

UNOFFICIAL COPY

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Store No. 243

86380764

LEASE ASSIGNMENT AND ASSUMPTION AGREEMENT

Effective 4/2, 1986, LUCKY STORES, INC., a California corporation (hereinafter called "LUCKY"), for Ten Dollars (\$10.00) and other good and valuable consideration to LUCKY in hand paid by DOMINICK'S FINER FOODS, INC., a Delaware corporation, having an address at 333 North Northwest Avenue, Northlake, Illinois (hereinafter called "Dominick's"), the receipt and sufficiency of which is hereby acknowledged, and in consideration of the agreements and undertakings of Dominick's hereinafter set forth, has granted, conveyed, transferred and assigned, and by these presents does grant, convey, transfer and assign unto Dominick's all of LUCKY's leasehold estate and right, title and interest in and to that certain Lease dated March 2, 1971 (including but not limited to all security deposits and escrows held by the Landlord for the benefit of the Tenant or credits due the Tenant from the Landlord) by and between Miottel Number One, as lessor, and LUCKY, as lessee, as disclosed by a memorandum of Lease dated March 2, 1971, filed on March 11, 1971, as Document No. 21418404, (together with the amendments or modifications thereof or supplements thereto or instruments affecting same, if any, all of which including said Lease are hereinafter called the "Assigned Lease"). Attached hereto marked Exhibit "A" is a legal description of the demised premises, or of the shopping center in which the demised premises is contained.

TO HAVE AND TO HOLD unto said Dominick's said leasehold estate and all the aforesaid rights, titles and interests; and LUCKY will warrant and forever defend title to the leasehold estate and said rights, titles and interests under the Assigned Lease unto Dominick's, its successors and assigns, against every person whomsoever claiming or to claim the same or any part thereof.

LUCKY warrants and represents that it either is the original lessee or that it has succeeded to the original lessee's interest in the leasehold estate, and that the Assigned Lease is in full force and effect.

Dominick's hereby accepts, assumes and agrees to perform and observe all the undertakings, obligations and covenants to be performed or observed from and after the effective date hereof by the lessee or tenant under the Assigned Lease, including, without limiting the generality of the foregoing, the payment of all minimum rent, percentage rents, parking lot maintenance or other charges to accrue to to become due from and after this date, under said Assigned Lease. Dominick's agrees further, to indem-

Kevin P. Breslin
Katz Randall & Weinberg
200 N. LaSalle Street
Chicago, IL 60601
2596.33

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nify LUCKY and hold LUCKY harmless with respect to any claim against LUCKY or any expense or liability which LUCKY may incur, as a result of a breach or default by Dominick's of its covenants herein.

The provisions hereof shall be subject and subordinate to the provisions of the Assigned Lease and the termination or cancellation of the Assigned Lease shall constitute a termination and cancellation of this Lease Assignment and Assumption Agreement.

The provisions of this Lease Assignment and Assumption Agreement shall inure to the benefit of and bind the parties hereto and their respective successors and assigns.

Dated this 14th day of March, 1986.

LUCKY STORES, INC.

By: [Signature]

Its

(Seal)

By: [Signature]

Its

DOMINICK'S FINER FOODS, INC.

By: [Signature]

Its

(Seal)

ATTEST:

By: [Signature]

Its [Signature]

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Property of Cook County Clerk's Office

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STATE OF ILLINOIS)
) SS
COUNTY OF ROCK ISLAND)

The undersigned, a Notary Public in and for the County and State aforesaid, DOES HEREBY CERTIFY that Pasquale V. Petitti, personally known to me to be the Vice President of LUCKY STORES, INC., and Robert L. Van De Voorde, personally known to me to be the Assistant Secretary of said Corporation, and personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that as such Vice President and Assistant Secretary, they signed and delivered the said instrument as Vice President and Assistant Secretary of said Corporation, and caused the corporate seal of said Corporation to be affixed thereto, pursuant to authority given by the Board of Directors of said Corporation, as their free and voluntary act and as the free and voluntary act and deed of said Corporation for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 14th day of March, A.D. 19 86.

[Signature]
NOTARY PUBLIC

Commission expires 1987

86380761

Notary Public
County Clerk's Office

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STATE OF ILLINOIS)
) SS
COUNTY OF Cook)

The undersigned, a Notary Public in and for the County and State aforesaid, DOES HEREBY CERTIFY that WALTER S. RAJMAN, personally known to me to be the President of Dominick's Finer Foods, Inc. and WALTER S. RAJMAN, personally known to me to be the Secretary of said Corporation, and personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that as such WALTER S. RAJMAN and WALTER S. RAJMAN, they signed and delivered the said instrument as WALTER S. RAJMAN and WALTER S. RAJMAN of said Corporation and caused the corporate seal of said Corporation to be affixed thereto, pursuant to authority given by the Board of Directors of said Corporation, as their free and voluntary act and as the free and voluntary act and deed of said Corporation, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 9th day of July, A.D. 1960.

NOTARY PUBLIC

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0 3 1 7 / 0 4

Lot Number One in Wilke-Central Subdivision
of a part of fractional Section 5 and 8
Township 41 North, Range 11 East of the third
principal meridian; situated in the County of
Cook, State of Illinois.

P.I.N. 08-08-201-004-000
Commonly known as 1801 West Central Road, Arlington Heights)

Property of Cook County Clerk's Office

DEPT-01 RECORDING \$14.00
T#3333 TRAN 6992 08/28/84 09:44:00
#1752 # A *-06-380764
COOK COUNTY RECORDER

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EXHIBIT A



86380764

#243