

UNOFFICIAL COPY

THIS DOCUMENT WAS PREPARED BY:

Joel E. Resnick
MUCH SHELIST
191 North Wacker Drive
Suite 1800
Chicago, Illinois 60605.1615



Doc#: 1406316094 Fee: \$58.00
RHSP Fee:\$9.00 RPRF Fee: \$1.00
Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 03/04/2014 03:52 PM Pg: 1 of 11

AFTER RECORDING RETURN TO:

Thomas W. Forster II
Honigman Miller Schwartz and Cohn LLP
39400 Woodward Avenue, Suite 101
Bloomfield Hills, Michigan 48304-5151

This space reserved for Recorder's use only.

PERMANENT TAX INDEX NUMBER:

17-03-221-010-0000

PROPERTY ADDRESS:

860 North DeWitt Place
Chicago, Illinois

**ASSIGNMENT OF LEASE AND ACCEPTANCE AND ASSUMPTION OF LEASE
AND
TRUSTEE'S DEED WITH RESPECT TO BUILDINGS AND IMPROVEMENTS**

CHICAGO TITLE LAND TRUST COMPANY, not individually or personally, but only as Successor Trustee under the provisions of a Trust Agreement dated September 17, 1990 and known as Trust No. 112671-01 ("Assignor"), in consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby sell, assign, convey, transfer and set over unto GOLD COAST CITY APARTMENTS LLC, a Delaware limited liability company ("Assignee"), TO HAVE AND TO HOLD the Ground Lease and Improvements (as such terms are hereinafter defined) for and

UNOFFICIAL COPY

during the full unexpired term of said Ground Lease, all of the right, title and interest of Assignor in, to and under:

- A. That certain Indenture of Lease dated March 1, 1960 and the leasehold estate created thereby (collectively, the "Ground Lease") by and between 199 LAKE SHORE DRIVE, INC., a Delaware corporation, as original lessor (the interest of said original lessor now being held by CHICAGO TITLE LAND TRUST COMPANY, as Successor Trustee under Trust Agreement dated July 28, 1986, and known as Trust No. 43663) and AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, a national banking association, as Trustee under Trust Agreement dated February 10, 1960, and known as Trust No. 15196, as original lessee (the interest of said original lessee having thereafter been assigned by mesne assignments to Assignor) which Ground Lease was recorded in the office of the Recorder of Deeds of Cook County on March 1, 1960 as Document No. 17793948, demising and leasing for a term of ninety nine (99) years and ten (10) months commencing on March 1, 1960 and ending on December 31, 2059, the premises in the City of Chicago, County of Cook, and State of Illinois commonly known as 860 North DeWitt Place, Chicago, Illinois (the "Premises"), which Premises are legally described on Exhibit A attached hereto; and
- B. The buildings and improvements situated on the Premises, together with all rights, easements, hereditaments, privileges and appurtenances thereunto belonging (collectively, the "Improvements")

The foregoing assignment is made subject to the exceptions described on Exhibit B attached hereto.

860 DeWitt Limited Partnership, an Illinois partnership ("Beneficiary"), the sole beneficiary of Assignor, hereby agrees to pay, and shall indemnify, defend, protect, save and hold forever harmless Assignee from and against, any and all claims, demands, suits, causes of action, controversies, liabilities, costs, expenses and losses, including, without limitation, court costs, expert witness fees and reasonable attorneys' fees and expenses, which Assignee may suffer, incur or sustain, or for which Assignee may become liable or obligated, by reason of or in connection with the failure by Assignor to perform and observe, or the breach or violation by Assignor of, any of the covenants, agreements, conditions and obligations by the Assignor to be performed and observed under and pursuant to the Ground Lease prior to the date hereof.

Assignee hereby accepts the forgoing assignment and assumes all of the terms and covenants contained in the Ground Lease to be kept, observed and performed by the lessee under the Ground Lease on and after the date hereof and agrees that it will comply with and be bound by all such terms and covenants. Assignee hereby agrees to pay, and shall indemnify, defend, protect, save and hold forever harmless Assignor and Beneficiary from and against, any and all claims, demands, suits, causes of action, controversies, liabilities, costs, expenses and losses, including, without limitation, court costs, expert witness fees and reasonable attorneys' fees and expenses, which Assignor or Beneficiary may suffer, incur or sustain, or for which Assignor or Beneficiary may become liable or obligated, by reason of or in connection with the failure by

UNOFFICIAL COPY

Assignee to perform and observe, or the breach or violation by Assignee of, any of the covenants, agreements, conditions and obligations by the Assignee to be performed and observed in respect of the Ground Lease on and after the date hereof.

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 agree that all warranties 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.

[Remainder of Page Intentionally Left Blank—Signature Page Follows]

City of Chicago
Dept. of Finance

662032



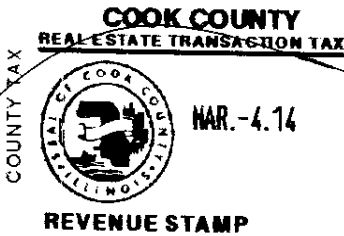
Real Estate
Transfer
Stamp

\$205,138.50

3/4/2014 12:08

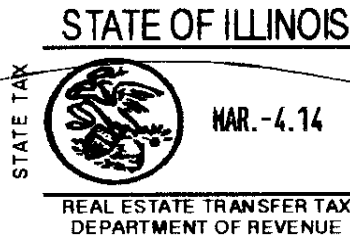
dr00155

Batch 7,742,826



0000018216

REAL ESTATE TRANSFER TAX
0976850
FP 103042



REAL ESTATE TRANSFER TAX
19537.00
FP 103037

0000018363

UNOFFICIAL COPY

IN WITNESS WHEREOF, the parties have executed and delivered this Assignment of Lease and Acceptance and Assumption of Lease as of this 25th day of February, 2014.


