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Doc#: 0531835153 Fee: \$34.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 11/14/2005 09:44 AM Pg: 1 of 6

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Prepared by:

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7101 N. Cicero Avenue
Lincolnwood, IL 60712

Assignment and Assumption of Lease

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ASSIGNMENT AND ASSUMPTION OF LEASE

This ASSIGNMENT AND ASSUMPTION OF LEASE AGREEMENT (the "Agreement") is entered into as of this 19th day of October, 2005 by and between CIRCUIT ASSOCIATES, LLC, an Illinois limited liability company ("Assignor") and CENTRAL INVESTMENTS, LLC, an Illinois limited liability company ("Assignee").

WHEREAS, Assignor and Assignee, as nominee, are parties to that certain Multi-Unit Real Estate Sales Contract dated August 16, 2005 (the "Underlying Agreement");

WHEREAS, pursuant to the Underlying Agreement, Assignee has agreed to assume all of Assignor's rights and obligations with respect to the Lease (defined hereinafter) in accordance with the terms hereof.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor and Assignee do hereby agree as follows:

1. Assignor hereby sells, transfers, conveys, assigns and sets over unto Assignee the following all of Assignor's right, title and interest, as lessor, in and to the lease listed on Schedule 1 attached hereto (the "Lease") together with all rents due, or to become due under the Lease on or after the date hereof and the security deposit thereunder, if any.

2. Assignee hereby accepts the foregoing assignment as of the date hereof and as of such date hereby assumes the performance of all the terms, covenants and conditions of the Lease with respect to the period from and after the date hereof.

3. This Agreement may be executed in multiple counterparts, each of which, taken together shall constitute an original Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first above written.

ASSIGNOR:

CIRCUIT ASSOCIATES, LLC, an Illinois limited liability company

By: WT Associates, LLC, an Illinois limited liability company

By: [Signature]
John Gross, Managing Member

ASSIGNEE:

CENTRAL INVESTMENTS, LLC, an Illinois limited liability company

By: [Signature]
Its: MANAGER

THIS DOCUMENT PREPARED
By: Jeff GURIAN
513 CENTRAL AVE
HIGHLAND PARK, IL
60035

MAIL TO
BARRY E. MORGEN
7101 N. CICERO
LINCOLNWOOD, IL
60712

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Schedule 1

That certain lease between Circuit City Stores, Inc., as tenant, and Nissan Motor Acceptance Corporation, as the original landlord, dated February 19, 2002, as amended on February 19, 2002 and May 16, 1997 for the property at 5701 West Touhy, Niles, Illinois.

Property of Cook County Clerk's Office

UNOFFICIAL COPY**CHICAGO TITLE INSURANCE COMPANY**

ORDER NUMBER: 1401 008297419 D2
 STREET ADDRESS: 5701 WEST TOUHY
 CITY: NILES COUNTY: COOK
 TAX NUMBER: 1030-203-036
 LEGAL DESCRIPTION:

PARCEL 1:

LOT 1 N RAYMOND HARA SUBDIVISION, RECORDED SEPTEMBER 30, 1994 AND RECORDED AS DOCUMENT NUMBER 94847852, BEING A SUBDIVISION OF THE NORTHEAST FRACTIONAL QUARTER OF FRACTIONAL SECTION 32, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.
 AND

