

UNOFFICIAL COPY

Prepared, drafted and recording requested by and after recording return to:

97209935

Harvey R. Uris, Esq.
Skadden, Arps, Slate, Meagher & Flom LLP
919 Third Avenue
New York, New York 10022

DEPT-01 RECORDING \$35.50
140010 TRAN 7546 03/26/97 15:40:00
41904 4 01 * 97-209935
COOK COUNTY RECORDER

ASSIGNMENT OF RECORDED LOAN DOCUMENTS (this "Assignment")
(Originator to Depositor)

35.50
OK

KNOW THAT, SECORE FINANCIAL CORPORATION, having an office at 12510 Prosperity Drive, Suite 270, Silver Spring, Maryland 20904 ("ASSIGNOR"), in consideration of One (\$1) Dollar and other good and valuable consideration in hand paid by KIMART CMBS FINANCING, INC., having an office at 3100 West Big Beaver Road, Suite E354, Troy, Michigan 48084 ("ASSIGNEE"), hereby grants, conveys, transfers and assigns unto ASSIGNEE, (i) that certain Deed of Trust, Deed to Secure Debt, Mortgage, Security Agreement, Fixture Filing, Financing Statement and Assignment of Leases and Rents, dated as of March 4, 1997, made by TROY CMBS PROPERTY, L.L.C. in favor of ASSIGNOR (the "Mortgage"), intended to be recorded in the land records prior to the recordation of this Assignment, together with the note(s) or obligations(s) described in and secured by the Mortgage, and the moneys due and to grow due thereon with interest and (ii) that certain Assignment of Leases, Rents and Security Deposits, dated as of March 4, 1997, made by TROY CMBS PROPERTY, L.L.C. in favor of ASSIGNOR (the "Assignment of Leases"), intended to be recorded in the land records prior to the recordation of this Assignment.

TO HAVE AND TO HOLD the same unto ASSIGNEE and to the successors, legal representatives and assigns of ASSIGNEE forever.

The Mortgage and the Assignment of Leases described herein affect the premises more particularly described in Exhibit "A" attached hereto and made a part hereof.

97209935

UNOFFICIAL COPY

ASSIGNOR hereby represents and warrants to ASSIGNEE, as of the date hereof, that (1) ASSIGNOR has not previously sold, assigned, transferred, pledged, hypothecated or conveyed the Mortgage, the Assignment of Leases, or any interest therein; (2) the Mortgage and the Assignment of Leases are in full force and effect, and to the actual knowledge of ASSIGNOR, without independent investigation, no conditions exist which, with the giving of notice or the passage of time, could constitute a default thereunder; and (3) ASSIGNOR is duly authorized to execute and deliver this Assignment and has the power and authority to perform its obligations hereunder.

{THE BALANCE OF THIS PAGE IS INTENTIONALLY LEFT BLANK}

Property of Cook County Clerk's Office

UNOFFICIAL COPY

Exhibit "A"

Legal Description of Premises

Property of Cook County Clerk's Office

97209935

UNOFFICIAL COPY

IN WITNESS WHEREOF, assignor has duly executed under seal
this Assignment as of this 4th day of March, 1997.

Signed, sealed and delivered
in the presence of:

SECORE FINANCIAL CORPORATION,
a Pennsylvania corporation

WITNESSES:

ASB
Printed Name: Amarjeet S. Bhachu
Address: 1400 North Lake Shore Dr.
Apt. 6NW
Chicago, IL 60610

By: Tamera S. Massey
Name: Tamera S. Massey
Its: Executive Vice President

Mona Kumar
Printed Name: Mona Kumar
Address: 184 Beekman Avenue
Monmouth Jct., NJ 08852

Attest: Jeffrey H. Gelman
Name: Jeffrey H. Gelman
Its: Assistant Secretary

(Witnesses as to both signatures)

[SEAL]

