RECORDING REQUESTED BY:AND WHEN RECORDED MAIL TO:

Nyshel G, Burke, Esq. Katten Muchin Rosenman LLP 525 W. Monroe, Suite 1900 Chicago, Illinois 60661



Doc#: 1319922045 Fee: \$46.00 RHSP Fee:\$9.00 RPRF Fee: \$1.00

Karen A. Yarbrough

Cook County Recorder of Deeds
Date: 07/18/2013 11:50 AM Pg: 1 of 5

87/76 - 4 to

NO1130732

MEMORANDUM OF ASSIGNMENT OF LEASE

UNOFFICIAL COPY

THIS MEMORANDUM OF ASSIGNMENT OF LEASE (this "Memorandum") is made as of FUNCE 2013 ("Effective Date") by and between Dearkin Res, LLC, an Indiana limited liability company ("Assignor"), and Dearkin Res (DE) LLC, a Delaware limited liability company ("Assignee"), with reference to the following facts:

RECITALS

- A. WHEREAS, 51 West Hubbard LLC, an Illinois limited liability company, has leased certain lands described on **Exhibit A** attached hereto (hereinafter the "**Premises**") to Assignor pursuant to that certain Ground Lease dated September 20, 2006 (as same may be amended, modified, substituted or extended, hereinafter the "**Le**:se");
- B. WHEREAS, Assignee and Assignor entered into that certain Assignment and Assumption of Ground Leases dated as of the Effective Date of this Memorandum (the "Lease Assignment") and Assignor assigned to Assignee all of Assignor's right, title and interest into the Lease as tenant.
- C. WHEREAS, Assignor and Assignee desire to execute this Memorandum to be recorded in the real estate records where the Premises are located for the purpose of giving notice of the existence of the Lease Assignment.
- **NOW, THEREFORE,** in consideration of the foregoing Recitals, and for other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, Assignor and Assignee hereby agree as follows:

<u>Definitions</u>. Except as otherwise defined herein, from and after the Effective Date, initially-capitalized terms shall have the meanings given to them in the Lease.

<u>Lease of the Premises</u>. Assignor hereby leases to Assignee, and Assignee hereby leases from Assignor, the Premises for the term and upon the terms, covenants and conditions contained in the Lease.

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

1319922045 Page: 2 of 5

UNOFFICIAL COPY

Term of Lease. The term of the Lease Assignment shall commence on the Effective Date and will expire on March 31, 2107, unless sooner terminated in accordance with the terms of the Lease.

<u>Purpose</u>. The parties acknowledge that this Memorandum does not contain all of the terms, covenants or provisions of the Lease but is only intended to provide notice by virtue of being recorded in the Office of the Recorder of Cook County, Illinois. The Lease shall control and govern with respect to any conflict between the terms or provisions herein set forth and those in the Lease.

Birding Effect. The terms and provisions of this Memorandum shall be binding upon and shall inure to the benefit of the respective successors and assigns of Assignor and Assignee.

<u>Counterparts</u>. This Memorandum may be executed in any number of counterparts, each of which shall be decreed an original, but all of which when taken together shall constitute one and the same instrument.

[SIGNATURES BEGIN ON NEXT PAGE]

UNOFFICIAL COPY

IN WITNESS WHEREOF, this Memorandum has been executed by Assignor and Assignee as of the date and year first above written.

ASSIGNOR:

DEARKIN RES, LLC, an Indiana limited liability company

By: White Lodging Services Corporation, an Indiana corporation, its manager

nu Forme & B

Name: Lawrence E. Burnell
Title: Chief Operating Officer

ASSIGNEE:

DOOR OF CO

DEARKIN RES (DE) LLC, a Delaware limited liability company

By White Lodging Services Corporation, an

Indiana copporation, its manager

Name: Lewrence E. Burnell

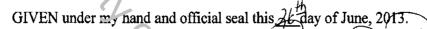
Title: Chira Operating Officer

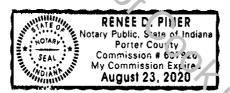
1319922045 Page: 4 of 5

UNOFFICIAL COPY

State of Indiana)
) ss
County of Lake)

I, the undersigned, a notary public in and for said County in the State aforesaid, DO HEREBY CERTIFY that Lawrence E. Burnell, the Chief Operating Officer of White Lodging Services Corporation, the manager of Dearkin Res, LLC, an Indiana 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 and delivered the said instrument as his free and voluntary act and as the free and voluntary act and deed of said entity, for the uses and purposes therein set forth.

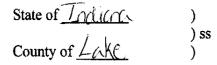




Notary Public

Commission expires: 823/2020

My resident county:



I, the undersigned, a notary public in and for said County in the State aforesaid, DO HEREBY CERTIFY that Lawrence E. Burnell, the Chief Operating Officer of White Lodging Services Corporation, the manager of Dearkin Res (DE) LLC, a Dela vare 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 and delivered the said instrument as his free and voluntary act and as the free and voluntary act and deed of said entity, for the uses and purposes therein set forth.

GIVEN under my hand and official seal this day of June, 2013.



Notary Public

Commission expires: \mathbb{N}^{2}

My resident county:

1319922045 Page: 5 of 5

UNOFFICIAL COPY

EXHIBIT A

Premises

LOTS 1, 2, 3, AND 4, TAKEN AS A TRACT, EXCEPT THE EAST 66.00 FEET THEREOF, BUT SPECIFICALLY EXCLUDING ANY PART OF THE VACATED ALLEY LYING SOUTH OF AND ADJOINING SAID TRACT IN ASSESSOR'S DIVISION OF LOTS 13, 14, 15 AND 16 IN BLOCK 2 IN WOLCOTT'S ADDITION TO CHICAGO, IN THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Address: 410 North Dearborn Street, Chicago, IL PIN: 17-09-261-022-0000 17-09-261-023-0000 17-09-261-025-0000 17-09-261-026-0000 County Clarks Office