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Imaged# 004952960007 Type: OFF
Recorded: 11/01/2005 at 09:09:13 AM
Total Amt: \$24.00 Page 1 of 7
IL Rental Housing Fund: \$0.00
McLean County, IL
H. Lee Newcom Recorder
File **2005-00033194**

MORTGAGE

This Indenture Witnesseth that the Mortgagor, Merle Huff, Carol Huff, Union Planters Bank, NA Trustee under trust agreement dated January 1, 1997 and known as Trust 90-P067, Douglas P. Huff and Christine M. Huff, Mortgage and Warrant to the CITY OF BLOOMINGTON, an Illinois Municipal Corporation to secure the payment of a certain funds advanced to Ensenberger Condominiums, LLC by the City of Bloomington pursuant to a Contract for Redevelopment, which obligation is evidenced by a Reimbursement Agreement dated August 10th, 2005, executed by the said Mortgagor payable to the order of the City of Bloomington, an Illinois Municipal corporation in the maximum principal sum of One Million One Hundred Thousand and no/100ths Dollars (\$1,100,000.00), which sum shall become due and payable in the event that Ensenberger Condominium, LLC fails to complete construction of improvements to the property located at 212 N. Center Street, Bloomington, Illinois by January 1, 2007 as provided in Section 5 paragraph D of the aforesdescribed Contract for Redevelopment between Ensenberger LLC and the City of Bloomington, the following described real estate, to wit:

Legal Description Attached hereto as Exhibit A

The Mortgagor covenants and agrees as follows: (1) to pay said funds in accordance with the terms of the Guaranty, (2) to pay all taxes and assessments against said premises and on demand to exhibit receipts thereof; (3) to not commit or suffer waste to be committed to said premises; (4) to keep all buildings on said premises insured against loss by fire with companies to be approved by the Mortgagee to the full insurable value thereof with the usual mortgage clauses attached, in favor of, and deliver all such policies to said Mortgagee and (5) to not suffer any mechanics or other liens to attach to said premises.

In the event of a breach of any of the aforesaid covenants or agreements, the whole of said indebtedness shall at the option of the legal holder hereof, without notice, become immediately due and payable.

It is agreed by the Mortgagor that all expenses and disbursements paid or incurred in behalf of complainant in connection with the foreclosure hereof, including reasonable attorney's fees shall be paid by the Mortgagor. All such expenses and disbursements shall be an additional lien upon said premises, shall be taxed as costs and included in any decree that may be rendered in any foreclosure proceeding involving this mortgage.

And it is further mutually understood and agreed by said parties hereto that the covenants and agreements herein contained shall apply to, and as far as the law allows be binding upon and be for the benefit of the heirs, executors, administrators and assigns of the said parties respectively.

IN WITNESS WHEREOF, the said mortgagor has hereunto set his hand and seal at Bloomington, Illinois this ____ day of August, 2005.

Union Planters Bank, NA, Trustee
under Trust Agreement dated
January 1, 1997 known as Trust
90-P067

Merle Huff
Merle Huff

Carol Huff
Carol Huff

Douglas P. Huff
Douglas P. Huff

Christine M. Huff
Christine M. Huff

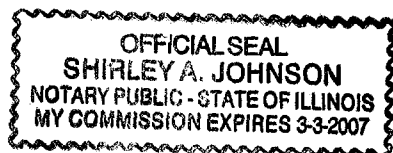
By: Pamela J. Stueckelmeier APO

STATE OF ILLINOIS)
) ss.
COUNTY OF PEORIA)

I, the undersigned, a notary public in and for said County in the State aforesaid, DO HEREBY CERTIFY, That Merle Huff is 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 severally acknowledged that he signed and delivered said instrument of writing as his free and voluntary act, for the uses and purposes therein set forth.

Give under my hand and notarial seal this 16th day of August, 2005.

Shirley A. Johnson
Notary Public



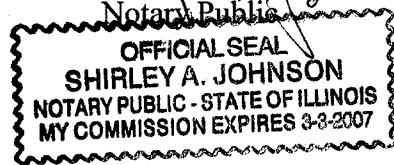
STATE OF ILLINOIS)
) ss.
COUNTY OF Peoria)

I, the undersigned, a notary public in and for said County in the State aforesaid, DO HEREBY CERTIFY, That Carol Huff is 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 severally acknowledged that she signed and delivered said instrument of writing as her free and voluntary act, for the uses and purposes therein set forth.

Give under my hand and notarial seal this 18th day of August, 2005.

