

This STATEMENT is presented to a filing officer for filing pursuant to the Uniform Commercial Code.

For Filing Officer
(Date, Time, Number, and Filing Office)

Debtor(s) (Last Name First) and address(es)
Cosmopolitan Bank and Trust
as Trustee u/t/a dated
March 10, 1998 and known as
Trust No. 30788
801 N. Clark Chgo, IL 60610

Secured Party(ies) and address(es)
Cosmopolitan Bank and Trust
801 N. Clark St.
Chicago, IL 60610

98254357

6646/0050 50 001 Page 1 of 12
1998-04-01 11:21:23
Cook County Recorder 93.00

1. This financing statement covers the following types (or items) of property:

See attached Exhibits A and B

2. (If collateral is crops) The above described crops are growing or are to be grown on:
(Describe Real Estate)

P.I.N. 17-22-307-043, 17-22-307-044,
17-22-307-045

3. (If applicable) The above goods are to become fixtures on (The above timber is standing on ...) (The above minerals or the like (including oil and gas) or accounts will be financed at the wellhead or intakes of the well or mine located on ...) (Strike what is inapplicable) (Describe Real Estate)

and this financing statement is to be filed in the real estate records, (if the debtor does not have an interest of record)
The name of a record owner is

Exemption provision restricting any liability of
Cosmopolitan Bank and Trust
stamped on the reverse side hereof, is hereby
expressly made a part hereof.

12/282 -1

4. Products of Collateral are also covered.

Cosmopolitan Bank and Trust as Trustee
u/t/a dated March 10, 1998 and known
as TRUST NO. 30788 and not personally

By: *[Signature]*
Signature of (Debtor) Trust Officer
(Secured Party)

05 Additional sheets presented.

COOK County, Illinois.

*Signature of Debtor Required in Most Cases;
Signature of Secured Party in Cases Covered By UCC §9.402 (2).

(1) FILING OFFICER - ALPHABETICAL

STANDARD FORM - UNIFORM COMMERCIAL CODE - FORM UCC-2 - REV. 4-73

This form of financing statement is approved by the Secretary of State.

Signature of Debtor

UNOFFICIAL COPY

98254357

6646/0052 50 001 Page 1 of 7

1998-09-01 11:25:12

Cook County Recorder 33.00

Property of Cook County Clerk's Office

Executed and delivered by Cosmopolitan Bank & Trust, not in its individual capacity, but solely in the capacity herein described, for the purpose of binding the herein described property, and it is expressly understood and agreed by the parties hereto, anything herein to the contrary notwithstanding, that each and all of the undertakings and agreements herein made, are made, and intended not as personal undertakings or agreements of the Trustee, or for the purpose of binding the Trustee personally, but executed and delivered by the Trustee solely in the exercise of the power conferred upon it as such Trustee, and no personal liability or personal responsibility is assumed by, or shall at any time be asserted or enforced against said Trustee on account hereof or on account of any undertaking or agreement herein contained, either expressed or implied, all such personal liability, if any, being hereby expressly waived and released by all other parties hereto, and those claiming by, through, or under them.

CT Corporation System-UCC Division
Attn: Will Snodgrass
208 South LaSalle Street
Chicago, IL 60604

98254357 page 2 of 12

EXHIBIT A
TO FINANCING STATEMENT EXECUTED BY
COSMOPOLITAN BANK AND TRUST, AS TRUSTEE UNDER
TRUST AGREEMENT DATED MARCH 10, 1998 AND
KNOWN AS TRUST NO. 30788, AS DEBTOR,
IN FAVOR OF
COSMOPOLITAN BANK AND TRUST, AS SECURED PARTY

Debtor: Cosmopolitan Bank and Trust, as Trustee
under Trust Agreement dated March 10, 1998
and known as Trust No. 30788
801 North Clark Street
Chicago, Illinois 60610

Secured Party: Cosmopolitan Bank and Trust
801 North Clark Street
Chicago, Illinois 60610

All of the following property now or at any time hereafter owned by Debtor or in which the Debtor may now or at any time hereafter have any interest or rights, together with all of the Debtor's rights, title and interest therein, and together with any and all proceeds thereof:

1. All fixtures, as defined in and subject to the Uniform Commercial Code, located on the Real Estate including, without limitation, all systems, fittings, structures, equipment, apparatus, fixtures and other improvements and items now or hereafter temporarily or permanently attached to, installed in or used in connection with the Real Estate or any improvements thereon, including, but not limited to, any and all partitions, hardware, motors, engines, boilers, furnaces, pipes, plumbing, conduit, sprinkler systems, fire extinguishing equipment, elevator equipment, telephone and other communications equipment, security equipment, master antennas and cable television equipment, water tanks, heating, ventilating, air conditioning and refrigeration equipment, laundry facilities, and incinerating, gas and electric machinery and equipment.

