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Tx:4007577

2012-13983

**RECORDER JOHN SCIORTINO
POTTAWATTAMIE COUNTY, IA**

FILE TIME: 09/18/2012 2:34:33 PM

REC: 20.00AUD: T TAX:

RMA: 1.00ECM: 1.00

R Fee 20.00

A Fee _____

T Tax _____

X Prepared by, and after recording
return to:
Moss & Barnett (EHK)
A Professional Association
90 South Seventh Street, Suite 4800
Minneapolis, MN 55402-4129

FHLMC Loan No. 708063691

ASSIGNMENT OF SECURITY INSTRUMENT

(Revision Date 11-01-2000)

FOR VALUABLE CONSIDERATION, NorthMarq Capital, LLC, a Minnesota limited liability company (the "Assignor"), having its principal office at 3500 American Boulevard West, Suite 500, Bloomington, Minnesota 55431, hereby assigns, grants, sells and transfers to the FEDERAL HOME LOAN MORTGAGE CORPORATION, a corporation organized and existing under the laws of the United States (the "Assignee"), having its principal place of business at 8200 Jones Branch Drive, McLean, Virginia 22102, and the Assignee's successors, transferees and assigns forever, all of the right, title and interest of the Assignor in and to the Multifamily Mortgage, Assignment of Rents and Security Agreement dated of even date herewith, entered into by Council Bluffs Apartments, L.L.C., an Iowa limited liability company (the "Borrower") for the benefit of the Assignor, securing an indebtedness of the Borrower to the Assignor in the principal amount of \$7,960,000.00 and recorded in the land records of Pottawattamie County, recorded immediately prior hereto (the "Instrument"), which indebtedness is secured by the property described in Exhibit A, attached to this Assignment and incorporated into it by this reference.

Together with the note or other obligation described in the Instrument and all obligations secured by the Instrument now or in the future.

IN WITNESS WHEREOF, the Assignor has executed this Assignment as of September 18, 2012.

EXHIBIT A

Legal Description

PARCEL 1:

A parcel of land located in part of the Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 33, Township 75 North, Range 44 West of the 5th P.M., in the City of Council Bluffs, in Pottawattamie County, Iowa, more fully described as follows:

Commencing at the Southwest corner of the Northwest Quarter of the Northwest Quarter of said Section 33; thence along the West line of said Northwest Quarter of the Northwest Quarter, North 02°31'20" West, 291.04 feet; thence North 77°48'31" East, 106.13 feet, to a point on a curve, concave Northerly, having a radius of 1,672.40 feet and a delta angle of 14°42'03"; thence along said curve 1.70 feet and having a chord bearing of North 77°45'40" East, 1.70 feet, to the East right-of-way line of a levee and the Point of Beginning; thence along the East right-of-way line of said levee North 15°59'55" East, 170.93 feet; thence continuing along said East right-of-way line of said levee North 05°39'55" East, 145.77 feet; thence continuing along said East right-of-way line North 22°30'10" West, 14.30 feet, to a point on a curve with a radius of 1,374.40 feet and a delta angle of 14°42'03"; thence along said curve 227.81 feet having a chord bearing of North 67°50'14" East, 227.55 feet; thence North 63°05'39" East 312.82 feet; thence South 88°35'46" East, 274.12 feet; thence North 63°05'39" East, 99.85 feet, to the Westerly right-of-way line of 41st Street; thence along said Westerly right-of-way line South 26°54'10" East, 168.00 feet; thence South 63°06'10" West, 354.25 feet; thence South 14°21'29" East, 374.13 feet; thence South 80°38'31" West, 544.58 feet; thence South 83°38'31" West, 91.57 feet; thence North 27°07'54" West, 214.35 feet, to a point on a curve having a radius of 1,672.40 feet and a delta angle of 14°42'03"; thence along said curve 36.47 feet having a chord bearing of South 77°19'54" West, 36.47 feet, to the East right-of-way line of said levee, and the Point of Beginning.

PARCEL 2:

That part of the Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 33, Township 75 North, Range 44 West of the 5th P.M., in the City of Council Bluffs, in Pottawattamie County, Iowa, more particularly described as follows:

Commencing at the Southwest corner of said Northwest Quarter; thence North 02°31'20" West (assumed bearing), 291.04 feet, on the West line of said Northwest Quarter; thence North 77°48'31" East, 106.13 feet; thence Northeasterly, on a non-tangent 1672.40 foot radius curve to

the left, chord bearing North 77°08'01" East, chord distance 38.13 feet, an arc distance of 38.13 feet; thence South 27°07'54" East, 214.35 feet, on a non-radial line; thence North 83°38'31" East, 91.57 feet; thence North 80°38'31" East, 544.58 feet, to the Point of Beginning; thence North 14°21'29" West, 374.13 feet; thence North 63°06'10" East, 354.25 feet, to the Westerly line of 41st Street; thence South 26°54'10" East, 269.50 feet, on the Southerly extension of the Westerly line of 41st Street; thence South 39°26'12" West, 298.37 feet; thence South 71°32'22" West, 164.00 feet, to the Point of Beginning.

All together with non-exclusive easement rights appurtenant thereto as established by Access Easement dated September 27, 2006 and recorded October 18, 2006, in Book 107 at Page 6575, as amended by First Amendment To Access Easement dated December 11, 2008 and recorded December 12, 2008, in Book 2008 at Page 17021, both of the Records of Pottawattamie County, Iowa;

And, together with rights appurtenant thereto as established by Easement Agreement dated December 11, 2008 and recorded December 12, 2008, in Book 2008 at Page 17022 of the Records of Pottawattamie County, Iowa.

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