UNOFFICIAL CORPOSITION OF PAGE 1 CORPOSITION

1999-11-22 15:56:32

Cook County Recorder

27.50

Recording Requested by and After Recording, mail to:

Davis Polk & Wardwell 450 Lexington Avenue New York, New York 1001 Attn: Sean H. Porter, Esq.



#### ASSIGNMENT OF LEASE

Jian Ci

ASSIGNMENT OF LEASE, dated November (2, 1999, by FAVORITE BRANDS INTERNATIONAL, INC., a Delaware corporation, successor by merger to Farley Candy Company, a Delaware corporation, successor by merger to Dae-Julie Inc. f/k/a D.J. Acquisition Corp., an Illinois corporation ("Assignor").

Pursuant to that certain Order Under 11 U.S.C. §§ 105(a), 363, 365 and 1146(c) and FED. R. PANKR. P. 2002, 6004, 6006, 9014, (A) Approving Asset Purchase Agreement; (B) Authorizing (i) Sale of Substantially All of Debtor's Assets Free and Clear of Liens, Claims. Interests and Encumbrances, (ii) Assumption and Assignment of Certain Executory Contracts and Unexpired Leases and (iii) Assumption of Certain Liabilities dated November 18, 1999 issued by the United States Bankruptcy Court for the District of Delaware, and for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor does hereby assign, transfer, set over and convey unto NABISCO, INC., a New Jersey corporation, all right, title and interest of Assignor in, to and under the Lease described on Exhibit A attached hereto.

FAVORITE BRANDS INTERNATIONAL, INC.

a Delaware corporation.

By:

Name: Blooks B. GRUEMMEN

Title:

VICE PRESIDENT

# **UNOFFICIAL COPY**

STATE OF	Delaciaca	)	09099093
		) SS:	0000000
COUNTY OF	New Castle	)	
This instrumer	nt was acknowledged	l before me on Novemb	per 8, 1999 by
DELAWARE	$\underline{}$ corporation.	EVIT OT PAUDY TE DEA	MOS INTERNATIONAL &
	į	De La Company	Pariti
^		Notary Public	
[Seal]	Coop C	My commissions	LANA SE SO SE
90		NOTARY PUBLIC - DE  My Commission expires M	ay 13, 2000
17/2		ing Committee	Branch Charles
	)×		
	C		
	0/		
		77	
		C	
		(O/1)	
		13	
			O <sub>Sc.</sub>
			Organia
			C

## UNOFFICIAL COPY 09099093

Exhibit A

#### The Lease

- 1. Lease Agreement dated as of December 23, 1996 between David E. Barbiarz, Landlord, and D.J. Acquisition Corp., Tenant, with respect to the premises known as 1665 East Birchwood Avenue, Des Plaines, IL, for a term beginning January 27, 1997 and ending January 26, 2007, a memorandum of which was recorded January 29, 1997 as Document Number 97065832.
- 2.
  In Lands.

  Cook County Clerk's Office Lease Amendment and Consent Agreement dated March 19, 1999 between Landlord and Assignor.

### **UNOFFICIAL COPY**

09099093

That part of the West 1/2 of the Southwest 1/4 of Section 28, Township 41 North, Range 12 East of the Third Principal Meridian, described as follows: Commencing at the Northeast corner of said West 1/2, thence South 1,196.048 feet along the East line of said West 1/2; thence West along a line parallel with the North line of said West 1/2, 723.98 feet to the point of beginning of the following tract of land; thence continuing West along said parallel line 450.0 feet; thence North perpendicularly to said parallel line to a point on a line 756.066 feet South of (as measured along the East line of said West 1/2) and parallel with the North line of said West 1/2; thence East along the last described parallel line 450.0 feet; thence South to the herein described point of beginning, all in Cook County, Ulinois.

PIN: 09-28/500-021

12 1665 E.

OF COUNTY CLOTHES OFFICE Address of Property: 1665 East Birchwood Avenue, Des Plaines, Illinois

99-09016