OF LOTS 7 TO 9 INCLUSIVE AND LYING WEST OF AND ADJOINING A LINE 19 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID LOT 4 PRODUCED SOUTH 18 FEET IN THE SUBDIVISION OF BLOCK 18 OF KINZIE'S ADDITION TO CHICAGO, BEING A SUBDIVISION OF THE NORTH FRACTION OF SECTION 10, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PIW: 17-10-126-001-0000  
17-10-126-002-0000  
17-10-126-005-0000  
17-10-126-009-0000  
17-10-126-010-0000

PIA: 505 N. Michigan Ave.  
Chicago, IL

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