

17/10 NCF (6)
3459 KB



Doc ID: 019951450003 Type: GEN
Recorded: 06/01/2007 at 10:24:34 AM
Fee Amt: \$27.00 Page 1 of 3
Polk County Iowa
JULIE M. HAGGERTY RECORDER
File# 2007-00101466

W BK 12218 PG 368-370

ASSIGNMENT OF SECURITY INSTRUMENT
(MULTIFAMILY MORTGAGE, ASSIGNMENT OF RENTS AND SECURITY
AGREEMENT)

DEUTSCHE BANK BERKSHIRE MORTGAGE, INC., a Delaware corporation, whose address is One Beacon Street, 14th Floor, Boston, Massachusetts 02108 ("Lender"), as the holder of the instrument hereinafter described and for valuable consideration hereby endorses, assigns and delivers to FANNIE MAE, a corporation organized under the laws of the United States of America, whose address is c/o Deutsche Bank Berkshire Mortgage, Inc., One Beacon Street, 14th Floor, Boston, Massachusetts 02108, its successors, participants and assigns, all right, title and interest of Lender in and to the following:

A Multifamily Mortgage, Assignment of Rents and Security Agreement, among BBMY II Willow Park Limited Partnership LLLP, a Minnesota limited liability limited partnership (the "Borrower"), and Lender, as Mortgagee, dated as of the 31st day of May, 2007, and recorded immediately prior hereto, in the Records of Polk County, Iowa, securing the payment of a Multifamily Note, dated as of the 31st day of May, 2007, in the original principal amount of \$12,000,000.00 made by the Borrower, payable to the order of Lender, 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 secured thereby and all sums of money due and to become due thereon, with the 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 governed in all respects by the laws of the state in which the aforementioned instrument was recorded and shall be binding upon and shall inure to the benefit of the parties hereto and their respective successors and assigns.

IN WITNESS WHEREOF, Lender has caused its name to be signed hereto by its authorized officer to execute, acknowledge and deliver these presents on its behalf, all done as of this 31st day of May, 2007.

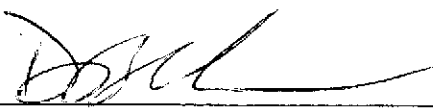
RETURN TO:

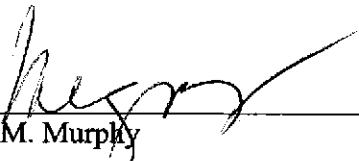
RETURN TO: COMMONWEALTH LAND TITLE
400 SIBLEY ST. SUITE 255
ST. PAUL, MINNESOTA, 55101
COMMERCIAL RECORDING 1.

Prepared by: DAVID J MCPHERSON
703-734-4398

mtg. BK 12218 Pg. 317


DEUTSCHE BANK BERKSHIRE
MORTGAGE, INC., a Delaware corporation

By: 
Douglas C. Blake
Officer

By: 
Megan M. Murphy
Officer

STATE OF MARYLAND, Montgomery County ss:

On this 17th day of May, 2007, before me, a Notary Public in the State of Maryland, personally appeared Douglas C. Blake and Megan M. Murphy, to me personally known, who being duly sworn did say that they are Officers of Deutsche Bank Berkshire Mortgage, Inc., a Delaware corporation, and that they executed the foregoing instrument on behalf of said corporation, and the said Officers acknowledged the execution of said instrument to be the voluntary act and deed of said corporation.


Notary Public in the State of Maryland

My commission expires: 8.19.09

Prepared by:

David J. McPherson, Esquire
Troutman Sanders LLP
1660 International Drive
Suite 600, Tysons Corner
McLean, Virginia 22102-3805
(703) 734-4399



EXHIBIT A

Commencing at the Northeast corner of Section Thirty-three (33), Township Seventy-eight (78) North, Range Twenty-four (24) West of the 5th P.M., Des Moines, Polk County, Iowa; thence South $0^{\circ}37\frac{1}{2}'$ East, along the East line of the Northeast Quarter of said Section 33, 454.85 feet, to the point of beginning; thence continuing South $0^{\circ}37\frac{1}{2}'$ East, 965.15 feet; thence North $90^{\circ}00'$ West parallel with and 1,420.0 feet South of the North line of the Northeast Quarter of said Section 33, 948.0 feet; thence North $0^{\circ}37\frac{1}{2}'$ West parallel with and 948.0 feet West, of the East Line of the Northeast Quarter of said Section 33, 967.15 feet; thence South $89^{\circ}25\frac{3}{4}'$ East, 948.0 feet to the point of beginning.

Together with easement for ingress and egress as contained in Declaration, Instrument No. 48941.

Polk County, Iowa