Shirley A. Johnson

STATE OF ILLINOIS)
) ss.
COUNTY OF Peoria)

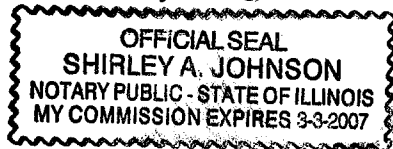


I, the undersigned, a notary public in and for said County in the State aforesaid, DO HEREBY CERTIFY, That Douglas P. Huff is personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that he signed and delivered said instrument of writing as his free and voluntary act, for the uses and purposes therein set forth.

Give under my hand and notarial seal this 18th day of August, 2005.

Shirley A. Johnson

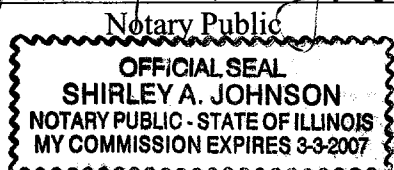
STATE OF ILLINOIS)
) ss.
COUNTY OF Peoria)



I, the undersigned, a notary public in and for said County in the State aforesaid, DO HEREBY CERTIFY, That Christine M. Huff is 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 severally acknowledged that she signed and delivered said instrument of writing as her free and voluntary act, for the uses and purposes therein set forth.

Give under my hand and notarial seal this 18th day of August, 2005.

Shirley A. Johnson

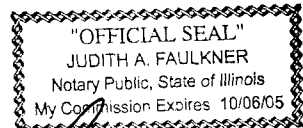


2005-33191

STATE OF ILLINOIS)
) ss.
COUNTY OF Peoria)

I, a Notary Public in and for said County, in the State aforesaid, do hereby certify that Samuel Strickland, and Trust Officer of Union Planters Bank, NA, Trustee under Trust Agreement dated January 1, 1997 and known as Trust 90-P067 and _____ of said corporation, who are personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such _____ and _____, respectively, and personally known to me to be such _____ and _____, respectively, appeared before me this day in person and acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act as such _____ and _____ respectively, as aforesaid, and as the free and voluntary act of said _____ for the uses and purposes therein set forth.

Give under my hand and notarial seal this 26th ^{SEPT} day of August, 2005.



Judith A. Faulkner
Notary Public

EXCULPATORY CLAUSE

It is expressly understood and agreed by and between the parties hereto, anything herein to the contrary notwithstanding, that each and all of the representations, covenants, undertakings and agreements herein made on the part of the Trustee while in the form purporting to be the representations, covenants, undertakings and agreements of said Trustee are nevertheless each and every one of them, made and intended not as personal representations, covenants, undertakings and agreements by the Trustee for the purpose or with the intention of binding said Trustee personally but are made and intended for the purpose of binding only that portion of the trust property specifically described herein, and this instrument is executed and delivered by said Trustee not in its own right, but solely in the exercise of the powers conferred upon it as such Trustee; and that no personal liability or personal responsibility is assumed by nor shall at any time be asserted or enforceable against the Trustee or any of the beneficiaries under said Trust Agreement, on account of this instrument or on account of any representation, covenant, undertaking or agreement of the said trustee in this instrument contained, either expressed or implied, all such personal liability, if any, being expressly waived and released.

This instrument prepared by Hannah R. Eisner, 109 E. Olive, Bloomington, Illinois 61701

Return to: City of Bloomington, Legal Dept., 109 E. Olive, Blm. IL
61701

CHICAGO TITLE INSURANCE COMPANY
COMMITMENT FOR TITLE INSURANCE 2005-33194
SCHEDULE A (CONTINUED)

ORDER NO.: 1606 000249338 BLO

5. THE LAND REFERRED TO IN THIS COMMITMENT IS DESCRIBED AS FOLLOWS:

TRACT 1:

Units 1, 2, 3, 4, 105, 106, 107, 109, 110, 111, 112, 113, 114, 115, 116, 117, 302, 303 and 304 in Front 'N Center Condominium in the City of Bloomington, together with its undivided percentage interest in the ownership of the common elements as delineated on survey of all of Lots 64, 65, and 66 in the Town, now City of Bloomington, except that portion of Lot 66 described as follows: Commencing at the Northeast corner of Lot 66 running thence South parallel with Center Street 22 feet, thence West 66.15 feet, thence North 22 feet to the alley, thence East 66.15 feet to the place of beginning, and known as Lot 1 of the Owner's Subdivision of Lot 66 of the Original Town of Bloomington, in MCLEAN COUNTY, ILLINOIS. The Declaration of Condominium Ownership made by James T. Finegan recorded September 10, 1982 as Document No. 82-8406, and amended by Document No. 82-9110 recorded October 1, 1982, in MCLEAN COUNTY, ILLINOIS.