2. Debtor's right, title and interest in any and all leases, subleases, licenses, concessions or grants of other possessory interests (written or oral) now or hereafter in force, covering or affecting the Real Estate, or any property pledged under the mortgage of even date herewith from Debtor to Secured Party, or any part thereof or interest therein, together with all rights, powers, privileges, options and other benefits of Debtor thereunder (but under no circumstances any liabilities, obligations or responsibilities thereunder).

3. Debtor's right, title and interest in:

AT

BX 170

UNOFFICIAL COPY

Property of Cook County Clerk's Office

(a) any and all contracts, documents or agreements pertaining to the acquisition, disposition, ownership, use, occupancy, development, design, construction, financing, operation, management, alteration, maintenance, repair, insuring, equipping, marketing, franchising, sale, lease or enjoyment of the Real Estate, (including, to the extent not included elsewhere in this Exhibit A, and to the extent such items are assignable, all warranties and guaranties relating thereto), whether oral, written or arising by operation of law, whether currently in effect or to be executed by Debtor hereafter; and

(b) any property pledged under the mortgage of even date herewith from Debtor to Secured party;

and in all cases all rights, privileges, authority and benefits thereunder (but under no circumstances any liabilities, obligations or responsibilities thereunder).

4. To the extent not included elsewhere in this Exhibit A, Debtor's right, title and interest in any and all documents relating to the Real Estate or any portion thereof, including without limitation (a) all surveys and all as-built blueprints, plans and specifications regarding the Real Estate and any portion thereof, (b) all originals and copies of leases, governmental permits, soil tests, engineering tests, environmental tests, reports, audits, assessments and other documentation concerning the Real Estate or any part thereof, and (c) all books, records, files and correspondence (including without limitation all information contained on computer tapes, diskettes or other magnetic media) regarding the Real Estate or any portion thereof or pertaining to the business conducted thereon, including without limitation all financial books and records, sales and accounts receivable records, general ledgers, general journals, voucher registers, personnel records, all records regarding management, marketing, leasing, insurance, tenants, maintenance, repairs, capital improvements and services, all records regarding real estate taxes and assessments, all records regarding claims relating to the Real Estate or any portion thereof, or arising out of operations or occurrences at the Real Estate or any portion thereof, and all records regarding zoning, building, safety, fire and health codes and compliance or noncompliance therewith;

5. Debtor's right, title and interest in all guarantees, warranties and other understandings received from any contractors, subcontractors, vendors or suppliers covering the quality or performance of the work or the quality of the materials supplied in connection with the Real Estate;

6. Debtor's right, title and interest in all permits used in or relating to the ownership, occupancy, operation or development of the Real Estate or any part thereof, including without limitation all licenses, franchises, building permits and other permits, authorizations, and other development rights, air emission offsets and credits and sewer discharge rights and all trade names, trademarks and logos used in connection with the construction, development or operation of the Real Estate.

UNOFFICIAL COPY

Property of Cook County Clerk's Office

7. Debtor's right, title and interest in and to any all contracts for the purchase and sale of any condominium residence units or condominium parking units (the "Contracts") in that certain condominium project located at 1910 South Indiana Avenue, Chicago, Illinois (the "Project"), the rights to receive any and all sums due thereunder, the right of the Debtor to cure (and to seek reimbursement for the cost of such cure) any default under the Contracts, and the right of the Debtor to enforce any rights and receive any benefits under the Contracts, and the rights to any and all earnest money deposits made by prospective purchasers under any Contract.

8. Debtor's right, title and interest in and to any and all rights, whether contractual, statutory or otherwise, related to the Project, including but not limited to all Debtor's rights (a) in and to any declaration of condominium; (b) any rights of Debtor as a declarant under any such declaration; and (c) any rights of Debtor in and to any homeowner's associations.

9. Debtor's right, title and interest in and to the operating and earnest money accounts to be established under that certain loan agreement dated March 30, 1998 by and between Debtor and Secured Party, whether now owned or hereafter approved, and any and all proceeds thereof.

10. All of the rents, revenues, income, profits, deposits and other benefits payable under any leases of the Real Estate and/or otherwise arising from or out of the Real Estate or the ownership, use or enjoyment of all or any portion of the Real Estate or part thereof or interest therein.

