

NOT AN OFFICIAL DOCUMENT

2021-541842
12/09/2021 12:20 PM
TOTAL FEES: 25.00
BY: JAS
PG #: 4

STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD
GINA PIMENTEL
RECORDER

**PREPARED BY AND WHEN
RECORDED MAIL TO:**

Pamela J. Sandborg, Esq.
Levenfeld Pearlstein, LLC
400 Skokie Boulevard
Suite 800
Northbrook, Illinois 60062

**AMENDMENT NO. 2 TO ASSIGNMENT OF
RENTS AND LEASES -
KW APARTMENTS, LLC**

Amendment No. 2 to Assignment of Rents and Leases (this "Amendment") dated as of November 5, 2021, made by **KW APARTMENTS, LLC** ("Assignor") in favor of **HINSDALE BANK & TRUST COMPANY, N.A.** ("Assignee"). This Amendment pertains to the real estate described on Exhibit A attached hereto and made a part hereof.

P R E A M B L E:

Assignor gave to Assignee that certain Assignment of Rents and Leases dated May 3, 2011, which was recorded on May 20, 2011, in the Office of the Lake County, Indiana Recorder of Deeds as Document No. 2011 028142 (as amended from time to time, the "Assignment"). Assignor has requested Assignee to modify Assignee's existing financing of Assignor. Assignee has agreed to do so, so long as, among other things, Assignor executes and delivers to Assignee this Amendment.

NOW, THEREFORE, in consideration of the premises which are incorporated herein by this reference and constitute an integral part hereof and the execution and delivery of this Amendment, Assignor agrees as follows:

1. Section 1(a) of the Assignment is amended to read as follows:

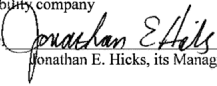
"a) Payment of the indebtedness evidenced by that certain Fifth Amended and Restated Promissory Note in the principal sum of \$5,540,000.00 (herein called the "Note") and any extension, modifications or renewals thereof, executed by Assignor, dated November 5, 2021, payable to the order of Assignee and secured by a Mortgage (herein generally called the "Mortgage") dated as of May 20, 2011, to Assignee, as mortgagee, upon the Premises, which Mortgage was duly recorded in the Office of the Recorder of Lake County, Indiana, which Mortgage and Note are held by or for the benefit of the Assignee."

2. All references to the "Assignment" in the Assignment shall mean the "Assignment" as amended by this Amendment and as may be further amended and/or restated from time to time.

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3. In all other respects, the Assignment is hereby restated, reaffirmed and incorporated herein, the only amendments intended to be made thereto being those above set forth. Except as specifically set forth herein to the contrary, all terms defined in the Assignment shall have the same meanings herein as therein.

KW APARTMENTS, LLC, an Indiana limited liability company

By  _____
Jonathan E. Hicks, its Managing Member

Property of Lake County Recorder

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CERTIFICATE OF PROOF

WITNESS to the signature(s) executed and delivered in my presence on the foregoing instrument to which this Proof is attached:

Nancy L Clifford
Witness Signature

Nancy L Clifford
Witness Name (must be typed / printed)

STATE OF INDIANA)

COUNTY OF Lake)

Before me, a Notary Public in and for said County and State, on November 15, 2021, personally appeared the above named WITNESS to the foregoing instrument, who, being by me duly sworn, did depose and say that he/she knows Nancy L. Clifford to be the individual(s) described in and who executed the foregoing instrument; that said WITNESS was present and saw said Nancy L. Clifford execute the same; and that said WITNESS at the same time subscribed his/her name as a witness thereto.

Witness my hand and Notarial Seal this 15 day of November, 2021.

Signature Kristen Lendi, Notary Public
Printed: Kristen Lendi

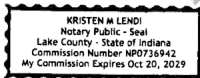
My Commission Expires:
10-20-29

My County of Residence is:
Lake

I certify under the penalties for perjury that I have exercised reasonable care to redact all Social Security Numbers from this instrument unless required by law.

JLB Teas

This instrument prepared by:
Levenfeld Pearlstein, LLC
400 Skokie Boulevard, Suite 800
Northbrook, Illinois 60062
Attention: Pamela J. Sandborg, Esq.



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EXHIBIT "A"

LEGAL DESCRIPTION OF REAL ESTATE

LOTS 1 AND 2, IN BLOCK 3; LOTS 6, 7, 8, 9 AND 10, IN BLOCK 4, IN FORSYTH HIGHLANDS 2ND ADDITION, HAMMOND, AS PER PLAT THEREOF, RECORDED IN PLAT BOOK 18, PAGE 11, IN THE OFFICE OF THE RECORDER OF LAKE COUNTY, INDIANA; ALSO ALL THAT PART OF MAGOUN AVENUE (NOW VACATED) LYING SOUTH OF THE SOUTH LINE OF 167TH (FORMERLY LOCUST) STREET AND NORTH OF THE SOUTH LINE, EXTENDED, OF THE FIRST ALLEY SOUTH OF SAID 167TH (FORMERLY LOCUST) STREET; ALSO PART OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 36 NORTH, RANGE 9 WEST OF THE 2ND PRINCIPAL MERIDIAN, IN THE CITY OF HAMMOND, LAKE COUNTY, INDIANA DESCRIBED AS FOLLOWS: BEGINNING AT THE POINT OF INTERSECTION OF THE WEST LINE OF THE FIRST ALLEY WEST OF INDIANAPOLIS BOULEVARD (FORMERLY FORSYTH AVENUE) AND THE NORTH LINE OF THE FIRST ALLEY NORTH OF 169TH STREET (FORMERLY 15TH AVENUE), SAID POINT BEING 199 FEET NORTH OF AND 184 FEET WEST OF THE SOUTHEAST CORNER OF SAID NORTHWEST QUARTER; THENCE NORTH ALONG THE WEST LINE OF THE FIRST ALLEY WEST OF INDIANAPOLIS BOULEVARD (FORMERLY FORSYTH AVENUE) A DISTANCE OF 949.70 FEET TO THE SOUTH LINE OF THE FIRST ALLEY SOUTH OF 167TH (FORMERLY LOCUST) STREET; THENCE WEST ALONG THE SOUTH LINE OF THE LAST NAMED ALLEY 328.69 FEET TO THE EAST LINE OF THE FIRST ALLEY EAST OF BARING (FORMERLY ROLAND) AVENUE; THENCE SOUTH ALONG THE EAST LINE OF THE LAST NAMED ALLEY 949.45 FEET TO THE NORTH LINE OF THE FIRST ALLEY NORTH OF 169TH STREET (FORMERLY 15TH AVENUE); THENCE EAST ALONG THE NORTH LINE OF SAID ALLEY 328.61 FEET TO THE POINT OF BEGINNING; EXCEPTING THEREFROM THAT PORTION THEREOF DEDICATED AS MAGOUN AVENUE, ALL WITHIN THE CITY OF HAMMOND, LAKE COUNTY, INDIANA.

COMMONLY KNOWN AS 1936 E. 67th Street and 6701-6852 Magoun Avenue, Hammond

Tax Identification Nos.

45-07-08-178-002.000-023

45-07-08-179-002.000-023

45-07-08-179-001.000-023

45-07-08-178-024.000-023

45-07-08-178-025.000-023