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Cook County Recorder of Deeds
Date: 09/03/2004 02:46 PM Pg: 1 of 9

(The Above Space for Recorders Use Only)

ASSIGNMENT AND ASSUMPTION OF PARKING EASEMENT AGREEMENT

ASSIGNMENT AND ASSUMPTION OF PARKING EASEMENT AGREEMENT (this "Assignment") made as of the 10 day of August, 2004 by and between ARLINGTON, LLC, an Illinois limited liability company ("Assignor"), and ARLINGTON ANNEX LIMITED PARTNERSHIP, an Illinois limited partnership ("Assignee").

WITNESSETH:

WHEREAS, Assignor has simultaneously herewith conveyed to the Assignee an undivided 12.71% interest of Assignor's right, title and interest in and to the premises commonly known as Annex of Arlington, Arlington Heights, Illinois (the "Premises") more particularly described on Exhibit "A" annexed hereto and made a part hereof, and in connection therewith, Assignor has agreed to assign to Assignee all of Assignor's right, title and interest in and to that certain parking easement agreement more particularly described on Exhibit "B" annexed hereto and made a part hereof (collectively, "Parking Easement Agreement")

NOW, THEREFORE, in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto hereby agree as follows:

1. Assignor hereby assigns unto Assignee, an undivided 12.71% interest of the right, title and interest of Assignor in, to and under the Parking Easement Agreement;

TO HAVE AND TO HOLD the same unto Assignee, its successors and assigns from and after the date hereof, subject to the terms, covenants and conditions of the Parking Easement Agreement.



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2. Assignor hereby agrees to indemnify, protect, defend and hold Assignee harmless from and against any and all Claims arising out of or resulting from any breach or default by Assignor in its obligations under the terms of the Parking Easement Agreement prior to the date hereof.

3. This Assignment shall be binding on and inure to the benefit of the parties hereto, their heirs, executors, administrators, successors in interest and assigns.

4. This Assignment may be executed in separate counterparts, which, together, shall constitute one and the same fully executed Assignment. The entities comprising Assignor shall be jointly and severally liable for the obligations and liabilities of Assignor hereunder.

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IN WITNESS WHEREOF, this Assignment has been duly executed as of the date first above written.

ASSIGNOR:

ARLINGTON, LLC, an Illinois limited liability company

By: Arlington Manager, Inc., an Illinois corporation, its manager

By: 

Name: Marc R. Wilkow

Title: President

ASSIGNEE:

ARLINGTON ANNEX LIMITED PARTNERSHIP, an Illinois limited partnership

By: Arlington Annex Corporation, an Illinois corporation, its general partner

By: 

Name: Marc R. Wilkow

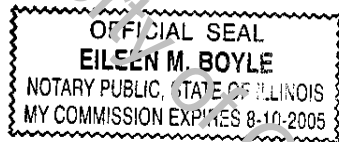
Title: President

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STATE OF ILLINOIS)
)
COUNTY OF COOK)

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY, that Marc R. Wilkow, personally known to me to be the President of Arlington Manager, Inc., an Illinois corporation, the manager of Arlington LLC, an Illinois limited liability company, whose name is subscribed to the within Instrument, appeared before me this day in person and severally acknowledged that in such capacity he signed and delivered the said Instrument as his free and voluntary act and as the free and voluntary act and deed of said entity, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal, this 24th day of August, 2004.



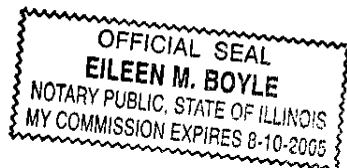
[Handwritten Signature]
Notary Public

My Commission Expires
8/10/05

STATE OF ILLINOIS)
)
COUNTY OF COOK)

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY, that , that Marc R. Wilkow, personally known to me to be the President of Arlington Annex Corporation, the general partner of Arlington Annex Limited Partnership, an Illinois limited partnership, whose name is subscribed to the within Instrument, appeared before me this day in person and severally acknowledged that in such capacity he signed and delivered the said Instrument as his free and voluntary act and as the free and voluntary act and deed of said entity, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal, this 24th day of August, 2004.