97209935

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

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

On this 4th day of March, 1997, before me, the undersigned officer, personally appeared Tamera S. Massey residing at 1916 Westchester Drive, Silver Spring, Maryland 20902, and Jeffrey H. Gelman residing at 1916 Westchester Drive, Silver Spring, Maryland 20902, personally known and being by me duly sworn, acknowledged themselves to me (or proved to me on the basis of satisfactory evidence) to be the Executive Vice President and Assistant Secretary, respectively, of SECORE FINANCIAL CORPORATION, a Pennsylvania corporation ("Corporation"), and that as such officers, being duly authorized to do so pursuant to its bylaws or a resolution of its board of directors, executed, sealed, subscribed, attested, acknowledged and delivered before me, the foregoing instrument for the purposes therein contained, by signing their names as Executive Vice President and Assistant Secretary, respectively, on behalf of the Corporation by themselves in their authorized capacities as such officers as their free and voluntary act and deed and the free and voluntary act and deed of said Corporation.

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

Kimberly B. Scerrato

Notary Public, State of New York
Qualified in New York County
Number 01SC5069268

Printed Name: Kimberly B. Scerrato
My Commission Expires: 11/25/98
Residing at: 103 7th Street
Hoboken, New Jersey 07030
County of Hudson

NOTARIAL SEAL

97209935

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

EXHIBIT A

LEGAL DESCRIPTION

PARCEL 1:

THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 36 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPTING THEREFROM THE EAST 70.00 FEET THEREOF) AND ALSO (EXCEPTING ALL THAT PART OF THE WEST 60.00 FEET THEREOF LYING NORTH OF THE EAST EXTENSION OF THE SOUTH LINE OF 161ST STREET DEDICATED BY DOCUMENT NUMBER 20856178), AND ALSO (EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PROPERTY; COMMENCING AT THE INTERSECTION OF THE NORTH LINE OF SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER WITH THE WEST LINE OF HARLEM AVENUE AS DEDICATED; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST ALONG SAID WEST LINE FOR A DISTANCE OF 577.37 FEET TO THE POINT OF BEGINNING; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST FOR A DISTANCE OF 187.00 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST FOR A DISTANCE OF 23.69 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST FOR A DISTANCE OF 371.99 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST FOR A DISTANCE OF 210.45 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST FOR A DISTANCE OF 70.00 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST FOR A DISTANCE OF 55.00 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST FOR A DISTANCE OF 149.00 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST FOR A DISTANCE OF 110.00 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST FOR A DISTANCE OF 171.51 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST FOR A DISTANCE OF 551.77 FEET TO A POINT ON SAID NORTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER; THENCE NORTH 89 DEGREES 46 MINUTES 05 SECONDS EAST ALONG THE LAST DESCRIBED LINE FOR A DISTANCE OF 949.51 FEET TO THE POINT OF BEGINNING), IN COOK COUNTY, ILLINOIS AND ALSO THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 36 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPTING THEREFROM THE EAST 75.00 FEET OF THE SOUTH 200.00 FEET THEREOF; AND EXCEPTING THEREFROM THE EAST 70.00 FEET OF THAT PART LYING NORTH OF THE SOUTH 200 FEET THEREOF) IN COOK COUNTY, ILLINOIS, AND ALSO EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PORTION THEREOF:

