



Doc#: 0702242131 Fee: \$36.00
Eugene "Gene" Moore RHSP Fee:\$10.00
Cook County Recorder of Deeds
Date: 01/22/2007 01:24 PM Pg: 1 of 7

8336461 02 ~ 40K4

WHEN RECORDED MAIL TO:

Kirkland & Ellis LLP
200 East Randolph Drive
Chicago, IL 60601
Attn: Gary E. Axelrod

PREPARED BY:
DAVID C. PERKS
20 S. CLARK #2210
CHICAGO IL 60603

**MEMORANDUM
OF ASSIGNMENT AND ASSUMPTION OF RESTAURANT LEASE**

This Memorandum of Assignment and Assumption of Restaurant Lease ("Memorandum") is made as of the 11th day of January, 2007 by and between CHICAGO TITLE LAND TRUST COMPANY, not personally but solely as Successor Trustee to LaSalle Bank National Association, not personally but solely as Successor Trustee to American National Bank and Trust Company of Chicago, not personally but solely as Trustee under Trust Agreement dated November 19, 1996 and known as Trust No. 122332-01, ("Trust"), and PALMET VENTURE L.L.C., an Illinois limited liability company ("PalMet"), (the Trust and PalMet are hereby referred to as "Assignor") CLPF - Bismarck Hotel Venture, L.P., a Delaware limited partnership ("Assignee").

WHEREAS, Assignor entered into that certain lease dated May 24, 2002, between Assignor as tenant and 134 N. LaSalle, LLC, an Illinois limited liability company (Landlord"), as amended by (i) that certain letter agreement dated July 2, 2002, and (ii) that certain First Lease Amendment, dated April 30, 2003 (the "Lease"); AS SET FORTH IN THE MEMORANDUM OF LEASE RECORDED AS DOC. # 0020956443; AMENDMENT TO MEMORANDUM OF

WHEREAS, Assignor, Landlord, and Assignee have entered into that certain Assignment and Assumption of Restaurant Lease, dated as of January 11, 2007 ("Assignment of Lease") assigning the obligations of Assignor, as tenant under the Lease, from Assignor to Assignee;

The purpose of this Memorandum is to give record notice of the Assignment of Lease and of the rights created thereby, all of which are hereby confirmed. This Memorandum shall not supercede or in any way modify the terms and conditions of the Lease. In the event of any conflict or inconsistency between this Memorandum and the Lease, the Lease shall govern and control.

RECORDED AS DOC. # 0314301093

[SIGNATURES TO FOLLOW]

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IN WITNESS WHEREOF the parties have executed this Memorandum of Assignment and Assumption of Restaurant Lease as of the date set forth above.

ASSIGNOR:

PALMET VENTURE L.L.C.,
an Illinois limited liability company


By: Palace Theatre, LLC
a Delaware limited liability company

By: RERC/PalMet, L.L.C.,
an Illinois limited liability company
Its: Managing Member

By: 
Name: Michael A. Moyer
Its: Managing Member

and

CHICAGO TITLE INSURANCE COMPANY,
not personally but solely as successor trustee to
LaSalle Bank National Association,
not personally, but solely
as successor Trustee to American National
Bank and Trust Company of Chicago, as Trustee under Trust Agreement dated
November 19, 1996 and known as Trust No. 122332-01

By: 
Name: **GLENN J. RICHTER**
Its: **TRUST OFFICER**

This instrument is executed by the undersigned Land Trustee, not personally but solely as Trustee in the exercise of the power and authority conferred upon and vested in it as such Trustee. It is expressly understood and agreed that all the warranties, indemnities, representations, covenants, undertakings and agreements herein made on the part of the Trustee are undertaken by it solely in its capacity as Trustee are not personally. No personal liability or personal responsibility is assumed by or shall at any time be asserted or enforceable against the Trustee on account of any warranty, indemnity, representation, covenant, undertaking or agreement of the Trustee in this instrument.

UNOFFICIAL COPY

STATE OF ILLINOIS)
)
 COUNTY OF COOK) SS

I, DAVID C. BIRKS a notary public in and for the said County, in the State aforesaid, DO HEREBY CERTIFY that Michael A. Moyer, personally known to me to be the managing member of RERC/PalMet, L.L.C., an Illinois limited liability company which is the managing member of Palace Theatre, LC, a Delaware limited liability company, which is the managing member of PalMet Venture L.L.C., an Illinois limited liability company, 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 acknowledged that he signed, sealed, and delivered said instrument, pursuant to the authority given to him as the managing member of RERC/PalMet, L.L.C., as his free and voluntary act and as the free and voluntary act of the RERC/PalMet, L.L.C., for the uses and purposes therein set forth.