[Handwritten Signature]
Notary Public

My Commission Expires
8/10/05

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EXHIBIT A

PARCEL 1:

THAT PART OF LOT 2 IN HARDEE'S RAND ROAD SUBDIVISION, BEING A SUBDIVISION OF PARTS OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 17 AND THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 18, LYING SOUTHWESTERLY OF THE CENTERLINE OF RAND ROAD, ALL IN TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 16, 1986 AS DOCUMENT NO. 86297345, AND A 0.019 ACRE PARCEL SOUTH OF SAID LOT 2, DESCRIBED AS FOLLOWS:

BEGINNING AT THE EASTERLYMOST CORNER OF SAID LOT 2; THENCE SOUTH 42 DEGREES 02 MINUTES 44 SECONDS WEST 568.13 FEET TO THE SOUTH LINE OF SAID LOT 2; THENCE NORTH 89 DEGREES 47 MINUTES 42 SECONDS WEST 28.95 FEET ALONG THE SOUTH LINE OF SAID LOT 2, TO A POINT 96.40 FEET, AS MEASURED ALONG SAID SOUTH LINE, EAST OF A CORNER OF SAID LOT 2; THENCE NORTH 47 DEGREES 49 MINUTES 39 SECONDS WEST 186.71 FEET TO A SOUTH LINE OF SAID LOT 2; THENCE NORTH 89 DEGREES 47 MINUTES 42 SECONDS WEST 27.62 FEET ALONG THE LAST DESCRIBED SOUTH LINE TO A POINT 373.47 FEET, AS MEASURED ON SAID SOUTH LINE, EAST OF THE WEST LINE OF THE SOUTHWEST 1/4 OF SECTION 17, AFORESAID; THENCE NORTH 47 DEGREES 57 MINUTES 53 SECONDS WEST 194.53 FEET; THENCE NORTH 31 DEGREES 32 MINUTES 09 SECONDS WEST 157.43 FEET TO A WESTERLY LINE OF SAID LOT 2; THENCE NORTH 42 DEGREES 00 MINUTES 35 SECONDS EAST 10.81 FEET TO A SOUTHWESTERLY LINE OF SAID LOT 2; THENCE NORTH 47 DEGREES 59 MINUTES 25 SECONDS WEST, ALONG SAID SOUTHWESTERLY LINE, 325 FEET TO A NORTHWEST LINE OF LOT 2; THENCE NORTH 42 DEGREES 00 MINUTES 35 SECONDS EAST, ALONG SAID NORTHWEST LINE, 550.00 FEET TO THE SOUTH LINE OF RAND ROAD (SAID SOUTH LINE ALSO BEING THE NORTHEASTERLY LINE OF SAID LOT 2); THENCE SOUTH 47 DEGREES 59 MINUTES 25 SECONDS EAST ALONG SAID SOUTH LINE, 246.30 FEET; THENCE SOUTH 42 DEGREES 00 MINUTES 35 SECONDS WEST, 230 FEET; THENCE SOUTH 47 DEGREES 59 MINUTES 25 SECONDS EAST 175 FEET; THENCE NORTH 42 DEGREES 00 MINUTES 35 SECONDS EAST 230 FEET TO THE SOUTH LINE OF RAND ROAD; THENCE SOUTH 47 DEGREES 59 MINUTES 25 SECONDS EAST, 478.67 FEET TO THE PLACE OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

PARCEL 2:

A PERPETUAL NON-EXCLUSIVE EASEMENT ESTABLISHED PURSUANT TO A GRANT OF EASEMENT DATED JULY 10, 1990 AND RECORDED JULY 26, 1990 AS DOCUMENT 90359319 OVER, ACROSS AND UPON THE FOLLOWING DESCRIBED PROPERTY FOR USE AND MAINTENANCE OF A STORM WATER RETENTION POND FOR THE BENEFIT OF PARCEL 1:

PARCEL 2A: (ARLINGTON GROVE PORTION)

THAT PART OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 17 AND THE EAST 1/2 OF THE SOUTH EAST 1/4 OF SECTION 18, LYING SOUTHWESTERLY OF THE CENTER LINE OF

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RAND ROAD, ALL IN TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST SOUTHWESTERLY CORNER OF LOT 2 IN HARDEE'S SUBDIVISION, BEING A SUBDIVISION OF PARTS OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 17 AND THE EAST 1/2 OF THE SOUTH EAST 1/4 OF SAID SECTION 18, LYING SOUTHWESTERLY OF THE CENTER LINE OF RAND ROAD, ACCORDING TO THE PLAT THEREOF RECORDED JULY 16, 1986 AS DOCUMENT NUMBER 86297345, SAID POINT BEING ON A LINE 900 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE EAST 1/2 OF THE SOUTH EAST 1/4 OF SAID SECTION 18 A DISTANCE OF 90.69 FEET WEST OF THE EAST LINE OF THE SOUTH EAST 1/4 OF SAID SECTION 18; THENCE NORTH 42 DEGREES, 02 MINUTES, 18 SECONDS EAST ALONG THE WEST LINE OF SAID LOT 2 A DISTANCE OF 120 FEET FOR A POINT OF BEGINNING; THENCE NORTH 03 DEGREES, 44 MINUTES, 40 SECONDS WEST 142 FEET; THENCE NORTH 02 DEGREES, 08 MINUTES, 16 SECONDS EAST 127.88 FEET; THENCE NORTH 42 DEGREES, 02 MINUTES, 18 SECONDS EAST 48 FEET TO A POINT ON THE WEST LINE OF SAID LOT 2; THENCE SOUTH 47 DEGREES, 57 MINUTES, 42 SECONDS EAST ALONG THE WEST LINE OF LOT 2 FOR A DISTANCE OF 183.80 FEET TO A BEND POINT OF SAID LOT 2; THENCE SOUTH 42 DEGREES, 02 MINUTES, 18 SECONDS WEST ALONG THE WEST LINE OF SAID LOT 2 FOR A DISTANCE OF 245.13 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS; AND

