

# UNOFFICIAL COPY

Doc#: 1926049017 Fee: \$98.00  
Edward M. Moody  
Cook County Recorder of Deeds  
Date: 09/17/2019 10:19 AM Pg: 1 of 6

**Prepared by:**

Target Corporation  
Attn: Jude Hockley  
Law Department/TPS 3155  
1000 Nicollet Mall  
Minneapolis, MN 55403/T1488

**Return to:**

Elizabeth D. Santis  
Elizabeth D. Santis, P.C.  
1040 West Adams Street, Suite 220  
Chicago, IL 60607

## ASSIGNMENT AND ASSUMPTION OF OPERATION AND EASEMENT AGREEMENT

THIS ASSIGNMENT AND ASSUMPTION OF OPERATION AND EASEMENT AGREEMENT ("Assignment and Assumption") is made this 11<sup>th</sup> day of September, 2019 (the "Effective Date") by and between TARGET CORPORATION, a Minnesota corporation ("Assignor"), and DL3 CHATHAM, LLC, an Illinois limited liability company ("Assignee").

### RECITALS:

A. On the Effective Date, Assignor conveyed to Assignee that certain real property described on Exhibit A attached hereto and made a part hereof (the "Target Tract").

B. The Target Tract is subject to the terms and provisions of that certain Operation and Easement Agreement dated December 21, 2001, and recorded in the office of the Cook County Recorder on January 2, 2002 as Document No. 0020001381 (as it may be amended and supplemented, the "OEA");

C. Assignor desires to assign, transfer, and convey all of Assignor's right, title, and interest in, to, and under the OEA to Assignee upon the terms hereinafter set forth.

D. Assignee desires to accept the assignment of the OEA and to assume Assignor's obligations and liabilities thereunder.

NOW, THEREFORE, in consideration of One Dollar (\$1.00) in hand paid by Assignee to Assignor, and for other good and valuable consideration, the mutual receipt and legal sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

1. From and after the Effective Date, Assignor hereby assigns, transfers, and conveys to Assignee any and all of Assignor's right, title, and interest in, to, and under the OEA, including, without limitation, transfer of Approving Party status for the Target Tract, subject to the terms, covenants, and conditions contained in the OEA.

Attorney's Title Guaranty Fund, Inc.  
1 S. Wacker Dr. Ste. 2400  
Chicago, IL 60606-4050  
Recording Department

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2. From and after the Effective Date, Assignee hereby accepts the foregoing assignment from Assignor and hereby assumes and agrees to observe and perform all the provisions, obligations, terms, covenants and conditions of the Agreements to be observed or performed by Assignor thereunder first arising from and after the Effective Date. Without limiting the foregoing assumption, Assignee hereby also accepts the foregoing assignment of Approving Party status from Assignor and agrees to observe and perform all the provisions, obligations, terms, covenants and conditions as Approving Party of the Target Tract to be observed or performed by such Approving Party thereunder from and after the date set forth above.

3. This Assignment and Assumption is binding upon and inures to the benefit of the parties hereto and their respective successors and assigns.

4. This Assignment and Assumption may be executed in counterparts, each of which will be deemed an original and all of which, taken together, will constitute one instrument.

[Signature pages follow.]

Property of Cook County Clerk's Office



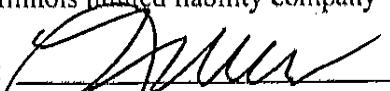
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## SIGNATURE PAGE TO ASSIGNMENT AND ASSUMPTION OF OPERATION AND EASEMENT AGREEMENT

IN WITNESS WHEREOF, the parties hereto have executed this Assignment and Assumption as of the date first above written.

ASSIGNEE:

DL3 CHATHAM, LLC,  
an Illinois limited liability company

By: 

Name: Leon I. Walker  
Title: Manager

Property of Cook County Clerk's Office

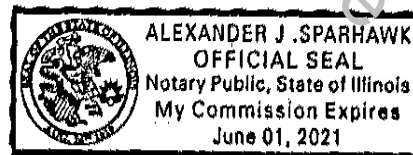
STATE OF ILLINOIS )  
COUNTY OF COOK )

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, do hereby certify that Leon I. Walker, the Manager of DL3 Chatham, LLC, a Illinois limited liability company, 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/she signed, sealed and delivered the said instrument, as his/her free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and notarial seal, this 28th day of August, 2019.

  
Notary Public

My commission expires: June 1, 2021



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## EXHIBIT A TO ASSIGNMENT AND ASSUMPTION LEGAL DESCRIPTION

THAT PART OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 38 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE NORTH LINE OF EAST 87TH STREET, BEING A LINE 33.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 34, WITH THE WEST LINE OF THE EAST 500.00 FEET OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 34; THENCE NORTH 00 DEGREES 00 MINUTES 04 SECONDS WEST PARALLEL WITH THE EAST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 34, 130.00 FEET; THENCE NORTH 89 DEGREES 56 MINUTES 07 SECONDS WEST PARALLEL WITH THE NORTH LINE OF EAST 87TH STREET, 196.11 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 04 SECONDS WEST PARALLEL WITH THE EAST LINE OF THE SOUTHEAST 1/4 OF SECTION 34, 110.00 FEET; THENCE NORTH 89 DEGREES 56 MINUTES 07 SECONDS WEST PARALLEL WITH THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 34, 8.71; THENCE NORTH 00 DEGREES 00 MINUTES 04 SECONDS WEST PARALLEL WITH THE EAST LINE OF THE WEST 1/8 OF THE SOUTHEAST 1/4 OF SAID SECTION 34, 79.91 FEET TO A POINT OF BEGINNING; THENCE CONTINUING NORTH 00 DEGREES 00 MINUTES 04 SECONDS WEST PARALLEL WITH THE EAST LINE OF THE WEST 1/8 OF THE SOUTHEAST 1/4 OF SAID SECTION 34, 292.66 FEET; THENCE NORTH 39 DEGREES 45 MINUTES 04 SECONDS WEST ALONG A STRAIGHT LINE FORMING AN ANGLE OF 39 DEGREES 45 MINUTES FROM NORTH TO WEST WITH SAID LAST DESCRIBED LINE, 138.15 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 04 SECONDS WEST PARALLEL WITH THE EAST LINE OF THE WEST 1/8 OF THE SOUTHEAST OF SAID SECTION 34, 321.59 FEET (DEED 321.60) TO A LINE 160.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 34; THENCE EAST ALONG SAID LAST DESCRIBED PARALLEL LINE, 293.16 FEET (DEED 292.73) TO A LINE 500.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID SECTION 34; THENCE NORTH 00 DEGREES 00 MINUTES 04 SECONDS WEST ALONG SAID LAST DESCRIBED PARALLEL LINE, 164.46 FEET TO A LINE 1329.01 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF THE SOUTHEAST 1/4 OF SECTION 34, AFORESAID; THENCE EASTERLY ALONG SAID LAST DESCRIBED PARALLEL LINE, 205.50 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, 794.72 FEET; THENCE SOUTH 07 DEGREES 26 MINUTES 38 SECONDS WEST, 49.06 FEET; THENCE SOUTH 04 DEGREES 12 MINUTES 35 SECONDS WEST, 55.42 FEET; THENCE SOUTH 00 DEGREES 02 MINUTES 34 SECONDS WEST, 86.19 FEET; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, 399.82 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS

PERMANENT INDEX NUMBER 20-34-413-061-0000

COMMON ADDRESS: 8560 SOUTH COTTAGE GROVE AVENUE, CHICAGO, IL 60619

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