A TRACT OF LAND BEING PART OF THE EAST 30 ACRES OF THE NORTHEAST FRACTIONAL 1/4 OF FRACTIONAL SECTION 32, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, ALL OF THE EAST 17 ACRES OF THE WEST 19 1/2 ACRES OF THE EAST FRACTIONAL 1/2 OF THE NORTHEAST 1/4 OF SAID FRACTIONAL SECTION 32 BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID 17 ACRES AND RUNNING THENCE NORTH 89 DEGREES 09 MINUTES 30 SECONDS EAST ON THE NORTH LINE OF SAID NORTHEAST FRACTIONAL 1/4 102.55 FEET TO A POINT 612.16 FEET, MORE OR LESS, WEST OF THE NORTHEAST CORNER OF SAID FRACTIONAL SECTION; THENCE SOUTH 00 DEGREES, 48 MINUTES, 37 SECONDS EAST, 1,124.13 FEET; THENCE SOUTH 89 DEGREES, 38 MINUTES, 50 SECONDS WEST, 324.80 FEET; THENCE NORTH 00 DEGREES, 41 MINUTES, 00 SECONDS EAST, 1,121.76 FEET TO A POINT ON THE NORTH LINE OF SAID NORTHEAST FRACTIONAL 1/4 SAID POINT BEING 193.0 FEET WEST OF THE POINT OF BEGINNING (AS MEASURED ON THE NORTH LINE OF THE NORTHEAST FRACTIONAL 1/4 OF SAID FRACTIONAL SECTION 32); THENCE NORTH 89 DEGREES, 09 MINUTES, 30 SECONDS EAST, 193.0 FEET ALONG SAID NORTH LINE TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCEL 2:

EASEMENT FOR THE BENEFIT OF PARCEL 1, AS CREATED BY AGREEMENT BY AND AMONG AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, A NATIONAL BANKING ASSOCIATION, AS TRUSTEE UNDER TRUST AGREEMENT DATED FEBRUARY 15, 1977 KNOWN AS TRUST NUMBER 40063, AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, A NATIONAL BANKING ASSOCIATION, AS TRUSTEE UNDER TRUST AGREEMENT DATED SEPTEMBER 15, 1976 KNOWN AS TRUST NUMBER 39326 AND CONSOLIDATED FOUNDRIES AND MANUFACTURING CORPORATION, A CORPORATION OF DELAWARE, DATED MARCH 29, 1977 AND RECORDED APRIL 19, 1977 AS DOCUMENT 23893061, FOR UNDERGROUND UTILITIES UNDER AND THROUGH THE FOLLOWING DESCRIBED TRACT:

THAT PART OF THE EAST 17 ACRES OF THE WEST 19.5 ACRES OF THE EAST FRACTIONAL 1/2 OF THE NORTHEAST FRACTIONAL 1/4 OF FRACTIONAL SECTION 32, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, COMMENCING AT THE NORTHEAST CORNER OF SAID 17 ACRES AND RUNNING THENCE NORTH 89 DEGREES, 09 MINUTES, 30 SECONDS EAST, ON THE NORTH LINE OF SAID NORTHEAST FRACTIONAL 1/4 102.55 FEET TO

(CONTINUED)

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ORDER NUMBER: 1401 008297419 D2
 STREET ADDRESS: 5701 WEST TOUHY
 CITY: NILES COUNTY: COOK
 TAX NUMBER:

LEGAL DESCRIPTION:

A POINT 612.16 FEET, MORE OR LESS, WEST OF THE NORTHEAST CORNER OF SAID FRACTIONAL SECTION; THENCE SOUTH 00 DEGREES, 48 MINUTES, 37 SECONDS EAST, 1,124.13 FEET; THENCE SOUTH 89 DEGREES, 38 MINUTES, 50 SECONDS WEST, 324.80 FEET; THENCE NORTH 00 DEGREES, 41 MINUTES, 00 SECONDS EAST, 59.81 FEET; THENCE SOUTH 44 DEGREES, 41 MINUTES, 24 SECONDS WEST, 84.63 FEET TO THE POINT OF BEGINNING OF THE EASEMENT TO BE DESCRIBED HEREIN, SAID POINT ALSO BEING ON A LINE 50.0 FEET NORTHEASTERLY OF (RIGHT ANGLES MEASUREMENT) AND PARALLEL WITH THE EASTERLY RIGHT OF WAY LINE OF THE CHICAGO, MILWAUKEE AND ST. PAUL RAILROAD; THENCE CONTINUING SOUTH 44 DEGREES, 41 MINUTES, 24 SECONDS WEST, 54.37 FEET TO THE SAID EASTERLY RIGHT OF WAY LINE; THENCE NORTH 22 DEGREES, 11 MINUTES, 00 SECONDS WEST, ALONG SAID EASTERLY RIGHT OF WAY LINE 16.31 FEET; THENCE NORTH 44 DEGREES, 41 MINUTES, 24 SECONDS EAST, 54.37 FEET TO A LINE 50 FEET NORTHEASTERLY OF (RIGHT ANGLES MEASUREMENT) AND PARALLEL WITH THE SAID EASTERLY RIGHT OF WAY LINE; THENCE SOUTH 22 DEGREES, 11 MINUTES, 00 SECONDS EAST, ALONG SAID PARALLEL LINE 16.31 FEET TO THE POINT OF BEGINNING IN COOK COUNTY, ILLINOIS.