PARCEL 2B: (SOUTHEAST PORTION)

THAT PART OF LOT 2 IN HARDEE'S RAND ROAD SUBDIVISION, BEING A SUBDIVISION OF PARTS OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 17 AND THE EAST 1/2 OF THE SOUTH EAST 1/4 OF SECTION 18 LYING SOUTHWESTERLY OF THE CENTER LINE OF RAND ROAD, ALL IN TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 16, 1986 AS DOCUMENT NUMBER 86297345, DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST SOUTHWESTERLY CORNER OF SAID LOT 2, SAID POINT BEING ON A LINE 900 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE EAST 1/2 OF THE SOUTH EAST 1/4 OF SAID SECTION 18, 90.69 FEET WEST OF THE EAST LINE OF THE SOUTH EAST 1/4 OF SAID SECTION 18; THENCE NORTH 42 DEGREES, 02 MINUTES, 18 SECONDS EAST ALONG THE WESTERLY LINE OF SAID LOT 2 FOR A DISTANCE OF 354.43 FEET; THENCE SOUTH 31 DEGREES, 32 MINUTES, 09 SECONDS EAST 157.43 FEET; THENCE SOUTH 47 DEGREES, 57 MINUTES, 53 SECONDS EAST 194.53 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID LOT 2; THENCE NORTH 89 DEGREES, 46 MINUTES, 28 SECONDS WEST ALONG THE SOUTHERLY LINE OF SAID LOT 2 FOR A DISTANCE OF 373.47 FEET TO A BEND POINT ON THE SOUTHERLY LINE OF SAID LOT 2, SAID POINT BEING ON THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 17; THENCE SOUTH 89 DEGREES, 49 MINUTES, 58 SECONDS WEST ALONG THE SOUTHERLY LINE OF SAID LOT 2 FOR A DISTANCE OF 90.69 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

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PARCEL 3

LOT 1 IN THE ANNEX OF ARLINGTON PHASE II BEING A SUBDIVISION IN THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 17, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

(EXCEPTING THEREFROM THAT PART CONVEYED TO THE STATE OF ILLINOIS, DEPARTMENT OF TRANSPORTATION BY WARRANTY DEED DATED DECEMBER 13, 1999 AND RECORDED JANUARY 25, 2000 AS DOCUMENT 00062458 AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL A:

THAT PART OF LOT 1 IN THE ANNEX OF ARLINGTON HEIGHTS PHASE II, BEING A SUBDIVISION IN THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 17, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 23, 1999 AS DOCUMENT 99569378, DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST NORTHERLY CORNER OF SAID LOT 1; THENCE SOUTH 47 DEGREES 57 MINUTES 52 SECONDS EAST ALONG THE NORTHEASTERLY LINE OF SAID LOT 1, BEING ALSO THE SOUTHWESTERLY LINE OF RAND ROAD PER DOCUMENT NUMBER 12592035, 428.04 FEET TO THE NORTHEAST CORNER OF SAID LOT 1; THAT SOUTH 00 DEGREES 01 MINUTES 28 SECONDS WEST ALONG THE EAST LINE OF SAID LOT 1, BEING ALSO THE WEST LINE OF ARLINGTON HEIGHTS ROAD, 20.19 FEET TO AN INTERSECTION WITH A LINE 15.00 FEET, AS MEASURED AT RIGHT ANGLES, SOUTHWESTERLY OF AND PARALLEL WITH THE NORTHEASTERLY LINE OF SAID LOT 1; THENCE NORTH 47 DEGREES 57 MINUTES 52 SECONDS WEST ALONG SAID LAST DESCRIBED LINE, 441.56 FEET TO THE NORTHWESTERLY LINE OF SAID LOT 1; THENCE NORTH 42 DEGREES 03 MINUTES 40 SECONDS EAST ALONG THE NORTHWESTERLY LINE OF SAID LOT 1, 15.00 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCEL B:

THAT PART OF LOT 1 IN THE ANNEX OF ARLINGTON HEIGHTS PHASE II, BEING A SUBDIVISION IN THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 17, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 23, 1999 AS DOCUMENT 99569378, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 1; THENCE SOUTH 00 DEGREES 01 MINUTES 28 SECONDS WEST ALONG THE EAST LINE OF SAID LOT 1, BEING ALSO THE WEST LINE OF ARLINGTON HEIGHTS ROAD, 20.19 FEET TO AN INTERSECTION WITH A LINE 15.00 FEET, AS MEASURED AT RIGHT ANGLES, SOUTHWESTERLY OF AND PARALLEL WITH THE NORTHEASTERLY LINE OF SAID LOT 1; THENCE NORTH 47 DEGREES 57