Tinley Park, IL
Kmart Store #4984
Fee Property
February 24, 1997

57209935
Page 1 of 3

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

ALL THAT PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 36 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN AND ALL THAT PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 36 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE NORTH LINE OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER WITH THE WEST LINE OF HARLEM AVENUE AS DEDICATED; THENCE SOUTH 89 DEGREES 46 MINUTES 05 SECONDS WEST ALONG SAID NORTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 24 FOR A DISTANCE OF 949.51 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 89 DEGREES 46 MINUTES 05 SECONDS WEST ALONG THE LAST DESCRIBED LINE FOR A DISTANCE OF 256.61 FEET TO A POINT ON A LINE THAT IS 60.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 24; THENCE SOUTH 00 DEGREES 30 MINUTES 09 SECONDS EAST ALONG THE LAST DESCRIBED LINE FOR A DISTANCE OF 202.50 FEET TO A POINT ON A LINE THAT IS THE EASTERLY EXTENSION OF THE SOUTH LINE OF 161ST STREET AS HERETOFORE DEDICATED BY DOCUMENT NO. 20856178; THENCE NORTH 89 DEGREES 57 MINUTES 33 SECONDS WEST ALONG THE LAST DESCRIBED LINE FOR A DISTANCE OF 60.00 FEET TO A POINT ON SAID WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 24; THENCE SOUTH 00 DEGREES 00 MINUTES 09 SECONDS WEST ALONG THE LAST DESCRIBED LINE FOR A DISTANCE OF 1129.46 FEET TO THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER; THENCE SOUTH 00 DEGREES 00 MINUTES 16 SECONDS WEST ALONG THE WEST LINE OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 24 FOR A DISTANCE OF 52.89 FEET TO A POINT ON THE SOUTH LINE OF 163RD STREET; THENCE SOUTH 89 DEGREES 59 MINUTES 44 SECONDS EAST FOR A DISTANCE OF 379.06 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST FOR A DISTANCE OF 757.57 FEET; THENCE NORTH 45 DEGREES 00 MINUTES 00 SECONDS WEST FOR A DISTANCE OF 88.39 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST FOR A DISTANCE OF 566.00 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS, AND FURTHER EXCEPTING THEREFROM THE FOLLOWING PORTION THEREOF:

THAT PART OF LOT 4 IN PARK PLACE, BEING A SUBDIVISION OF THAT PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER AND PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 36 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 7, 1992 AS DOCUMENT 92914537, DESCRIBED AS FOLLOWS:

Tinley Park, IL
Kmart Store #4984
Fee Property
February 24, 1997
Page 2 of 3

87203935

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

COMMENCING AT THE INTERSECTION OF THE NORTH LINE OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER WITH THE WEST LINE OF HARLEM AVENUE AS DEDICATED; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST ALONG SAID WEST LINE FOR A DISTANCE OF 835.37 FEET; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST FOR A DISTANCE OF 187.00 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST FOR A DISTANCE OF 234.31 FEET; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST FOR A DISTANCE OF 371.99 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST FOR A DISTANCE OF 19.45 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST FOR A DISTANCE OF 130.00 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST FOR A DISTANCE OF 15.00 FEET; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST FOR A DISTANCE OF 90.00 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST FOR A DISTANCE OF 15.00 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST FOR A DISTANCE OF 40.00 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST FOR A DISTANCE OF 86.00 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST FOR A DISTANCE OF 180.00 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST FOR A DISTANCE OF 86.00 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

PARCEL 2:

NON-EXCLUSIVE EASEMENTS FOR INGRESS, EGRESS, ACCESS AND PARKING FOR VEHICULAR OR PEDESTRIAN TRAFFIC, CREATED IN THE SHOPPING CENTER RECIPROCAL EASEMENT AND OPERATION AGREEMENT RECORDED JUNE 21, 1991 AS DOCUMENT 91303346, UPON OR ACROSS THE PARKING AREAS, ENTRANCES, EXITS, DRIVEWAYS, WALKS, SERVICE DRIVES LOCATED WITHIN THE "COMMON AREAS," AS COMMON AREAS IS DEFINED IN SAID AGREEMENT.

AA00AS1300 113354196 01.01 130119.3 (2/5/97)

27-24-202-011

75-017

and 019

16300 S. Harlem Ave.

Tinley Park, IL
Kmart Store #4984
Fee Property
February 24, 1997
Page 3 of 3

97209935

UNOFFICIAL COPY

Property of Cook County Clerk's Office