



ASS 2012116715



NOV 15 2012 12:14 P 6

Fee amount: 31.50
FB: 58-43380
COMP: LM

Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
11/15/2012 12:14:45.00



2012116715

THIS DOCUMENT PREPARED BY AND
UPON RECORDATION RETURN TO:
ANDERSON, McCOY & ORTA, P.C.
100 North Broadway, Suite 2600
Oklahoma City, Oklahoma 73102
Telephone: 888-236-0007
AMO File No. 687.001
Loan/Property Name: Westroads Mall
Douglas County, NE

**ASSIGNMENT OF DEED OF TRUST, ASSIGNMENT OF LEASES AND RENTS AND
SECURITY AGREEMENT**

GERMAN AMERICAN CAPITAL CORPORATION, a Maryland corporation
having an address of
60 Wall Street, 10th Floor, New York, NY 10005
Assignor

to

U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE
FOR THE REGISTERED HOLDERS OF COMM 2012-LTRT
COMMERCIAL MORTGAGE PASS-THROUGH CERTIFICATES
having an address of
190 South LaSalle Street, 7th Floor, Chicago, IL 60603
Assignee

**ASSIGNMENT OF DEED OF TRUST, ASSIGNMENT OF LEASES AND RENTS AND
SECURITY AGREEMENT**

GERMAN AMERICAN CAPITAL CORPORATION, a Maryland corporation, whose address is 60 Wall Street, 10th Floor, New York, New York 10005 (“*Assignor*”), as the holder of the instrument hereinafter described and for valuable consideration hereby endorses, assigns, sells, transfers and delivers to the person or entity described on Exhibit B attached hereto (“*Assignee*”), having an address set forth on Exhibit B attached hereto, its successors, participants and assigns, without recourse or warranty, all right, title and interest of Assignor in and to that certain Deed of Trust, Assignment of Leases and Rents and Security Agreement made by WESTROADS MALL L.L.C., a Delaware limited liability company (the “*Borrower*”) dated as of September 4, 2012 and recorded on September 7, 2012 in the Recorder’s Office of Douglas County, Nebraska as Document # 2012091679 (as the same has heretofore been amended, modified, restated, supplemented, renewed or extended), securing payment of a Promissory Note of even date therewith, in the original principal amount of ONE HUNDRED FORTY MILLION SEVEN HUNDRED THOUSAND AND NO/100 DOLLARS (\$140,700,000.00), made by the Borrower, payable to the order of Assignor, and creating a first lien on the property described in Exhibit A attached hereto and by this reference made a part hereof.

Together with any and all notes and obligations therein described, the debt and claims secured thereby and all sums of money due and to become due thereon, with interest provided for therein, and hereby irrevocably appoints Assignee hereunder its attorney to collect and receive such debt, and to foreclose, enforce and satisfy the foregoing the same as it might or could have done were these presents not executed, but at the cost and expense of Assignee.

Together with any and all other liens, privileges, security interests, rights, entitlements, equities, claims and demands as to which Assignor hereunder possesses or to which Assignor is otherwise entitled as additional security for the payment of the notes and other obligations described herein.


This Assignment shall be binding upon and shall inure to the benefit of the parties hereto and their respective successors and assigns.


[SIGNATURE ADDENDUM ON THE FOLLOWING PAGE]

60876612.DOCX

IN WITNESS WHEREOF, Assignor has caused this instrument to be executed by its duly authorized officer on the date and year first above written.

GERMAN AMERICAN CAPITAL CORPORATION, a Maryland Corporation

By: 
Name: WILLIAM ROY
Title: VP

By: 
Name: Robert W. Pettinato
Title: Managing Director

State of New York)

County of New York)

On August 29, 2012, before me, the undersigned Notary Public, personally appeared William Royer, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.



Notary Public

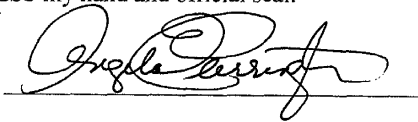
My Commission Expires:

State of New York)

County of New York)

On August 29, 2012, before me, the undersigned Notary Public, personally appeared Robert W. Pettinato, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.



Notary Public

My Commission Expires:
Signature of Notary Public

60876612.DOCX

**EXHIBIT A
LEGAL DESCRIPTION**

Real property in the City of Omaha, County of Douglas, State of Nebraska, described as follows:

Parcel A, Block 3, Westroads Addition, an addition to the City of Omaha, as surveyed, platted and recorded in Douglas County, Nebraska, except that part more particularly described as follows:

Beginning at a point on the Easterly line of Parcel A, said point being 261.00 feet Southeast of the Northeast corner of Parcel A: thence South 20°29'45" East (platted bearing) along the Easterly line of said Parcel A, a distance of 450.00 feet to a point; thence South 69°30'15" West, a distance of 236.00 feet to a point; thence North 20°29'45" West, a distance of 190.00 feet to a point; thence South 69°30'15" West, a distance of 43.00 feet to a point; thence North 20°29'45" West a distance of 77.00 feet to a point; thence South 69°30'15" West, a distance of 192.00 feet to a point; thence North 20°29'45" West, a distance of 74.00 feet to a point; thence North 69°30'15" East, a distance of 192 feet to a point; thence North 20°29'45" West a distance of 17 feet to a point; thence North 69°30'15" East a distance of 43.00 feet to a point; thence North 20°29'45" West, a distance of 92.00 feet to a point; thence North 69°30'15" East, a distance of 236.00 feet to the point of beginning.

58-43383

Lot 2, Westroads Replat 2, an addition to the City of Omaha, as surveyed, platted and recorded in Douglas County, Nebraska.

All together with non-exclusive rights contained in Construction, Operation and Easement Agreements filed October 8, 1965 in Book 430 at Page 273, as amended by instruments filed October 24, 1967 in Book 454 at Page 489 and filed January 25, 1994 in Book 1109 at Page 668, all of the Miscellaneous Records of Douglas County, Nebraska, and non-exclusive rights contained in Construction, Operation and Easement Agreements filed October 18, 1965 in Book 430 at Page 447, as amended by instruments filed December 26, 1967 in Book 457 at Page 615, and filed January 25, 1994 in Book 1109 at Page 631, all of the Miscellaneous Records of Douglas County, Nebraska.

58-43393

Lot 1, Westroads Replat 5, an addition to the City of Omaha, as surveyed, platted and recorded in Douglas County, Nebraska.

**EXHIBIT B
ASSIGNEE**

U.S. Bank National Association, as Trustee for the registered holders of COMM 2012-LTRT
Commercial Mortgage Pass-Through Certificates

having an address of 190 South LaSalle Street, 7th Floor, Chicago, Illinois 60603

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