

# UNOFFICIAL COPY

87623048

Property No. 003

## ASSIGNMENT OF LEASE

87623048

ASSIGNMENT dated as of December 31, 1986, between THE ASHWEB COMPANY, a Connecticut limited partnership (the "Assignor") in care of Keith S. King, The Boston Financial Group, Incorporated, 225 Franklin Street, Boston, Massachusetts, and ASHLAND OIL, INC. a Kentucky corporation (the "Assignee"), having an office and principal place of business at 1000 Ashland Drive, Russell, Kentucky 41169.

### Preliminary Statement

1. Assignor has a leasehold interest in a certain parcel of land located in Alsip, Cook County, Illinois, listed and described in Schedule A attached hereto (referred to as the "Parcel") created by a certain ground lease dated 11/27/68 between R. J. Donahue, Trustee, (the "Land Owner") as Lessor and Assignor, as Lessee (referred to as the "Ground Lease"), such document recorded in the Recorder of Deeds Office, as Document No. 20709628, Cook County, Illinois.

2. The Assignor owns the fee estate in the improvements and buildings on the Parcel (referred to as the "Improvements" and together with the Parcel referred to as the "Leased Premises").

3. The Assignor is the lessor of the Leased Premises under a certain lease agreement dated 11/27/68 between the Assignor, as lessor, and Bi-Lo Stations, Inc., as lessee, such lease being recorded in the Recorder of Deeds Office, as Document No. 20709629, Cook County, Illinois.

4. The Assignor assigned its interest as lessor under the Lease to Service Station Properties, Inc., a Delaware corporation ("SSP"), pursuant to the Assignment of Lease and Agreement dated 11/27/68 recorded in the Recorder of Deeds Office, as Document No. 20709632, Cook County, Illinois (referred to as the "Lease Assignment") as security for the payment of a certain 7-3/8% promissory note (the "Ashweb Note") payable to SSP. As further security for the Ashweb Note, the Assignor and Land Owner granted a mortgage on the Leased Premises to SSP recorded in the Recorder of Deeds Office, as Document No. 20709630, Cook County, Illinois, (referred to as the "Mortgage").

5. SSP re-assigned the interests of the lessor under the Lease Assignment to Mellon National Bank and Trust Company and D. A. Hazlett, as trustees (the "Trustees") pursuant to the Reassignment of Lease dated 11/27/68 recorded in the Recorder of Deeds Office, as Document No. 20709633, Cook County, Illinois (referred to as the "Lease Reassignment") as security for a certain 7-3/8% promissory note (the "SSP Note") payable to the Trustees which was issued pursuant to a Trust Indenture dated as of September 10, 1968 (the "Trust Indenture"). As further security for payment of the SSP Note, SSP also assigned its interest in the Mortgage to the Trustees pursuant to the Assignment of Mortgage dated 11/27/68 recorded in the Recorder of Deeds Office, as Document No. 20709631, Cook County, Illinois (referred to as the "Mortgage Assignment").

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NOW, THEREFORE, in consideration of the premises and One Dollar and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Assignor and the Assignee hereby agree as follows:

1. The Assignor hereby assigns, transfers, conveys and sets over to the Assignee all of the estate, right, title and interest of the Assignor in and to the Lease, this Assignment being subject to the following:

- (a) the Trust Indenture;
- (b) The Lease Assignment;
- (c) The Lease Reassignment;
- (d) The Ground Lease;
- (e) The Mortgage; and
- (f) The Mortgage Assignment.

2. The Assignee assumes all the obligations and covenants of the Assignor as lessor under and pursuant to the Lease.

IN WITNESS WHEREOF, this Assignment has been made as of the day, month and year first above written.

WITNESSES:

*[Signature]*  
*S. Harris*

ATTEST:

*[Signature]*  
 Its: Assistant Secretary

ASSIGNOR

THE ASHWEB COMPANY, a Connecticut limited partnership by its general partner, B.F. Ashweb, Inc.

By: *[Signature]*  
 Its: Vice President

WITNESSES:

*[Signature]*  
*[Signature]*

ATTEST:

*[Signature]*  
 Its: Assistant Secretary

ASSIGNEE

ASHLAND OIL, INC., a Kentucky corporation

By: *[Signature]*  
 J. Marvin Quin  
 Treasurer

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COMMONWEALTH OF MASSACHUSETTS

COUNTY OF SUFFOLK

The foregoing instrument was acknowledged before me this 23 day of April, 1987 by T. Lynch, Vice President of B. F. Ashweb, Inc., General Partner, on behalf of THE ASHWEB COMPANY, a Connecticut limited partnership.

Patricia Bueckle  
Notary Public

My commission expires: 4-27-91

(SEAL)

COMMONWEALTH OF KENTUCKY

COUNTY OF GREENUP

The foregoing instrument was acknowledged before me this 9th day of April, 1987 by J. Marvin Guin, Treasurer of ASHLAND OIL, INC., a Kentucky corporation, on behalf of the corporation.

Grace R. Mattingly  
Notary Public  
GRACE R. MATTINGLY

My commission expires My Commission expires August 29, 1988

(SEAL)

This instrument prepared by:

W. Thornton Scott  
W. Thornton Scott, Attorney  
P.O. Box 391  
Ashland, KY 41114

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## SCHEDULE A

PROPERTY NO. 3

A parcel of land situate in Cook County, Illinois, being more particularly described as follows:

That part of the Southeast Quarter of the Northeast Quarter of Section 25, Township 37 North, Range 13 East of the 3rd P.M. being that part lying north and easterly of the northerly line of the Sanitary District Channel described as follows:

A tract fronting on the west right of way line of Cicero Avenue a distance of 338.54 feet beginning at said northerly line of the Sanitary District Channel and running 338.54 feet in a northerly direction along the west line of Cicero Avenue, and having a depth varying from 190 feet along the said northerly line of said Sanitary District Channel to 130 feet measured at right angles to Cicero Avenue at the North end of said tract. The rear boundary line of this parcel is approximately parallel to the west line of Cicero Avenue.

24-33-202-009-0000

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DEPT-91 RECORDING  
TRAIL FROM 8279 11/26/87 10:07:00  
#217 # 24 87-23048  
COOK COUNTY RECORDER

\$19.00

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IN WITNESS WHEREOF

DO NOT WRITE IN THESE SPACES

IN WITNESS WHEREOF

IN WITNESS WHEREOF

Property of Cook County Clerk's Office

RECORDED

