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This document was prepared by:

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Doc#: 1603516062 Fee: \$52.00
RHSP Fee: \$9.00 RPRF Fee: \$1.00
Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 02/04/2016 02:37 PM Pg: 1 of 8

After recording return to:

Susan Moralis, Esq.
Metropolitan Water Reclamation
District
Of Greater Chicago
100 E. Erie Street
Chicago, Illinois 60611

This space reserved for Recorder's use only.

Exempt under provisions of Paragraph (e)
Section 31-45, Property Tax Code.

718606-7
506 BE/BN

2-1-2016 Bea El
Date Buyer, Seller, or Representative

MEMORANDUM OF ASSIGNMENT AND ASSUMPTION OF LEASE

THIS MEMORANDUM OF ASSIGNMENT AND ASSUMPTION OF LEASE (this "Memorandum") is dated the 1st day of Feb., 2016 and is made and entered into by and among **KINDER MORGAN OPERATING L.P. "D"**, a Delaware limited partnership, having an address of 1001 Louisiana Street, Suite 1000, Houston, Texas 77002 ("**Transferor**"), **KM PHOENIX HOLDINGS LLC**, a Delaware limited liability company, having an address of 1001 Louisiana Street, Suite 1000, Houston, Texas 77002 ("**Transferee**"), and the **METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO**, a body corporate and politic organized under the laws of the State of Illinois having an address of 100 E. Erie Street, Chicago, Illinois 60611 ("**Landlord**"); and, together with Transferee and Transferor, collectively, the "**Parties**").

KNOW ALL PERSONS BY THESE PRESENTS THAT:

WHEREAS, Landlord and BP Products North America Inc., a Maryland corporation ("**BP**") (successor in interest to Amoco Oil Company, a Maryland corporation), previously entered into that certain Lease Agreement dated February 15, 2001, the term of which commenced on March 1, 2001 and shall expire on February 28, 2039 (the "**Lease**") whereby Landlord leased to BP that certain real property located in Cook County, Illinois and more particularly identified on Exhibit A attached hereto, together with the improvements located thereon (the "**Property**").

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WHEREAS the Lease was previously assigned by BP to Transferor and such assignment was consented to by Landlord, and the existence of the same was shown for the public record by a previous Memorandum of Assignment and Assumption of Lease filed for record.

WHEREAS, Transferor has assigned the Lease to Transferee and Transferee has assumed the Lease from Transferor pursuant to that certain Assignment and Conveyance dated as of Feb. 1, 2016 by and between Transferor and Transferee (the "Assignment").

WHEREAS, Landlord consented to the Assignment pursuant to that certain Consent to Assignment of Lease dated as of January 21, 2016 by and among Transferor, Transferee, and Landlord.

WHEREAS, the Parties wish to show for the public record the existence of the aforesaid Assignment, and the respective interests therein of the Parties.

NOW, THEREFORE, to accomplish the foregoing, the Parties are filing this Memorandum of Assignment and Assumption of Lease.

This Memorandum is executed and recorded solely for the purpose of providing record notice of the Assignment and shall not supersede or in any way modify the terms or conditions of the Assignment or the Lease. In the event of any conflict or inconsistency between this Memorandum and the Assignment or the Lease, the Lease shall govern and control.

This Memorandum may be signed in multiple counterparts, all of which, when taken together, shall constitute a single and enforceable agreement.

[Signature Pages Follow]

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IN WITNESS WHEREOF, each of the undersigned has caused this Memorandum to be executed by a duly authorized officer as of the day and year first above written.

TRANSFEROR:

KINDER MORGAN OPERATING L.P. "D", a Delaware limited partnership

By: Kinder Morgan G.P., Inc., a Delaware corporation, its General Partner

By: [Signature]
Name: John W. Schlosser
Title: Vice President

Property of Cook County Notary Public Office

(ACKNOWLEDGMENT)

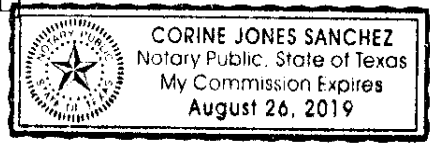
STATE OF Texas §
§
§
COUNTY OF Harris §

Personally appeared before me, the undersigned authority in and for the said county and state, on this 2nd day of January, 2016, within my jurisdiction, the within named John W. Schlosser who acknowledged that he [she] is Vice President of Kinder Morgan G.P., Inc., a Delaware corporation, the General Partner of KINDER MORGAN OPERATING L.P. "D", a Delaware limited partnership, and that for and on behalf of said limited partnership, and as its act and deed, he [she] executed the above and foregoing Memorandum, after first having been duly authorized by said partnership to do so.