PARCEL 3:

EASEMENT FOR THE BENEFIT OF PARCEL 1, AS DISCLOSED BY AGREEMENT BY AND AMONG AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, A NATIONAL BANKING ASSOCIATION, AS TRUSTEE UNDER TRUST AGREEMENT DATED FEBRUARY 15, 1977 KNOWN AS TRUST NUMBER 40063, AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, A NATIONAL BANKING ASSOCIATION, AS TRUSTEE UNDER TRUST AGREEMENT DATED SEPTEMBER 15, 1976 AND KNOWN AS TRUST NUMBER 39326 AND CONSOLIDATED FOUNDRIES AND MANUFACTURING CORPORATION, A CORPORATION OF DELAWARE, DATED MARCH 29, 1977 AND RECORDED APRIL 19, 1977 AS DOCUMENT 23893061, FOR UNDERGROUND UTILITIES, UNDER AND THROUGH THE FOLLOWING DESCRIBED TRACT OF LAND:

THAT PART OF THE EAST 17 ACRES OF THE WEST 19.5 ACRES OF THE EAST FRACTIONAL 1/2 OF THE NORTHEAST FRACTIONAL 1/4 OF FRACTIONAL SECTION 32, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, COMMENCING AT THE NORTHEAST CORNER OF SAID 17 ACRES AND RUNNING THENCE NORTH 89 DEGREES, 09 MINUTES, 30 SECONDS EAST, ON THE NORTH LINE OF SAID NORTHEAST FRACTIONAL 1/4 102.55 FEET TO A POINT 612.16 FEET, MORE OR LESS, WEST OF THE NORTHEAST CORNER OF SAID FRACTIONAL SECTION; THENCE SOUTH 00 DEGREES, 48 MINUTES, 37 SECONDS EAST, 1,124.13 FEET; THENCE SOUTH 89 DEGREES, 38 MINUTES, 50 SECONDS WEST, 324.80 FEET; THENCE NORTH 00 DEGREES, 41 MINUTES, 00 SECONDS EAST, 59.81 FEET TO THE POINT OF BEGINNING OF THE EASEMENT TO BE DESCRIBED HEREIN; THENCE SOUTH 44 DEGREES, 41 MINUTES, 24 SECONDS WEST, 84.63 FEET TO A POINT ON A LINE 50 FEET NORTHEASTERLY OF (RIGHT ANGLES MEASUREMENT) AND PARALLEL WITH THE EASTERLY RIGHT OF WAY LINE OF THE CHICAGO, MILWAUKEE AND ST. PAUL RAILROAD; THENCE NORTH 22 DEGREES, 11 MINUTES, 00 SECONDS WEST, ALONG SAID PARALLEL LINE 16.31 FEET; THENCE NORTH 44 DEGREES, 41 MINUTES, 24 SECONDS EAST, 93.76 FEET; THENCE SOUTH 00 DEGREES, 41 MINUTES, 00 SECONDS WEST, 21.59 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

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 STREET ADDRESS: 5701 WEST TOUHY
 CITY: NILES COUNTY: COOK
 TAX NUMBER:

LEGAL DESCRIPTION:

PARCEL 4:

