

Anderson, McCoy & Dotta
100 W. Broadway
Oklahoma City, OK 73102

DOCUMENT PREPARED BY:

Four Seasons
Crown Point, IN
389237-0

Andrew D. Fooker, Attorney
Locke Purnell Rain Harrell
(A Professional Corporation)
2200 Ross Avenue, Suite 2200
Dallas, Texas 75201-6776

4

Run # 79170817

1100811

95056174

**ASSIGNMENT OF MORTGAGE / DEED OF TRUST AND
TRANSFER OF PROMISSORY NOTE, LIENS AND
RIGHTS UNDER OTHER DOCUMENTS**

THE STATE OF INDIANA
COUNTY OF LAKE

§
§
§

KNOW ALL MEN BY THESE PRESENTS THAT:

WHEREAS, Lake County Trust Company, as Trustee for Trust No. 2934 ("Borrower"), whose sole beneficiary is Four Seasons Shopping Plaza, Ltd., an Indiana limited partnership ("Four Seasons"), made, executed and delivered that certain Promissory Note ("Note") dated February 26, 1987, in the original principal amount of \$1,375,000.00 to GOLDOME CREDIT CORPORATION, a Delaware corporation ("Assignor"), said Note being secured by the following instruments:

1. That certain Real Estate Mortgage and Fixture Filing ("Mortgage") dated of even date with the Note, executed by Borrower, covering that certain tract of land described in Exhibit "A" attached hereto and made a part hereof for all purposes (the "Property") said Mortgage being duly filed for record in the office of the Recorder, Lake County, Indiana and recorded as Document No. 904450 in the Recorder's Office of Lake County, Indiana;
2. That certain Assignment of Rents and Leases ("Lease Assignment"), dated of even date with the Note, from Borrower to Assignor covering the rights of Borrower under leases granted by Borrower (or any predecessor in interest) to tenants located on the Property, the Lease Assignment being duly filed for record in the office of the Recorder, Lake County, Indiana and recorded as Document No. 904451 in the Recorder's Office of Lake County, Indiana;
3. That certain Security Agreement, dated of even date with the Note, by and between Borrower and Assignor;
4. That certain Guaranty Agreement, dated of even date with the Note, by and between Arnold E. Reingold and Assignor;
5. That certain Financing Statement naming Four Seasons as Debtor and Assignor as Secured Party, being duly filed for record in the office of the Recorder, Lake County, Indiana and recorded as Document No. 284648 in the Recorder's Office of Lake County, Indiana, as continued by UCC-4 Financing Statement being duly filed for record in the office of the Recorder, Lake County, Indiana and recorded as Document No. 92000567 in the Recorder's Office of Lake County, Indiana;

**ASSIGNMENT OF MORTGAGE / DEED OF TRUST AND
TRANSFER OF PROMISSORY NOTE, LIENS AND
RIGHTS UNDER OTHER DOCUMENTS - Page 1**

1602

6. That certain Financing Statement naming Borrower as Debtor and Assignor as Secured Party, being duly filed for record in the office of the Recorder, Lake County, Indiana and recorded as Document No. 92-1762422 in the Recorder's Office of Lake County, Indiana, as continued by UCC-4 Financing Statement being duly filed for record in the office of the Recorder, Lake County, Indiana and recorded as Document No. 92000566 in the Recorder's Office of Lake County, Indiana;

7. That certain Financing Statement naming Four Seasons as Debtor and Assignor as Secured Party, being duly filed for record in the office of the Secretary of State of Indiana and recorded as Document No. 87-1344713, as continued by UCC-3 Financing Statement being duly filed for record in the office of the Secretary of State of Indiana and recorded as Document No. 92-1762426;

8. That certain Financing Statement naming Borrower as Debtor and Assignor as Secured Party, being duly filed for record in the office of the Secretary of State of Indiana and recorded as Document No. 87-1344710, as continued by UCC-3 Financing Statement being duly filed for record in the office of the Secretary of State of Indiana and recorded as Document No. 92-1762422;

