



Doc#: 1205918011 Fee: \$52.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 02/28/2012 03:47 PM Pg: 1 of 8

MEMORANDUM OF ASSIGNMENT AND ASSUMPTION OF LEASE AND CONSENT

This Memorandum of Assignment and Assumption of Lease and Consent is dated as of January 24, 2012 and is made and entered into by and among Simon Property Group (Illinois) L.P., an Illinois limited partnership ("Landlord"), whose mailing address is c/o Simon Property Group, 225 West Washington St., Indianapolis, Indiana 46204, Attn: Peripheral Development, Natron Corporation, a Delaware corporation ("Assignor"), whose address is 29375 W. 10 Mile Rd., Farmington Hills, Michigan 48336 and Windy Landings, Inc., a Michigan corporation, whose address is 7915 Kensington Court, Brighton, Michigan 48116 ("Tenant").

As of the date of this Memorandum, Assignor has assigned all of its right, title and interest as tenant under the following described lease to Assignee and Landlord has consented to such assignment:

1. DESCRIPTION OF LEASE. Lease dated as of August 15, 1989, as amended and assigned, between Landlord, as successor-in-interest to Matteson Joint Venture, an Indiana general partnership and Assignee/Tenant, as successor-in-interest to Taco Bell Corp., a California corporation, and Assignor.

FIDELITY NATIONAL TITLE 999011057

2. AS AMENDED AND/OR ASSIGNED ON:

- Memorandum of Lease dated August 15, 1989 between MJV, as landlord and Taco Bell, as tenant (recorded on October 25, 1989 as Document No. 89507189); Assignment and Assumption Agreement dated as of September 1, 1994 between MJV, and Landlord (recorded on September 1, 1994 as Document No. 94771938);
- Assignment and Assumption of Lease Agreement and Consent among Landlord, Taco Bell and Natron Corporation, a Delaware corporation ("Natron") dated December 15, 1995;
- Memorandum of Assignment and Assumption of Lease Agreement dated December 15, 1995 among Landlord, Taco Bell and Natron (recorded on March 8, 1996 as Document No. 96178023);
- Affidavit of Natron dated December 7, 2005 (recorded on December 16, 2005 as Document No. 0535032061);
- Letter Agreement between Landlord and Natron dated February 26, 2009; and
- Assignment and Assumption of Lease and Consent dated as of January 24, 2012 among Landlord, Natron and Tenant.

8 pgs

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All documents listed above for which recording information is not listed are unrecorded.

3. DESCRIPTION OF LEASED PREMISES: See Exhibit A attached hereto and incorporated by reference.

The purpose of this Memorandum of Assignment and Assumption of Lease and Consent is to give record notice of (i) the assignment of the tenant's rights, title and interest in the Lease by Assignor to Assignee/Tenant and (ii) the consent of Landlord to such assignment.

In the event of a conflict between the provisions of this Memorandum and the terms of the Assignment and Assumption of Lease and Consent, the terms of the Assignment and Assumption of Lease and Consent shall control.

The parties hereto have caused this Memorandum of Assignment and Assumption of Lease and Consent to be executed as of the day and date first written above.

SIMON PROPERTY GROUP (ILLINOIS), L.P.
an Illinois limited partnership

By: CHARLES MALL COMPANY LIMITED
PARTNERSHIP, a Maryland limited partnership

Its: General Partner

By: SIMON PROPERTY GROUP (DELAWARE),
INC., a Delaware corporation

Its: General Partner

By:  _____

Richard S. Sokolov

Its: President and Chief Operating Officer

NATRON CORPORATION, a Delaware
corporation

By: _____

Bhalchandra Sata

Its: President

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The parties hereto have caused this Memorandum of Assignment and Assumption of Lease and Consent to be executed as of the day and date first written above.

SIMON PROPERTY GROUP (ILLINOIS), L.P.
an Illinois limited partnership

By: CHARLES MALL COMPANY LIMITED
PARTNERSHIP, a Maryland limited partnership

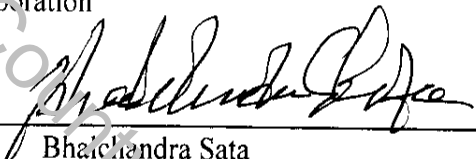
Its: General Partner

By: SIMON PROPERTY GROUP (DELAWARE),
INC., a Delaware corporation

Its: General Partner

By: _____
Richard S. Sokolov
Its: President and Chief Operating Officer

NATRON CORPORATION, a Delaware
corporation

By: 
Bhachandra Sata
Its: President

WINDY LANDINGS, INC., a Michigan
corporation

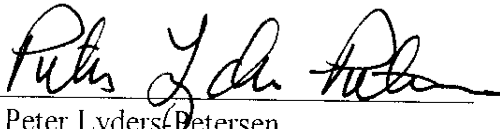
By: _____
Peter Lyders-Petersen
Its: President

STATE OF _____)
)SS
COUNTY OF _____)

On the ____ day of January, 2012, before me, the undersigned, a Notary Public in and for said State, personally appeared Richard S. Sokolov, the President and Chief Operating Officer, Simon Property Group (Delaware), Inc., a Delaware corporation, and Charles Mall Company Limited Partnership, a Maryland limited partnership, the general partners of Simon Property Group (Illinois) L.P., an Illinois limited partnership, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within

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WINDY LANDINGS, INC., a Michigan
corporation

By: 
Peter Lyders (Petersen)
Its: President

STATE OF INDIANA)

)SS

COUNTY OF MARION)

On the ___ day of January, 2012, before me, the undersigned, a Notary Public in and for said State, personally appeared Richard S. Sokolov, the President and Chief Operating Officer, Simon Property Group (Delaware), Inc., a Delaware corporation, general partner of Charles Mall Company Limited Partnership, a Maryland limited partnership, the general partner of Simon Property Group (Illinois) L.P., an Illinois limited partnership, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity and that, by his signature on the instrument, the entity upon which the person acted executed the instrument

WITNESS my hand and official seal.