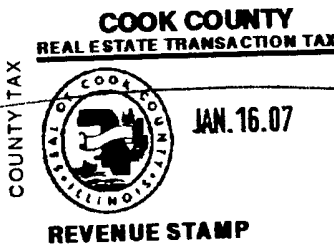
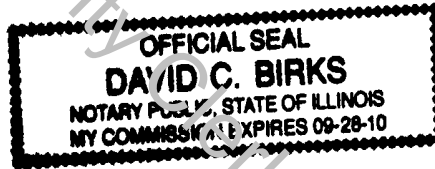
GIVEN under my hand and official seal this 11th day of January, 2007.

David C. Birks
 Notary Public

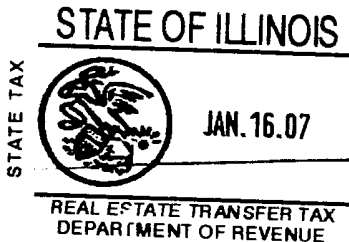
My Commission Expires _____

(SEAL)

City of Chicago Real Estate
 Dept. of Revenue Transfer Stamp
 487688 \$18,007.50
 01/16/2007 14:59 Batch 09375 38



COOK COUNTY REAL ESTATE TRANSACTION TAX	REAL ESTATE TRANSFER TAX
# 0000017460	0120050
	FP 103042



STATE OF ILLINOIS REAL ESTATE TRANSFER TAX DEPARTMENT OF REVENUE	REAL ESTATE TRANSFER TAX
# 0000007431	0240100
	FP 103037

UNOFFICIAL COPY

STATE OF ILLINOIS)
)
 COUNTY OF COOK) ss

I, GRACE MARIN a notary public in and for the said County, in the State aforesaid, DO HEREBY CERTIFY that GLENN J. RICHTER, personally known to me to be the ~~TRUST OFFICER~~ of Chicago Title Insurance Company, not personally, but solely as successor trustee to LaSalle Bank National Association, successor trustee to American National Bank and Trust Company of Chicago, as Trustee under Trust Agreement dated November 19, 1996 and known as Trust No. 122332-01 (the "Trustee"), 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 acknowledged that he/she signed, sealed, and delivered said instrument, pursuant to the authority given to him/her by the Trustee, as his/her free and voluntary act and as the free and voluntary act of the Trustee, for the uses and purposes therein set forth.

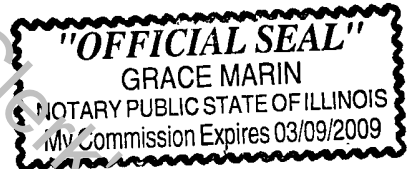
GIVEN under my hand and official seal this 11TH day of January, 2007.



(SEAL)

Grace Marin
 Notary Public

Mv Commission Expires 3/9/09



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Exhibit A

Property of Cook County Clerk's Office



G:\CLIENTS\PalMet (1741)\Allegro Sale to Kimpton (33)\Memorandum of Assignment and Assumption of Restaurant Lease 011107a.doc