Reference to said instruments (collectively, the "Security Documents") and the record thereof being here made for all purposes as if set forth verbatim herein; and

WHEREAS, Lehman Capital Corporation, a New York corporation ("Assignee") is purchasing the Note and all rights, titles, estates, interests and equities owned, held or claimed by Assignor in and under the Security Documents, including, without limitation, any and all escrow deposits or accounts (the "Escrow Deposits") for taxes and insurance as may be provided in the Security Documents;

NOW, THEREFORE, for and in consideration of the premises and the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged and confessed, Assignor has transferred, assigned and delivered the Note to Assignee bearing the endorsement "Pay to the order of Lehman Capital Corporation, a New York corporation, without recourse, representation or warranty, except the representations and warranties expressly set forth in that certain Loan Sale Agreement by and between Assignor and Assignee," followed by Assignor's execution of said endorsement and has transferred, assigned and delivered, and by these presents does hereby transfer, assign and deliver, unto Assignee all of Assignor's rights, titles and interests, owned, held or claimed by Assignor in and under the Security Documents, including, without limitation, the Escrow Deposits.

IN WITNESS WHEREOF, Assignor has executed this Transfer instrument on the date shown in the acknowledgment but effective as of December 1, 1993.

ASSIGNOR:

GOLDOME CREDIT CORPORATION, a
Delaware corporation

By: 

Typed Name: DENNIS STOWE

Typed Title: SENIOR VICE PRESIDENT

[CORPORATE SEAL]

ASSIGNMENT OF MORTGAGE / DEED OF TRUST AND
TRANSFER OF PROMISSORY NOTE, LIENS AND
RIGHTS UNDER OTHER DOCUMENTS - Page 2

STATE OF Texas

§
§
§

COUNTY OF Dallas

Before me, PATRICIA A. MONROE this 1ST day of December, 1993, personally appeared GOLDOME CREDIT CORPORATION, a Delaware corporation, by Dennis Stowe, its SR. Vice President, and acknowledged the execution of the foregoing instrument.

Patricia A. Monroe

Notary Public in and for the State of Texas

My Commission Expires

9-26-97



Print Name of Notary

ADDRESS OF ASSIGNOR:

Goldome Center
Two Perimeter Park South
Birmingham, Alabama 35243

Document is NOT OFFICIAL!

This Document is the property of the Lake County Recorder!

STOP

ADDRESS OF ASSIGNEE:

American Express Tower
3 World Financial Center
200 Vesey Street
New York, NY 10285



EXHIBIT A

Parcel 1: Lot 1, except the East 140 feet thereof, Four Seasons Plaza, as shown in Plat Book 56, page 38, and as revised in Plat Book 57 page 30, in Lake County, Indiana.

Parcel 2: An easement for an enclosed storm water drainage system for the benefit of Parcel 1 as created in an easement dated July 16, 1980, and recorded September 4, 1980, as Document No. 596882, under the strip of land described as follows:

A strip of ground 15.0 feet in width lying in the Northwest quarter of the Northeast quarter of Section 9, Township 34 North, Range 7 West of the 2nd Principal Meridian, described as follows: Commencing at a point on the North line of said Northwest quarter of the Northeast quarter that is North 89 degrees 21 minutes 19 seconds West, 664.80 feet from the Northeast corner thereof; thence South 00 degrees 14 minutes 50 seconds West, 211.16 feet to the point of beginning; thence South 00 degrees 14 minutes 50 seconds West, 8.84 feet; thence South 67 degrees 53 minutes 08 seconds East, 9.29 feet; thence South 58 degrees 17 minutes 50 seconds West, 114.15 feet; thence South 40 degrees 57 minutes 36 seconds West, 250.87 feet; thence North 46 degrees 02 minutes 24 seconds West, 15.00 feet; thence North 43 degrees 36 seconds East, 292.74 feet; thence North 58 degrees 17 minutes 50 seconds East, 115.23 feet to the point of beginning. In Lake County, Indiana subject to the terms, provisions and conditions contained in said easement.