11. Either or both of: (a) the Debtor's right, title and interest in all awards and payments now or hereafter made by any municipal, state or federal agency or authority to Debtor, including any awards or payments for any taking of the Real Estate as a result of the exercise of the right of condemnation or eminent domain and, (b) any and all proceeds and payments now or hereafter made by any insurance company as a result of any casualty or other event in connection with the Real Estate.

12. Debtor's right, title and interest in and to all furniture, furnishings, equipment, machinery, of any kind or character located upon, within or about the Real Estate and any buildings thereon, or used or useful in connection therewith, together with all existing or future accessories, replacements and substitutions thereto or therefor and the proceeds therefrom, including, but not limited to: (a) all furniture, furnishings and equipment; (b) all building materials and equipment intended to be incorporated in the improvements now or hereafter to be constructed on the Real Estate, whether or not yet incorporated into such improvements; (c) all machinery, apparatus, systems, equipment or articles used in supplying heating, gas, electricity, ventilation, air conditioning, water, light, power, refrigeration, fire protection, elevator service, telephone and other communication service, waste removal and all fire sprinklers, smoke detectors, alarm systems, security systems, electronic monitoring equipment and devices; (d) all maintenance equipment; (e) all office furniture, equipment and supplies; (f) all tractors, mowers,

UNOFFICIAL COPY

Property of Cook County Clerk's Office

sweepers, snow removal equipment and other equipment used in maintenance of interior and exterior portions of the Real Estate or any buildings thereon; and (g) all other maintenance supplies and inventories; provided that the enumeration of any specific articles of personalty set forth above shall in no way exclude or be held to exclude any items of property not specifically enumerated.

For purposes of this financing statement, Real Estate shall mean the property legally described on Exhibit B attached hereto and made a part hereof.

Property of Cook County Clerk's Office

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

EXHIBIT B
TO FINANCING STATEMENT EXECUTED BY
COSMOPOLITAN BANK AND TRUST, AS TRUSTEE UNDER
TRUST AGREEMENT DATED MARCH 10, 1998 AND
KNOWN AS TRUST NO. 30788, AS DEBTOR,
IN FAVOR OF
COSMOPOLITAN BANK AND TRUST, AS SECURED PARTY

LEGAL DESCRIPTION

PARCEL 1:

LOT 12 AND LOT 13 (EXCEPT THE NORTH 15-5/12 FEET OF (13) IN BLOCK THREE (3), IN WILLIAM JONES' ADDITION TO CHICAGO, BEING A SUBDIVISION OF LOT "A" IN PLAT OF PARTITION OF A 79 AND 34/100 ACRE TRACT AND OF LOT 7 IN PLAT OF PARTITION OF 49-90/100 ACRE TRACT, BOTH IN THE SOUTHWEST FRACTIONAL QUARTER (1/4) OF SECTION 22, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, BEING OF LOTS 53 AND 54 IN BLOCK 10; LOTS 59 AND 60 IN BLOCK 9; LOTS 65 AND 66 IN BLOCK 8; LOTS 71 AND 72 IN BLOCK 7; LOTS 77 AND 78 IN BLOCK 6; LOT 1 IN BLOCK 11; LOTS 1 AND 2 IN BLOCK 12; LOTS 1 AND 2 IN BLOCK 13; LOTS 1 AND 2 IN BLOCK 14; LOTS 1 AND 2 IN BLOCK 15 AND LOTS 1 AND 2 IN BLOCK 16, IN ASSESSOR'S DIVISION OF SAID SOUTHWEST FRACTIONAL QUARTER (1/4) OF AFORESAID, IN COOK COUNTY, ILLINOIS.

PARCEL 2:

LOT 4, IN BLOCK 14, (EXCEPT SO MUCH AS HAS BEEN TAKEN FROM THE REAR THEREOF, FOR AN ALLEY) IN THE ASSESSOR'S DIVISION OF THE FRACTIONAL SOUTHWEST 1/4 OF FRACTIONAL SECTION 22, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 3:

LOT 1 IN BLOCK 3 IN GEORGE SMITH'S ADDITION TO CHICAGO, IN THE FRACTIONAL SOUTHWEST 1/4 OF SECTION 22, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

P.I.N. 17-22-307-043
17-22-307-044
17-22-307-045

Common Address: 1910 South Indiana Avenue, Chicago, Illinois

UNOFFICIAL COPY

Property of Cook County Clerk's Office