EASEMENT FOR THE BENEFIT OF PARCEL 1, AS CREATED BY AGREEMENT BY AND AMONG AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, A NATIONAL BANKING ASSOCIATION, AS TRUSTEE UNDER TRUST AGREEMENT DATED FEBRUARY 15, 1977 AND KNOWN AS TRUST NUMBER 40063, AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, A NATIONAL BANKING ASSOCIATION, AS TRUSTEE UNDER TRUST AGREEMENT DATED SEPTEMBER 15, 1976 AND KNOWN AS TRUST NUMBER 39326 AND CONSOLIDATED FOUNDRIES AND MANUFACTURING CORPORATION, A CORPORATION OF DELAWARE, DATED MARCH 29, 1977 AND RECORDED APRIL 19, 1977 AS DOCUMENT 23893061, FOR WATER STORAGE, TANKS AND PUMP HOUSE OVER AND UPON THE FOLLOWING DESCRIBED TRACT:

THAT PART OF THE EAST 17 ACRES OF THE WEST 19.5 ACRES OF THE EAST FRACTIONAL 1/2 OF THE NORTHEAST FRACTIONAL 1/4 OF FRACTIONAL SECTION 32, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, COMMENCING AT THE NORTHEAST CORNER OF SAID 17 ACRES AND RUNNING THENCE NORTH 89 DEGREES, 09 MINUTES, 30 SECONDS EAST, ON THE NORTH LINE OF SAID NORTHEAST FRACTIONAL 1/4, 102.55 FEET TO A POINT 612.16 FEET, MORE OR LESS, WEST OF THE NORTHEAST CORNER OF SAID FRACTIONAL SECTION; THENCE SOUTH 00 DEGREES, 48 MINUTES, 37 SECONDS EAST, 1,124.13 FEET; THENCE SOUTH 89 DEGREES, 38 MINUTES, 50 SECONDS WEST, 324.80 FEET; THENCE NORTH 00 DEGREES, 41 MINUTES, 00 SECONDS EAST, 125.0 FEET TO THE POINT OF BEGINNING OF THE EASEMENT TO BE DESCRIBED HEREIN; THENCE CONTINUING NORTH 00 DEGREES, 41 MINUTES, 00 SECONDS EAST, 97.0 FEET; THENCE NORTH 89 DEGREES, 19 MINUTES, 00 SECONDS WEST, 41.0 FEET; THENCE SOUTH 89 DEGREES, 19 MINUTES, 00 SECONDS WEST, 97.0 FEET; THENCE SOUTH 89 DEGREES, 19 MINUTES, 00 SECONDS EAST, 41.0 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCEL 5:

THAT PART OF THE EAST 17 ACRES OF THE WEST 19.5 ACRES OF THE EAST FRACTIONAL 1/2 OF THE NORTH EAST FRACTIONAL 1/4 OF FRACTIONAL SECTION 32, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, COMMENCING AT THE NORTH EAST CORNER OF SAID 17 ACRES AND RUNNING THENCE NORTH 89 DEGREES, 09 MINUTES, 30 SECONDS EAST, ON THE NORTH LINE OF SAID NORTH EAST FRACTIONAL 1/4, 102.55 FEET TO A POINT 612.16 FEET, MORE OR LESS, WEST OF THE NORTH EAST CORNER OF SAID FRACTIONAL SECTION; THENCE SOUTH 00 DEGREES, 48 MINUTES, 37 SECONDS EAST, 1,124.13 FEET; THENCE SOUTH 89 DEGREES, 38 MINUTES, 50 SECONDS WEST, 324.80 FEET; THENCE NORTH 00 DEGREES, 41 MINUTES, 00 SECONDS EAST, 125.0 FEET TO THE POINT OF BEGINNING OF THE EASEMENT TO BE DESCRIBED HEREIN; THENCE CONTINUING NORTH 00 DEGREES, 41 MINUTES, 00 SECONDS EAST, 97.0 FEET; THENCE NORTH 89 DEGREES, 19 MINUTES, 00 SECONDS WEST, 41.0 FEET; THENCE SOUTH 89 DEGREES, 19 MINUTES, 00 SECONDS WEST, 97.0 FEET; THENCE SOUTH 89 DEGREES, 19 MINUTES, 00 SECONDS EAST, 41.0 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.