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PREPARED BY AND AFTER  
RECORDING RETURN TO:

Willkie Farr & Gallagher LLP  
787 Seventh Avenue  
New York, New York 10019-6099  
Attn: Cindy Yellen, Esq.

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Karen A. Yarbrough  
Cook County Recorder of Deeds  
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## LEASE ASSIGNMENT AND ASSUMPTION AGREEMENT

In exchange for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, effective as of the Effective Date shown below, (a) SCCA Store Holdings Real Property LLC, a Delaware limited liability company ("**Assignor**"), hereby sells, assigns, transfers and conveys to Saks & Company LLC, a Delaware limited liability company ("**Assignee**"), and its successors and assigns all of Assignor's right, title and interest in and to that certain lease agreement with respect to the real property described on Exhibit A hereto, including, without limitation, the documents and instruments described on Exhibit B hereto (collectively, the "**Lease**"), together with Assignor's right, title and interest in and to (i) all deposits, escrows, prepayments, guaranties, letters of credit and other security, if any, related to the Lease and held by the lessor thereunder and (ii) all improvements, rights, easements, privileges, appurtenances and advantages as to which Assignor has an interest pursuant to the Lease; and (b) Assignee hereby accepts the foregoing sale, assignment, transfer, and conveyance, assumes the obligations of Assignor under the Lease and agrees to pay and perform fully and timely when due all of Assignor's obligations with respect thereto, all to the extent the same accrue from and after the Effective Date. Assignee agrees to indemnify and hold Assignor harmless against any and all losses, costs and expenses (including reasonable attorneys' fees) and liabilities incurred by Assignor in connection with or arising in any manner from Assignee's non-performance of the obligations under the Lease assumed by Assignee hereby from and after the Effective Date.

The sale, assignment, transfer and conveyance hereunder is made without any representations or warranties, express or implied.

This Lease Assignment and Assumption Agreement (a) may be executed in one or more counterparts, any one of which need not contain the signature of more than one party, but all such counterparts taken together will constitute one and the same instrument and (b) shall be binding on and inure to the benefit of the respective successors and assigns of the parties hereto.

Effective Date: July 14, 2015.

NW 731624 IL6  
1 of 7





# UNOFFICIAL COPY

Exhibit A

Legal Description

[See attached.]

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Site Name

Chicago Place Mall IL

## EXHIBIT A LEGAL DESCRIPTION

### PARCEL 1:

LOTS 3 AND 4 IN CHICAGO PLACE RESUBDIVISION OF THE LAND, PROPERTY AND SPACE WITHIN BLOCK 46 (EXCEPT THE EAST 75.0 FEET THEREOF) IN KINZIES ADDITION TO CHICAGO IN THE NORTH 1/2 OF SECTION 10, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

### PARCEL 2:

EASEMENTS APPURTENANT TO AND FOR THE BENEFIT OF PARCEL 1 AS SET FORTH IN ARTICLE III OF THE EASEMENT AND OPERATING AGREEMENT RECORDED OCTOBER 5, 1990 AS DOCUMENT NUMBER 90487310, MADE BY AND BETWEEN CHICAGO PLACE PARTNERSHIP, AN ILLINOIS CORPORATION, LASALLE NATIONAL TRUST, N.A., SUCCESSOR TO LASALLE NATIONAL BANK AS TRUSTEE UNDER TRUST AGREEMENT DATED JULY 1, 1986 AND KNOWN AS TRUST NUMBER 111297, 700 MICHIGAN TOWER PARTNERSHIP, AN ILLINOIS PARTNERSHIP, SAKS & COMPANY, A NEW YORK CORPORATION AND POST & POWELL CORPORATION, A CALIFORNIA CORPORATION.

PIN: 17-10-105-015-00000 and 17-10-105-016-00000

Address: 700 N. Michigan Avenue, Chicago, IL

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## Exhibit B

### List of Lease Documents

1. Lease dated August 2, 1988 by and between Chicago Place Partnership and Saks & Company, which Memorandum of Lease was recorded on July 26, 1989 as Document Number 89342810.
2. First Amendment to Lease dated October 5, 1990 by and between Chicago Place Partnership and Saks & Company, recorded October 5, 1990 as Document Number 90487311.
3. Letter dated February 18, 2014 from SCCA Holdings Real Property LLC to North Michigan Avenue LLC.
4. Assignment and Assumption Agreement between SCCA Store Holdings, Inc. and SCCA Store Holdings Real Property LLC, recorded December 9, 2014 as Document Number 1434334051.

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