Notary Public

County, _____
Acting in _____ County
My commission expires: _____

STATE OF _____)
)SS
COUNTY OF _____)

On the ___ day of January, 2012, before me, the undersigned, a Notary Public in and for said State, personally appeared Bhalchandra Sata, the President of Natron Corporation, a Delaware corporation, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity as President of the said corporation.

Notary Public

County, _____
Acting in _____ County
My commission expires: _____

UNOFFICIAL COPY

WINDY LANDINGS, INC., a Michigan
corporation

By: _____
Peter Lyders-Petersen
Its: President

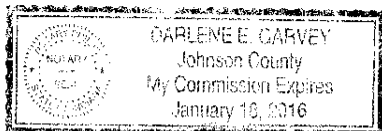
STATE OF INDIANA)

)SS

COUNTY OF MARION)

On the 24th day of January, 2012, before me, the undersigned, a Notary Public in and for said State, personally appeared Richard S. Sokolov, the President and Chief Operating Officer, Simon Property Group (Delaware), Inc., a Delaware corporation, general partner of Charles Mall Company Limited Partnership, a Maryland limited partnership, the general partner of Simon Property Group (Illinois) L.P., an Illinois limited partnership, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity and that, by his signature on the instrument, the entity upon which the person acted executed the instrument

WITNESS my hand and official seal.



Darlene E. Carvey
Notary Public

County, _____

Acting in _____ County

My commission expires: _____

STATE OF _____)

)SS

COUNTY OF _____)

On the ____ day of January, 2012, before me, the undersigned, a Notary Public in and for said State, personally appeared Bhalchandra Sata, the President of Natron Corporation, a Delaware corporation, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity as President of the said corporation.

Notary Public

County, _____

Acting in _____ County

My commission expires: _____

UNOFFICIAL COPY

instrument and acknowledged to me that he executed the same in his authorized capacity and that, by his signature on the instrument, the entity upon which the person acted executed the instrument

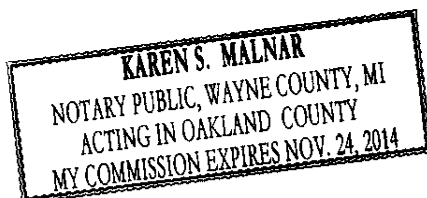
WITNESS my hand and official seal.

Notary Public

County, _____
Acting in _____ County
My commission expires: _____

STATE OF MICHIGAN }
COUNTY OF OAKLAND } ss.

On the 18 day of January, 2012, before me, the undersigned, a Notary Public in and for said State, personally appeared Blalchandra Sata, the President of Natron Corporation, a Delaware corporation, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity as President of the said corporation.



Karen S. Malnar
Notary Public

County, _____
Acting in _____ County
My commission expires: _____

STATE OF MICHIGAN)
) ss
COUNTY OF _____)

On the ____ day of January, 2012, before me, the undersigned, a Notary Public in and for said State, personally appeared Peter Lyders-Petersen, the President of Windy Landings, Inc., a Michigan corporation, personally known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity and that, by his signature on the instrument, Windy Landings, Inc. executed the instrument

Notary Public, _____ County, MI
Acting in _____ County, MI
My commission expires: _____

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STATE OF MICHIGAN)
)SS
 COUNTY OF OAKLAND)

On the 23 day of January, 2012, before me, the undersigned, a Notary Public in and for said State, personally appeared Peter Lyders-Petersen, the President of Windy Landings, Inc., a Michigan corporation, personally known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity and that, by his signature on the instrument, Windy Landings, Inc. executed the instrument

Carol A. Uebrecht

Notary Public, _____ County, MI

Acting in _____ County, MI

My commission expires: _____

CAROL A. UEBRICK
 NOTARY PUBLIC, STATE OF MI
 COUNTY OF OAKLAND
 MY COMMISSION EXPIRES May 11, 2014
 ACTING IN COUNTY OF OAKLAND

Drafted by and, when recorded, return to:
 Dean & Fulkerson, P.C.
 801 W. Big Beaver Rd., Ste. 500
 Troy, MI 48084
 Attn: Thomas P. Martin, Esq.

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EXHIBIT A

Legal Description

Land situated in the City of Matteson, County of Cook and State of Illinois more particularly described as follows:

Lot 2 in Matteson Plaza Subdivision of part of the Northeast 1/4 of the Southeast 1/4 of Section 22, Township 35 North, Range 13 East of the Third Principal Meridian, according to the Plat thereof recorded June 2, 2005 as Document No. 0513218015 in Cook County, Illinois.

Commonly known as: 4167 W. 211th St. Matteson, Illinois 60443
Tax Parcel Identification No.: 31-22-401-022-0000

Property of Cook County Clerk's Office