TRACT NO. 2:

Unit 201 in Front 'N Center Condominium in the City of Bloomington, together with its undivided percentage interest in the ownership of the common elements as delineated on survey of all of Lots 64, 65 and 66 in the Town, now City of Bloomington, except that portion of Lot 66 described as follows: Commencing at the Northeast corner of Lot 66 running thence South parallel with Center Street 22 feet, thence West 66.15 feet, thence North 22 feet to the alley, thence East 66.15 feet to the place of beginning, and known as Lot 1 of the Owner's Subdivision of Lot 66 of the Original Town of Bloomington, in McLean County, Illinois. The Declaration of Condominium Ownership made by James T. Finegan recorded September 10, 1982 as Document No. 82-8406, in MCLEAN COUNTY, ILLINOIS.

TRACT 3:

Unit 202 in Front 'N Center Condominium in the City of Bloomington, together with its undivided percentage interest in the ownership of the common elements as delineated on survey of all Lots 64, 65, and 66 in the Towns, now City of Bloomington, except that portion of Lot 66 described as follows: Commencing at the Northeast corner of Lot 66 running thence South parallel with Center Street 22 feet, thence West 66.15, thence North 22 feet to the alley, thence East 66.15 feet to the place of beginning, and known as Lot 1 of the Owner's Subdivision of Lot 66 of the Original Town of Bloomington, in Mclean County, Illinois. The Declaration of Condominium Ownership made by James T. Finegan recorded September 10, 1982 as Document No. 82-8406, and amended by Document No. 82-9110 recorded October 1, 1982, in MCLEAN COUNTY, ILLINOIS.

TRACT 4:

Units 203, 204, 205, 206, and 207 in Front 'N Center Condominium in the City of Bloomington, together with its undivided percentage interest in the ownership of the common elements as delineated on survey of all Lots 64, 65 and 66 in the Town, now City of Bloomington, except that portion of Lot 66 described as follows: Commencing at the Northeast corner of Lot 66 running, thence South parallel with Center Street 22 feet, thence West 66.15 feet, thence North 22 feet to the alley, thence East 66.15 feet to the place of beginning, and known as Lot 1 of the Owner's Subdivision of Lot 66 of the Original Town of Bloomington, in Mclean County, Illinois. The Declaration of Condominium Ownership made by James

CHICAGO TITLE INSURANCE COMPANY
COMMITMENT FOR TITLE INSURANCE 2005-33191
SCHEDULE A (CONTINUED)

ORDER NO.: 1606 000249338 BLO

T. Finegan recorded September 10, 1982 as Document No. 82-8406, and amended by Document No. 82-9110 recorded October 1, 1982, in MCLEAN COUNTY, ILLINOIS.

TRACT 5:

Units 301, 305, 306, 307, 308, and 309 in Front 'N Center Condominium in the City of Bloomington, together with its undivided percentage interest in the ownership of the common elements as delineated on survey of all Lots 64, 65 and 66 in the Town, now City of Bloomington, except that portion of Lot 66 described as follows: Commencing at the Northeast corner of Lot 66 running, thence South parallel with Center Street 22 feet, thence West 66.15 feet, thence North 22 feet to the alley, thence East 66.15 feet to the place of beginning, and known as Lot 1 of the Owner's Subdivision of Lot 66 of The Original Town of Bloomington, in Mclean County, Illinois. The Declaration of Condominium Ownership made by James T. Finegan recorded September 10, 1982 as Document No. 82-8406, in MCLEAN COUNTY, ILLINOIS.

TRACT 6:

Unit 310 in the Front 'N Center Condominium in the City of Bloomington, together with its undivided percentage interest in the ownership of the common elements as delineated on survey of all of Lots 64, 65 and 66 in the Town, now City of Bloomington, except that portion of Lot 66 described as follows: Commencing at the North East corner of Lot 66 running thence South parallel with Center Street 22 feet, thence West 66.15 feet, thence North 22 feet to the alley, thence East 66.15 feet to the place of beginning, and known as Lot 1 of the Owner's Subdivision of Lot 66 of the Original Town of Bloomington, in McLean County, Illinois. The Declaration of Condominium Ownership made by James T. Finegan recorded September 10, 1982 as Document Number 82-8406, and amended by Document Number 82-9110 recorded October 1, 1982, in McLean County, Illinois.