<p>ASSIGNOR:</p> <p>CHICAGO TITLE LAND TRUST COMPANY, AS TRUSTEE AFORESAID</p> <p>By: _____ Name: <u>Marie V. Gotanco</u> Title: <u>Trust Officer</u></p> <p>BENEFICIARY:</p> <p>860 DEWITT LIMITED PARTNERSHIP</p> <p>By: S Enterprises, Inc., its general partner</p> <p>By: _____ <u>John M. Supera, its President</u></p>	<p>ASSIGNEE:</p> <p>GOLD COAST CITY APARTMENTS LLC, a Delaware limited liability company</p> <p>By: _____ <u>Jonathan Holtzman, its authorized signatory</u></p>
--	--



Property of Cook County Clerk's Office

UNOFFICIAL COPY

IN WITNESS WHEREOF, the parties have executed and delivered this Assignment of Lease and Acceptance and Assumption of Lease as of this 25th day of February, 2014.

<p>ASSIGNOR:</p> <p>CHICAGO TITLE LAND TRUST COMPANY, AS TRUSTEE AFORESAID</p> <p>By: _____ Name: _____ Title: _____</p> <p>BENEFICIARY:</p> <p>860 DEWITT LIMITED PARTNERSHIP</p> <p>By: S Enterprises, Inc., its general partner</p> <p>By:  John M. Supera, its President</p>	<p>ASSIGNEE:</p> <p>GOLD COAST CITY APARTMENTS LLC, a Delaware limited liability company</p> <p>By: _____ Jonathan Holtzman, its authorized signatory</p>
---	---

Property of Cook County Clerk's Office

UNOFFICIAL COPY

IN WITNESS WHEREOF, the parties have executed and delivered this Assignment of Lease and Acceptance and Assumption of Lease as of this __ day of February, 2014.

<p>ASSIGNOR:</p> <p>CHICAGO TITLE LAND TRUST COMPANY, AS TRUSTEE AFORESAID</p> <p>By: _____ Name: _____ Title: _____</p> <p>BENEFICIARY:</p> <p>860 DEWITT LIMITED PARTNERSHIP</p> <p>By: S Enterprises, Inc., its general partner</p> <p>By: _____ John M. Supera, its President</p>	<p>ASSIGNEE:</p> <p>GOLD COAST CITY APARTMENTS LLC, a Delaware limited liability company</p> <p>By: _____ Jonathan Holtzman, its authorized signatory</p>
---	---

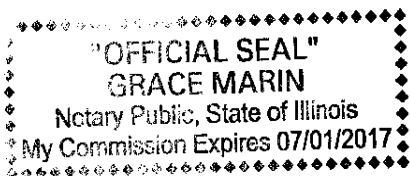
Property of Cook County Clerk's Office

UNOFFICIAL COPY

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

The undersigned, a Notary Public in and for the said County, in the State aforesaid, **DO HEREBY CERTIFY** that Mario V. Gotanco, the Trust Officer of **CHICAGO TITLE LAND TRUST COMPANY**, an Illinois corporation, as trustee as aforesaid, who is 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 as such Trust Officer, 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 corporation, as trustee as aforesaid, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 25th day of February, 2014



Grace Marin
Notary Public

My Commission Expires:

STATE OF _____)
) SS.
COUNTY OF _____)

The undersigned, a Notary Public in and for the said County, in the State aforesaid, **DOES HEREBY CERTIFY** that Jonathan Holtzman, the Authorized Signatory of **GOLD COAST CITY APARTMENTS LLC**, a Delaware limited liability company, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument as such Manager, appeared before me this day in person and acknowledged that he signed and delivered the said instrument as his 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 _____ day of _____, 2014.

Notary Public

County, _____
My Commission Expires:

UNOFFICIAL COPY

STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

The undersigned, a Notary Public in and for the said County, in the State aforesaid, **DOES HEREBY CERTIFY** that John M. Supera, the President of S. Enterprises, Inc., the general partner of 860 DeWitt Limited Partnership, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument as such President, appeared before me this day in person and acknowledged that he signed and delivered the said instrument as his 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 27 day of February, 2014.

Kathy McShane

Notary Public

My Commission Expires:



Property of Cook County Clerk's Office

UNOFFICIAL COPY

EXHIBIT "A"

LEGAL DESCRIPTION OF REAL ESTATE

LOT 34 (EXCEPT THE WEST 15 1/2 FEET) AND ALL OF LOTS 35 AND 36 IN LAKE SHORE DRIVE ADDITION TO CHICAGO, A SUBDIVISION OF PART OF BLOCKS 14 AND 20 IN CANAL TRUSTEES' SUBDIVISION OF THE SOUTH FRACTIONAL 1/4 OF SECTION 3, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

Property of Cook County Clerk's Office

UNOFFICIAL COPY

EXHIBIT "B"

PERMITTED EXCEPTIONS

Exception Nos. (per pro-forma) 1 through 7, both inclusive, and 9 and 10 contained on Schedule B of First American Title Insurance Company Commitment No. 58708531 with an effective date of February 28, 2014.

Property of Cook County Clerk's Office