UNOFFICIAL COPY**EXHIBIT A****PARCEL A: BASEMENT FLOOR:**

THAT PART OF LOT 1 IN PALACE BLOCK SUBDIVISION, BEING A SUBDIVISION OF PART OF THE NORTH 1/2 OF BLOCK 40 OF ORIGINAL TOWN OF CHICAGO IN SECTION 9, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 5, 2001 AS DOCUMENT 0011148236 AND LETTER OF CORRECTION RECORDED JUNE 13, 2002 AS DOCUMENT 0020663404, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 1 AFORESAID; THENCE SOUTH 00 DEGREE, 02 MINUTES, 15 SECONDS WEST ALONG THE EAST LINE OF SAID LOT 1, A DISTANCE OF 54.94 FEET; THENCE NORTH 88 DEGREES, 51 MINUTES, 31 SECONDS WEST, A DISTANCE OF 1.41 FEET; THENCE NORTH 01 DEGREE, 08 MINUTES, 29 SECONDS EAST, A DISTANCE OF 6.14 FEET; THENCE NORTH 88 DEGREES, 51 MINUTES, 31 SECONDS WEST, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 45.45 FEET TO A POINT, SAID POINT BEING 8.97 FEET, (AS MEASURED PERPENDICULARLY) EAST OF THE WEST LINE OF LOT 1 AFORESAID; THENCE NORTH 00 DEGREE, 54 MINUTES, 51 SECONDS EAST, A DISTANCE OF 14.46 FEET; THENCE SOUTH 88 DEGREES, 52 MINUTES, 39 SECONDS EAST, A DISTANCE OF 0.54 OF A FOOT; THENCE NORTH 00 DEGREE, 37 MINUTES, 23 SECONDS EAST, A DISTANCE OF 13.10 FEET; THENCE NORTH 89 DEGREES, 22 MINUTES, 37 SECONDS WEST, A DISTANCE OF 6.76 FEET TO A POINT, SAID POINT BEING 2.62 FEET, (AS MEASURED PERPENDICULARLY) EAST OF THE WEST LINE OF LOT 1 AFORESAID; THENCE NORTH 00 DEGREE, 51 MINUTES, 59 SECONDS EAST, A DISTANCE OF 4.62 FEET; THENCE NORTH 88 DEGREES, 52 MINUTES, 39 SECONDS WEST, A DISTANCE OF 0.69 OF A FOOT; THENCE NORTH 00 DEGREE, 58 MINUTES, 22 SECONDS EAST, A DISTANCE OF 8.20 FEET; THENCE NORTH 89 DEGREES, 22 MINUTES, 39 SECONDS WEST, A DISTANCE OF 0.41 OF A FOOT; THENCE NORTH 01 DEGREE, 07 MINUTES, 21 SECONDS EAST, A DISTANCE OF 8.40 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 1, SAID POINT BEING 1.50 FEET EAST, (AS MEASURED ALONG SAID NORTH LINE) OF THE NORTHWEST CORNER THEREOF; THENCE SOUTH 88 DEGREES, 56 MINUTES, 40 SECONDS EAST ALONG SAID NORTH LINE, A DISTANCE OF 53.35 FEET TO THE HEREIN ABOVE DESIGNATED POINT OF BEGINNING;

SAID PARCEL HAVING AS A LOWER LIMIT A HORIZONTAL PLANE OF ELEVATION +2.40 FEET, CHICAGO CITY DATUM, AND HAVING AS AN UPPER LIMIT, A HORIZONTAL PLANE OF ELEVATION +14.48 FEET, CHICAGO CITY DATUM, IN COOK COUNTY, ILLINOIS.

PART OF PARCEL A: FIRST FLOOR:

THAT PART OF LOT 1 IN PALACE BLOCK SUBDIVISION, BEING A SUBDIVISION OF PART OF THE NORTH 1/2 OF BLOCK 40 OF ORIGINAL TOWN OF CHICAGO IN SECTION 9, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 5, 2001 AS DOCUMENT 0011148236 AND LETTER OF CORRECTION RECORDED JUNE 13, 2002 AS DOCUMENT 0020663404, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 1 AFORESAID; THENCE SOUTH 00 DEGREE, 02 MINUTES, 15 SECONDS WEST ALONG THE EAST LINE OF SAID LOT 1, A DISTANCE OF 73.51 FEET; THENCE NORTH 88 DEGREES, 56 MINUTES, 40 SECONDS WEST, A DISTANCE OF 34.12 FEET TO A POINT, SAID POINT BEING 21.11 FEET, (AS MEASURED PERPENDICULARLY) EAST OF THE WEST LINE OF LOT 1 AFORESAID; THENCE NORTH 01 DEGREE, 03 MINUTES, 20 SECONDS EAST, A DISTANCE OF 39.42 FEET; THENCE NORTH 88 DEGREES, 56 MINUTES, 40 SECONDS WEST, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 19.59 FEET; THENCE NORTH 01 DEGREE, 03 MINUTES, 20 SECONDS EAST ALONG A LINE DRAWN 1.90 FEET, (AS MEASURED PERPENDICULAR) EAST OF AND PARALLEL WITH THE WEST LINE OF LOT 1 AFORESAID, A DISTANCE OF 34.07 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 1; THENCE SOUTH 88 DEGREES, 56 MINUTES, 40 SECONDS EAST ALONG SAID NORTH LINE, A DISTANCE OF 52.41 FEET TO THE HEREINABOVE DESIGNATED POINT OF BEGINNING;

SAID PARCEL HAVING AS A LOWER LIMIT A HORIZONTAL PLANE OF ELEVATION +14.48 FEET, CHICAGO CITY DATUM, AND HAVING AS AN UPPER LIMIT, A HORIZONTAL PLANE OF ELEVATION + 26.80 FEET,

