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Doc#: 0713739105 Fee: \$62.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 05/17/2007 03:05 PM Pg: 1 of 6



THIS INSTRUMENT WAS PREPARED
BY AND AFTER RECORDING
SHOULD BE MAILED TO:

LEVENFELD PEARLSTEIN
TWO NORTH LASALLE
SUITE 1300
CHICAGO, ILLINOIS 60602
ATTENTION: MICHAEL J. TUCHMAN, ESQ.

ASSIGNMENT AND ASSUMPTION OF INDENTURE OF LEASE

New North National Title 01670210 29 67
This Assignment and Assumption of Indenture of Lease (this "Assignment") dated as of May 14, 2007 (the "Effective Date"), by and between CHICAGO TITLE LAND TRUST COMPANY, an Illinois corporation, as successor to American National Bank and Trust Company of Chicago, as Trustee under trust agreement dated November 1, 1998 and known as Trust No. 600703-07, as assignor ("Assignor"), and MID CITY PLAZA L.L.C., an Illinois limited liability company, as assignee ("Assignee").

WHEREAS, Assignor is the "Lessor" under that certain Indenture of Lease dated November 1, 1966 (as amended and assigned, the "Lease") by and between the Board of Education of the City of Chicago, as original lessor, and Blair Realty Corporation, as original lessee, which was recorded in the Office of the Clerk of the Cook County Recorder of Deeds (the "Deed Registry") on November 28, 1966 as Document 20004257, as amended by First Supplemental Agreement dated November 4, 1967 and recorded November 13, 1967 in the Deed Registry as Document 20320066, and by Second Amendment to Indenture of Lease dated October 15, 1984 and recorded June 16, 1985 in the Deed Registry as Documents 85065076, as assigned to Assignor by that certain Assignment and Assumption of Prime Lease dated February 16, 1999 and recorded February 17, 1999 in the Deed Registry as Document 99160097, for certain premises located at 733 W. Madison Street, Chicago, Cook County, Illinois, as more particularly described on Exhibit A attached to and made a part of this Assignment (the "Demised Premises"); and

WHEREAS, Assignor and Assignee wish to enter into this Assignment to ensure that all of the Assignor's rights, title, interest, obligations and responsibilities as "Lessor" under the Lease are assigned to and assumed by Assignee.

NOW THEREFORE, in consideration of the foregoing and the covenants and conditions hereinafter contained and for other good and valuable consideration, the parties agree as follows:

Near North National Title
222 N. LaSalle
Chicago, IL 60601

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1. **Assignment.** As of the Effective Date, Assignor hereby sells, transfers and assigns to Assignee all of Assignor's rights, title, interest, obligations and responsibilities as "Lessor" in and under the Lease.

2. **Assumption.** Assignee hereby accepts the foregoing sale, transfer and assignment and assumes and undertakes all covenants, stipulations, agreements, obligations and restrictions of and on the part of "Lessor" under the Lease from and after the Effective Date.

3. **Multiple Counterparts/Facsimile Signatures.** This Assignment may be executed in a number of identical counterparts. This Assignment may be executed by facsimile signatures which shall be binding on the parties hereto, with original signatures to be delivered as soon as reasonably practical thereafter.

4. **Benefit.** This Assignment shall be binding upon and inure to the benefit of the parties hereto, their respective successors and assigns.

[Signature pages follow]

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IN WITNESS WHEREOF, the parties have hereunto set their respective hands the day and year first above written.

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 and 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.

ASSIGNOR:

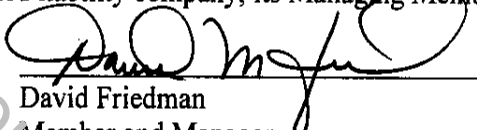
CHICAGO TITLE LAND TRUST COMPANY, an Illinois corporation, as successor to American National Bank and Trust Company of Chicago, as Trustee under trust agreement dated November 1, 1998 and known as Trust No. 600703-07

By: 
Name: JOSEPH F. SOCHACKI
Title: Trust Officer

ASSIGNEE:

MID CITY PLAZA L.L.C., an Illinois limited liability company

By: **MID CITY HOSPITALITY L.L.C.**, a Delaware limited liability company, its Managing Member

By: 
Name: David Friedman
Title: Member and Manager

[Notarial jurats follow]

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STATE OF ILLINOIS)

) ss.

COUNTY OF COOK)

I, Mario V. Gotanco, a Notary Public in and for said County, in the State aforesaid, do hereby certify that JOSEPH F. SOCHA, the Trust Officer of **CHICAGO TITLE LAND TRUST COMPANY, an Illinois corporation, as successor to American National Bank and Trust Company of Chicago, as Trustee under trust agreement dated November 1, 1998 and known as Trust No. 600703-07**, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument in such capacity, appeared before me this day in person and acknowledged that he/she signed and delivered the said instrument as his/her own free and voluntary act and as the free and voluntary act of said limited liability company, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal, this 15th day of May, 2007.



[Signature]
NOTARY PUBLIC
(SEAL)

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STATE OF ILLINOIS)

) ss.

COUNTY OF Cook)

I, LINDA A. NAGLE, a Notary Public in and for said County, in the State aforesaid, do hereby certify that David Friedman, the Member and Manager of Mid City Hospitality L.L.C., a Delaware limited liability company, the Managing Member of **MID CITY PLAZA L.L.C.**, an Illinois limited liability company, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument in such capacity, appeared before me this day in person and acknowledged that he/she signed and delivered the said instrument as his/her own free and voluntary act and as the free and voluntary act of said limited liability company, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal, this 16th day of May, 2007.

Linda A. Nagle
NOTARY PUBLIC

(SEAL)



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EXHIBIT A

That part of the Subdivision of Block 1 of School Section Addition to Chicago, in Section 16, Township 39 North, Range 14, East of the Third Principal Meridian, according to the plat thereof, Recorded October 23, 1880, as Document No. 294287, in Book 15 of Plats, Page 44, described as follows:

Commencing at a point on the North line of Lot 1 of said Subdivision, 1.78 Feet East of the northwest corner of said Lot; thence West along the North line of Lots 1 to 9 in said Subdivision to the northwest corner of said Lot 9; thence South along the West line and said West line extended of said Lot 9, and along the West line of Lots 10 to 20 in said Subdivision to the southwest corner of said Lot 20; thence East along the South line and said South line extended of said Lot 20, and along the South line of Lot 21 in said Subdivision, to a point on the West line of the East 204.78 Feet of said Lot 21; thence North along said West line of the East 204.78 Feet of Lot 21 to a point on the North line thereof; thence West along the North line of said Lot 21 to a point on the southerly extension of the West line of said Lot 1 in said Subdivision; thence North along said extended line and along the West line of said Lot 1 to a point on the South line of the North 80 feet of said Lot 1; thence East along said South line 1.78 Feet; thence North along the East line of the West 1.78 Feet of said Lot 1 to the place of beginning, all in Cook County, Illinois.

Common Address: 733 West Madison St., Chicago, Illinois also referred to as One South Halsted Street,
Chicago, Illinois

Permanent Index Number: 17-16-100-044-0000