[Signature]
Notary Public

My Commission Expires: 08/26/19

[AFFIX NOTARIAL SEAL]



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TRANSFeree:

KM PHOENIX HOLDINGS LLC, a Delaware limited liability company

By: [Signature]
Name: Randal T. Maffett
Title: Vice President

Property of Cook County Notary Public's Office

(ACKNOWLEDGMENT)

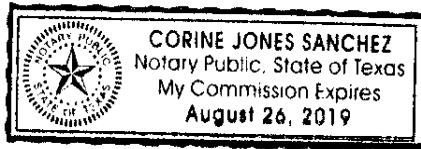
STATE OF Texas
COUNTY OF Harris

Personally appeared before me, the undersigned authority in and for the said county and state, on this 21st day of January, 2016, within my jurisdiction, the within named Randal T. Maffett who acknowledged that he/she is Vice President of KM PHOENIX HOLDINGS LLC., a Delaware limited liability company, and that for and on behalf of said limited liability company and as its act and deed, he/she executed the above and foregoing Memorandum, after first having been duly authorized by said limited liability company to do so.

[Signature]
Notary Public

My Commission Expires: 08/26/19

[AFFIX NOTARIAL SEAL]



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LANDLORD:

**METROPOLITAN WATER
RECLAMATION DISTRICT OF
GREATER CHICAGO**, a body corporate and
politic existing under the laws of the State of
Illinois

By: *Susan Morakalis*
Name: SUSAN MORAKALIS
Title: Head Assistant Attorney

Property of Cook County Clerk's Office

(ACKNOWLEDGMENT)

STATE OF ILLINOIS

COUNTY OF Cook

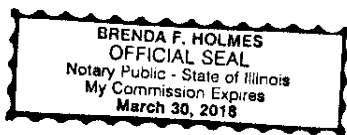
§
§
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§

Personally appeared before me, the undersigned authority in and for the said county and state, on this 28th day of January, 2016, within my jurisdiction, the within named Susan Morakalis who acknowledged that he/she is Head Assistant Attorney of METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO, a body corporate and politic existing under the laws of the State of Illinois, and that for and on behalf of said body corporate and politic and as its act and deed, he/she executed the above and foregoing Memorandum, after first having been duly authorized by said body corporate and politic to do so.

Brenda F. Holmes
Notary Public

My Commission Expires: 3/30/18

[AFFIX NOTARIAL SEAL]



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EXHIBIT A

LEGAL DESCRIPTION

Parcel 1:

THE NORTH FIVE HUNDRED AND FIFTY (550) FEET OF LOTS 99 AND 101, EXCEPT THE NORTH NINETY-TWO (92) FEET THEREOF AND EXCEPT THE EAST THREE HUNDRED AND THIRTY-THREE (333) FEET OF SAID LOT 99, IN SANITARY DISTRICT TRUSTEES' SUBDIVISION OF RIGHT OF WAY FROM NORTH AND SOUTH CENTER LINE OF SECTION 30, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN TO WILL COUNTY LINE, CONTAINING 10.79 ACRES, MORE OR LESS, SITUATED IN SECTION 7, TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN IN THE VILLAGE OF FOREST VIEW, COOK COUNTY, ILLINOIS, SUBJECT TO THE HIGHWAY DEDICATION FOR HARLEM AVENUE.

ALSO BEING DESCRIBED AS:

THE NORTH 550 FEET OF LOTS 99 AND 101 OF SANITARY DISTRICT TRUSTEES' SUBDIVISION, BEING A PART OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAN THEREOF RECORDED AS DOCUMENT NO. 4180216, IN COOK COUNTY, ILLINOIS.

EXCEPT THE EAST 333 FEET THEREOF OF LOT 99 AND EXCEPT THE NORTH 92 FEET THEREOF OF LOTS 99 AND 101.