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MINUTES 52 SECONDS WEST ALONG SAID LAST DESCRIBED PARALLEL LINE, 13.46 FEET TO A POINT OF BEGINNING AT THE INTERSECTION OF SAID LAST DESCRIBED PARALLEL LINE WITH A LINE 10.00 FEET, AS MEASURED AT RIGHT ANGLES, WEST OF AND PARALLEL WITH THE EAST LINE OF SAID LOT 1; THENCE CONTINUING NORTH 47 DEGREES 57 MINUTES 52 SECONDS WEST PARALLEL WITH THE NORTHEASTERLY LINE OF SAID LOT 1, 40.00 FEET; THENCE SOUTH 23 DEGREES 58 MINUTES 12 SECONDS EAST, 73.09 FEET TO A POINT ON A LINE 10.00 FEET, AS MEASURED AT RIGHT ANGLES, WEST OF AND PARALLEL WITH THE EAST LINE OF SAID LOT 1, SAID POINT BEING 40.00 FEET SOUTH OF THE POINT OF BEGINNING; THENCE NORTH 00 DEGREES 01 MINUTES 28 SECONDS EAST PARALLEL WITH THE EAST LINE OF SAID LOT 1, 40.00 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCEL 4:

AN EASEMENT FOR THE BENEFIT OF PARCEL 1 AND 3 AS CREATED BY EASEMENT AGREEMENT DATED APRIL 1, 1999 AND RECORDED APRIL 5, 1999 AS DOCUMENT 99322489 FROM COSMOPOLITAN BANK AND TRUST COMPANY, AS SUCCESSOR TRUSTEE FIRST BANK OF OAK PARK, AS TRUSTEE UNDER TRUST AGREEMENT DATED JUNE 19, 1973 AND KNOWN AS TRUST NUMBER-10095 TO AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO AS TRUSTEE UNDER TRUST AGREEMENT DATED JULY 20, 1994 AND KNOWN AS TRUST NUMBER 118561-01 AND ARLINGTON, L.L.C., AN ILLINOIS LIMITED LIABILITY COMPANY FOR THE PURPOSE OF PARKING AND FOR INGRESS AND EGRESS OVER THE FOLLOWING DESCRIBED LAND:

THE NORTH 88 FEET OF THE SOUTH 738.33 FEET OF THE EAST 155.0 FEET (EXCEPT THAT PART THEREOF TAKEN FOR WIDENING OF ARLINGTON HEIGHTS ROAD) OF THAT PART OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 17, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING SOUTH OF THE CENTER OF RAND ROAD, IN COOK COUNTY, ILLINOIS.

PARCEL 5

TOGETHER WITH THOSE CERTAIN UTILITY EASEMENTS AS SET FORTH IN DECLARATION OF UTILITY EASEMENT RECORDED JUNE 14, 1999 AS DOCUMENT 99569377 AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO AS TRUSTEE UNDER TRUST AGREEMENT DATED JULY 20, 1994 KNOWN AS TRUST NUMBER 118561-01, GRANTOR AND ARLINGTON LLC, GRANTEE

PARCEL 6

TOGETHER WITH THOSE CERTAIN PARKING EASEMENTS AS SET FORTH IN RECIPROCAL DECLARATION OF GRANT OF PARKING EASEMENTS MADE BY AND BETWEEN ARLINGTON, LLC AND AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, AS TRUSTEE UNDER TRUST AGREEMENT DATED JULY 20, 1994 AND KNOWN AS TRUST NUMBER 118561-01 RECORDED/FILED APRIL 5, 1999 AS DOCUMENT NO. 99322488

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EXHIBIT B

Easement Agreement dated April 1, 1999 and recorded April 5, 1999 as Document 99322489 from Cosmopolitan Bank and Trust Company, as Successor Trustee First Bank of Oak Park, as Trustee Under Trust Agreement dated June 19, 1973 and known as Trust Number-10095 to American National Bank and Trust Company of Chicago as Trustee Under Trust Agreement dated July 20, 1994 and known as Trust Number 118561-01 and Arlington, L.L.C., an Illinois limited liability company for the purpose of parking and for ingress and egress over the following described land:

The North 88 feet of the South 738.33 feet of the East 155.0 feet (except that part thereof taken for widening of Arlington Heights Road) of that part of the West $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of Section 17, Township 42 North, Range 11, East of the Third Principal Meridian, lying South of the Center of Rand Road, in Cook County, Illinois.

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