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Doc#: 0610745121 Fee: \$34.50
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 04/17/2006 01:24 PM Pg: 1 of 6

Prepared by:

Richard Demarest Yant
Krasnow Saunders Cornblath, LLP
500 N. Dearborn Street - 2nd Floor
Chicago, IL 60610

ASSIGNMENT AND ASSUMPTION OF LEASE

This Assignment and Assumption of Lease is made as of the 1st day of January, 2006 by and between GARVEY MARINE, INC., an Illinois corporation ("Assignor"), and AMERICAN RIVER TRANSPORTATION CO., a Delaware corporation ("Assignee").

FOR GOOD AND VALUABLE CONSIDERATION, the receipt and sufficiency of which are hereby acknowledged, effective at 12:01 a.m. on January 1, 2006 (the "Effective Time"), Assignor assigns to Assignee all of Assignor's rights, obligations and interests as tenant under the following agreement (as amended, the "Lease Agreement"):

Lease Agreement dated June 16, 2005 between The Metropolitan Water Reclamation District of Greater Chicago and Assignor, with respect to the real property described on the attached Exhibit, recorded in Cook County, Illinois on October 4, 2005, as Document No. 0527739029.

Assignor shall indemnify, defend and hold harmless Assignee from and against all claims, liabilities, damages and costs (including reasonable attorneys' fees) incurred by Assignee arising under the Lease Agreement prior to the Effective Time.

Effective as of the Effective Time, Assignee accepts and assumes all of the terms and covenants in the Lease Agreement contained to be kept, observed and performed by the tenant thereunder and is hereby bound to comply therewith from and after the Effective Time. Assignee shall indemnify, defend and hold harmless Assignor from and against all claims, liabilities, damages and costs (including reasonable attorneys' fees) incurred by Assignor arising under the Lease Agreement after the Effective Time.

Account # 95 C. Sutton sale

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ASSIGNEE:

ASSIGNOR:

AMERICAN RIVER TRANSPORTATION CO.

GARVEY MARINE, INC.

By: *Royce C. Wilke*
Its: PRESIDENT

By: _____
Its: _____

Property of Cook County Clerk's Office

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ASSIGNEE:

ASSIGNOR:

AMERICAN RIVER TRANSPORTATION CO.

GARVEY MARINE, INC.

By: _____
Its: _____

By: *Lita K. Jarney*
Its: *Vice President*

Property of Cook County Clerk's Office

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STATE OF ILLINOIS)
) SS
COUNTY OF MACON)

I, Shirley Beasley, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Royce C. Wilken, personally known to me to be an officer of AMERICAN RIVER TRANSPORTATION CO., an Kansas corporation, and personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that as an officer he signed and delivered the said instrument as his free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and official seal this 21st day of December, 2005.



Shirley Beasley
Notary Public

Commission Expires: July 20, 2008

STATE OF ILLINOIS)
) SS
COUNTY OF _____)

I, _____, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that _____, personally known to me to be an officer of Garvey Marine, Inc., an Kansas corporation, and personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that as an officer he signed and delivered the said instrument as his free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and official seal this ___ day of December, 2005.

Notary Public

Commission Expires: _____

Mail To:

Archer-Daniels-Midland Company
4666 Faries Parkway
Decatur, IL 62525
Attention: General Counsel

Send Subsequent Tax Bills To:

American River Transportation Co.
4666 Faries Parkway
Decatur, IL 62525

UNOFFICIAL COPY

STATE OF ILLINOIS)
) SS
COUNTY OF _____)

I, _____, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that _____, personally known to me to be an officer of AMERICAN RIVER TRANSPORTATION CO., an Kansas corporation, and personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that as an officer he signed and delivered the said instrument as his free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and official seal this ____ day of December, 2005.

Notary Public

Commission Expires: _____

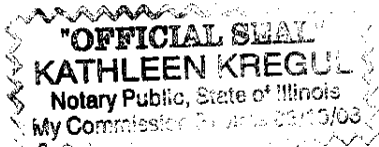
STATE OF ILLINOIS)
) SS
COUNTY OF Yone)

I, Kathleen Kregul, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Setu, personally known to me to be an officer of Garvey Marine, Inc., an Kansas corporation, and personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that as an officer he signed and delivered the said instrument as his free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and official seal this 16 day of December, 2005.

Kathleen Kregul
Notary Public

Commission Expires: 3-10-08



Mail To:

Archer-Daniels-Midland Company
4666 Faries Parkway
Decatur, IL 62525
Attention: General Counsel

Send Subsequent Tax Bills To:

American River Transportation Co.
4666 Faries Parkway
Decatur, IL 62525

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LEGAL DESCRIPTION

LOT 224 IN SANITARY DISTRICT TRUSTEE'S SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED MARCH 31, 1908, AS DOCUMENT NO. 4180218, IN COOK COUNTY, ILLINOIS, AND THAT PART OF LOT 222 MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SOUTHWEST FRACTIONAL QUARTER OF SECTION 19, TOWNSHIP 37 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, ACCORDING TO MONUMENT RECORD NO. 94070810 AND 94835405, SAID SOUTHWEST CORNER ALSO BEING THE SOUTHWEST CORNER OF LOT 222; THENCE NORTH 1 DEGREE 20 MINUTES 59 SECONDS WEST ALONG WEST LINE OF SAID SOUTHWEST FRACTIONAL QUARTER, 680.45 FEET TO THE NORTHWEST CORNER OF SAID LOT 222; THENCE NORTH 66 DEGREES 25 MINUTES 55 SECONDS EAST ALONG THE NORTHWESTERLY LINE OF SAID LOT 222, 778.02 FEET; THENCE SOUTH 23 DEGREES, 01 MINUTES, 21 SECONDS EAST ALONG LINE 125 FEET NORMALLY DISTANCE NORTHEASTERLY FROM THE NORTHEASTERLY LINE OF BARGE SLIP NO. 4, AS DEPICTED ON P.P. DONOHUE COMPANY PROPOSED MOORING SLIP, PREPARED BY BELING ENGINEERING CONSULTANTS ON JUNE 13, 1962, 321.90 FEET TO A POINT ON SOUTHEASTERLY LINE OF SAID LOT 222; THENCE SOUTH 66 DEGREES, 50 MINUTES, 14 SECONDS WEST ALONG SAID SOUTHEASTERLY LINE OF SAID LOT 222, 563.03 FEET TO A POINT ON SOUTH LINE OF SAID SOUTHWEST FRACTIONAL QUARTER; THENCE SOUTH 88 DEGREES, 27 MINUTES, 47 SECONDS WEST ALONG SAID SOUTH LINE OF THE SOUTHWEST FRACTIONAL QUARTER 501.07 FEET TO THE POINT OF BEGINNING, ALL IN SOUTHWEST FRACTIONAL QUARTER OF SECTION 19, AND NORTHWEST FRACTIONAL QUARTER OF SECTION 20, TOWNSHIP 37 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

PIN Nos.: 22-19-300-012
 22-30-100-001

Address: 16700 DesPlaines River Drive
 Lemont, IL 60439