Parcel 2:


THAT PART OF LOT 97 LYING SOUTH OF A LINE TWENTY-FIVE (25) FEET NORMALLY DISTANT SOUTHERLY FROM AND PARALLEL TO THE CENTER LINE OF THE MAIN LINE OF THE SANITARY DISTRICT SLUDGE RAILROAD, IN SANITARY DISTRICT TRUSTEES' SUBDIVISION OF RIGHT OF WAY FROM NORTH AND SOUTH CENTER LINE OF SECTION 30, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN TO WILL COUNTY LINE, SAID CENTER LINE OF THE MAIN LINE OF THE SANITARY DISTRICT SLUDGE RAILROAD BEING MORE PARTICULARLY DESCRIBED AS A STRAIGHT LINE EXTENDING FROM A POINT IN THE WEST LINE OF SAID LOT 97, NINE HUNDRED SIXTY-NINE AND FORTY-TWO HUNDREDTHS (969.42) FEET SOUTH OF THE NORTHWEST CORNER THEREOF TO A POINT IN THE EAST LINE OF SAID LOT 97, SIX HUNDRED EIGHTY-NINE AND THIRTY-THREE HUNDREDTHS (689.33) FEET SOUTH OF THE NORTHEAST CORNER THEREOF, CONTAINING FIVE AND SEVENTY HUNDREDTHS (5.70) ACRES, MORE OR LESS, SITUATED IN SECTION 7, TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN IN THE VILLAGE OF FOREST VIEW, COOK COUNTY, ILLINOIS.

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Permanent Real Estate Index Number(s): 19-07-100-017-0000 and 19-07-100-021-0000

Address of Real Estate: 4811 South Harlem Avenue, Forest View, Illinois

Property of Cook County Clerk's Office



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GRANTOR/GRANTEE AFFIDAVIT: STATEMENT BY GRANTOR AND GRANTEE AS REQUIRED BY SECTION 35 ILCS 200/31-47

GRANTOR SECTION

The GRANTOR or her/his agent, affirms that, to the best of her/his knowledge, the name of the GRANTEE shown on the deed or assignment of beneficial interest (ABI) in a land trust is either a natural person, an Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate in Illinois, a partnership authorized to do business or acquire and hold title to real estate in Illinois, or another entity recognized as a person and authorized to do business or acquire title to real estate under the laws of the State of Illinois.

DATED: Feb. 1, 2016

SIGNATURE: [Signature]
GRANTOR or AGENT

GRANTOR NOTARY SECTION: The below section is to be completed by the NOTARY who witnesses the signature of GRANTOR's agent.

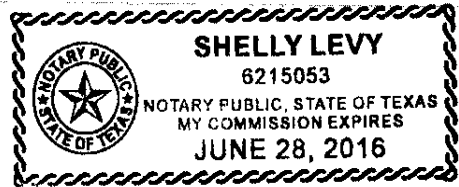
Subscribed and sworn to before me, Name of Notary Public:

By the said (Name of Grantor's John W. Schlosser agent):

On this date of: 1/28, 2016

NOTARY SIGNATURE: [Signature]

AFFIX NOTARY STAMP BELOW



GRANTEE SECTION

The GRANTEE or her/his agent affirms and verifies that the name of the GRANTEE shown on the deed or assignment of beneficial interest (ABI) in a land trust is either a natural person, an Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate in Illinois, a partnership authorized to do business or acquire and hold title to real estate in Illinois or other entity recognized as a person and authorized to do business or acquire title to real estate under the laws of the State of Illinois.

DATED: Feb. 1, 2016

SIGNATURE: [Signature]
GRANTEE or AGENT

GRANTEE NOTARY SECTION: The below section is to be completed by the NOTARY who witnesses the signature of GRANTEE's agent.

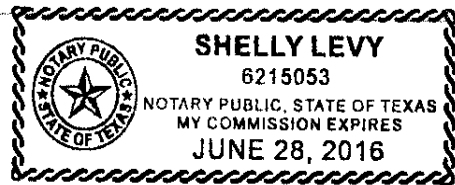
Subscribed and sworn to before me, Name of Notary Public:

By the said (Name of Grantee's John W. Schlosser agent):

On this date of: 1/28, 2016

NOTARY SIGNATURE: [Signature]

AFFIX NOTARY STAMP BELOW



CRIMINAL LIABILITY NOTICE

Pursuant to Section 55 ILCS 5/3-5020(b)(2), Any person who knowingly submits a false statement concerning the identity of a GRANTEE shall be guilty of a CLASS C MISDEMEANOR for the FIRST OFFENSE, and of a CLASS A MISDEMEANOR, for subsequent offenses.

(Attach to DEED or ABI to be recorded in Cook County, Illinois if exempt under provisions of SECTION 4 of the Illinois Real Estate Transfer Act: (35 ILCS 200/Art. 31)