TRACT 7:

Units 401, 402, 403, 404, 405, 406, 407, 408, and 409 in the Front 'N Center Condominium in the City of Bloomington, together with its undivided percentage interest in the ownership of the common elements as delineated on survey of all of Lots 64, 65 and 66 in the Town, now City of Bloomington, except that portion of Lot 66 described as follows: Commencing at the North East corner of Lot 66 running thence South parallel with Center Street 22 feet, thence West 66.15 feet, thence North 22 feet to the alley, thence East 66.15 feet to the place of beginning, and known as Lot 1 of the Owner's Subdivision of Lot 66 of the Original Town of Bloomington, in McLean County, Illinois. The Declaration of Condominium Ownership made by James T. Finegan recorded September 10, 1982 as Document Number 82-8406, and amended by Document Number 82-9110 recorded October 1, 1982, in McLean County, Illinois.

TRACT 8:

Unit 410 in the Front 'N Center Condominium in the City of Bloomington, together with its undivided percentage interest in the ownership of the common elements as delineated on survey of all of Lots 64, 65 and 66 in the Town, now City of Bloomington, except that portion of Lot 66 described as follows: Commencing at the North East corner of Lot 66 running thence South parallel with Center Street 22 feet, thence West 66.15 feet, thence North 22 feet to the alley, thence East 66.15 feet to the place of beginning, and known as Lot 1 of the Owner's Subdivision of Lot 66 of the Original Town of Bloomington, in McLean County, Illinois. The Declaration of Condominium Ownership made by James T. Finegan recorded September 10, 1982 as

CHICAGO TITLE INSURANCE COMPANY
COMMITMENT FOR TITLE INSURANCE 2005-33191
SCHEDULE A (CONTINUED)

ORDER NO.: 1606 000249338 BLO

Document Number 82-8406, and amended by Document Number 82-9110 recorded October 1, 1982, in McLean County, Illinois.

TRACT 9:

Units 101, 102 and 108 in the Front 'N Center Condominium in the City of Bloomington, together with its undivided percentage interest in the ownership of the common elements as delineated on survey of all of Lots 64, 65 and 66 in the Town, now City of Bloomington, except that portion of Lot 66 described as follows: Commencing at the North East corner of Lot 66 running thence South parallel with Center Street 22 feet, thence West 66.15 feet, thence North 22 feet to the alley, thence East 66.15 feet to the place of beginning, and known as Lot 1 of the Owner's Subdivision of Lot 66 of the Original Town of Bloomington, in McLean County, Illinois. The Declaration of Condominium Ownership made by James T. Finegan recorded September 10, 1982 as Document Number 82-8406, and amended by Document Number 82-9110 recorded October 1, 1982, in McLean County, Illinois.

TRACT 10:

Units 103 and 104 in the Front 'N Center Condominium in the City of Bloomington, together with its undivided percentage interest in the ownership of the common elements as delineated on survey of all of Lots 64, 65 and 66 in the Town, now City of Bloomington, except that portion of Lot 66 described as follows: Commencing at the North East corner of Lot 66 running thence South parallel with Center Street 22 feet, thence West 66.15 feet, thence North 22 feet to the alley, thence East 66.15 feet to the place of beginning, and known as Lot 1 of the Owner's Subdivision of Lot 66 of the Original Town of Bloomington, in McLean County, Illinois. The Declaration of Condominium Ownership made by James T. Finegan recorded September 10, 1982 as Document Number 82-8406, and amended by Document Number 82-9110 recorded October 1, 1982, in McLean County, Illinois.

TRACT 11:

Unit 118 in the Front 'N Center Condominium in the City of Bloomington, together with its undivided percentage interest in the ownership of the common elements as delineated on survey of all of Lots 64, 65 and 66 in the Town, now City of Bloomington, except that portion of Lot 66 described as follows: Commencing at the North East corner of Lot 66 running thence South parallel with Center Street 22 feet, thence West 66.15 feet, thence North 22 feet to the alley, thence East 66.15 feet to the place of beginning, and known as Lot 1 of the Owner's Subdivision of Lot 66 of the Original Town of Bloomington, in McLean County, Illinois. The Declaration of Condominium Ownership made by James T. Finegan recorded September 10, 1982 as Document Number 82-8406, and amended by Document Number 82-9110 recorded October 1, 1982, in McLean County, Illinois.

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