UNOFFICIAL COPY**CHICAGO CITY DATUM, IN COOK COUNTY, ILLINOIS.****PART OF PARCEL A: SECOND FLOOR:**

THAT PART OF LOT 1 IN PALACE BLOCK SUBDIVISION, BEING A SUBDIVISION OF PART OF THE NORTH 1/2 OF BLOCK 40 OF ORIGINAL TOWN OF CHICAGO, IN SECTION 9, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 5, 2001 AS DOCUMENT 0011148236 AND LETTER OF CORRECTION RECORDED JUNE 13, 2002 AS DOCUMENT 0020663404, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 1 AFORESAID; THENCE SOUTH 00 DEGREE, 02 MINUTES, 15 SECONDS WEST ALONG THE EAST LINE OF SAID LOT 1, A DISTANCE OF 72.58 FEET; THENCE NORTH 89 DEGREES, 00 MINUTE, 07 SECONDS WEST, A DISTANCE OF 16.69 FEET; THENCE SOUTH 00 DEGREE, 59 MINUTES, 53 SECONDS WEST, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 0.80 FEET; THENCE NORTH 89 DEGREES, 00 MINUTE, 07 SECONDS WEST, A DISTANCE OF 4.93 FEET; THENCE SOUTH 00 DEGREES, 59 MINUTES, 53 SECONDS WEST, A DISTANCE OF 0.52 OF A FOOT; THENCE NORTH 89 DEGREES, 00 MINUTE, 07 SECONDS WEST, A DISTANCE OF 12.95 FEET TO A POINT, SAID POINT BEING 19.63 FEET, (AS MEASURED PERPENDICULARLY) EAST OF THE WEST LINE OF LOT 1 AFORESAID; THENCE NORTH 01 DEGREE, 03 MINUTES, 20 SECONDS EAST, A DISTANCE OF 21.44 FEET; THENCE SOUTH 88 DEGREES, 56 MINUTES, 40 SECONDS EAST, PERPENDICULAR TO THE LAST DESCRIBED LINE, A DISTANCE OF 2.33 FEET; THENCE NORTH 01 DEGREE, 03 MINUTES, 20 SECONDS EAST, A DISTANCE OF 5.53 FEET; THENCE NORTH 88 DEGREES, 56 MINUTES, 40 SECONDS WEST, A DISTANCE OF 2.37 FEET; THENCE NORTH 01 DEGREE, 03 MINUTES, 20 SECONDS EAST, A DISTANCE OF 16.32 FEET; THENCE NORTH 88 DEGREES, 56 MINUTES, 40 SECONDS WEST, A DISTANCE OF 3.09 FEET; THENCE NORTH 01 DEGREE, 03 MINUTES, 20 SECONDS EAST, A DISTANCE OF 1.53 FEET; THENCE NORTH 88 DEGREES, 56 MINUTES, 40 SECONDS WEST, A DISTANCE OF 12.07 FEET TO A POINT, SAID POINT BEING 6.56 FEET, (AS MEASURED PERPENDICULARLY) EAST OF THE WEST LINE OF LOT 1 AFORESAID; THENCE NORTH 01 DEGREE, 03 MINUTES, 20 SECONDS EAST, A DISTANCE OF 9.48 FEET; THENCE SOUTH 88 DEGREES, 56 MINUTES, 40 SECONDS EAST, A DISTANCE OF 2.17 FEET; THENCE NORTH 01 DEGREE, 03 MINUTES, 20 SECONDS EAST, A DISTANCE OF 8.09 FEET; THENCE NORTH 88 DEGREES, 56 MINUTES, 40 SECONDS WEST, A DISTANCE OF 7.86 FEET; THENCE NORTH 01 DEGREE, 03 MINUTES, 20 SECONDS EAST ALONG A LINE DRAWN 0.66 OF A FOOT, (AS MEASURED PERPENDICULARLY) EAST OF AND PARALLEL WITH THE WEST LINE OF LOT 1 AFORESAID, A DISTANCE OF 11.52 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 1; THENCE SOUTH 88 DEGREES, 56 MINUTES, 40 SECONDS EAST ALONG SAID NORTH LINE, A DISTANCE OF 54.17 FEET TO THE HEREINABOVE DESIGNATED POINT OF BEGINNING;

SAID PARCEL HAVING AS A LOWER LIMIT A HORIZONTAL PLANE OF ELEVATION +26.80 FEET, CHICAGO CITY DATUM, AND HAVING AS AN UPPER LIMIT, A HORIZONTAL PLANE OF ELEVATION +41.63 FEET, CHICAGO CITY DATUM, IN COOK COUNTY, ILLINOIS.

CKA: 136 N. LASALLE, CHICAGO, ILLINOIS.

17-09-445-019-0000