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ASSIGNMENT AND ASSUMPTION OF LEASE

70-99-593 D1

K MART CORPORATION, a Michigan corporation, with offices at 3100 West Big Beaver Road, Troy, Michigan 48084 ("Assignor") for and in consideration of the sum of Ten (\$10.00) Dollars and other good and valuable consideration, to it paid by F & M DISTRIBUTORS, INC., a Michigan corporation with offices at 25800 Sherwood, Warren, Michigan 48091 ("Assignee"), receipt of which is hereby acknowledged, effective the date hereof, does hereby assign, transfer and set over unto Assignee all of Assignor's right, title and interest in and to the lease and Non-Disturbance Agreement, if any (the "Lease") described on Exhibit 1 which is annexed hereto and made a part hereof, together with all rights and interest of Assignor in and to the premises demised by the Lease (the "Premises") described on Exhibit 2 which is annexed hereto and made a part hereof.

TO HAVE AND TO HOLD the same unto Assignee, its successors and assigns, forever.

Assignee hereby accepts this Assignment and assumes payment and performance of all the covenants, agreements, terms, provisions, conditions, limitations and other obligations to be paid or performed on the part of Assignor under the Lease occurring from and after the date hereof.

This Assignment and Assumption of Lease shall inure to the benefit of and shall be binding upon the parties hereto, their successors, transferees and assigns.

This instrument and the rights and obligations of the parties hereunder are subject to the mutual indemnity provisions set forth in that certain Agreement between Assignor and Assignee dated February 3, 1987.

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IN WITNESS WHEREOF, Assignor and Assignee have caused this Assignment and Assumption of Lease to be duly executed this 30 day of April, 1987.

ASSIGNEE:

F & M DISTRIBUTORS ^{198B} ~~INC.~~ INC.,
a Michigan corporation

By: 

Wayne C. Innan
Its: Vice President and Assistant Secretary

ASSIGNOR:

K MART CORPORATION, a Michigan corporation

By: 

M. L. SKILES, VICE PRESIDENT
Its: _____

Prepared by:

Federick A. Synk, Esq.
Real Estate Department
K mart Corporation
3100 West Big Beaver Road
Troy, Michigan 48084

When recorded return to:

Henry J. Brennan III, Esq.
Marco, Eagan, Kennedy and Timmie
20180 Mack Avenue
Grosse Pointe, Michigan 48236

BOE 083-CC

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COOK COUNTY CLERK'S OFFICE
FILED FOR RECORD
1987 MAY - 8 PM 3:20

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ACKNOWLEDGMENTS

STATE OF Michigan)
) ss.
COUNTY OF Wayne)

On this 30 day of April, 1987, before me, the undersigned a Notary Public in and for said State, personally appeared Wayne C. Inman, personally known to me or proved to me on the basis of satisfactory evidence, to be the person who executed the foregoing instrument as the Assistant Secretary of F & M DISTRIBUTORS ~~INC.~~, INC. a Michigan corporation, the corporation therein named, and acknowledged to me that such corporation executed the foregoing instrument pursuant to its By-Laws or to a resolution of its Board of Directors. 1987

WITNESS my hand and official seal.

Kimberly A. Trocchio
Notary Public, County of: _____
My commission expires: _____
KIMBERLY A. TROCCHIO
Notary Public, Macomb County, Michigan
Acting in Wayne County
My Commission Expires September 12, 1988

STATE OF MICHIGAN)
) ss.
COUNTY OF OAKLAND)

On this 4th day of May, 1987, before me, the undersigned a Notary Public in and for said State, personally appeared M.S. Skiles, personally known to me to be or proved to me on the basis of satisfactory evidence, to be the person who executed the foregoing instrument as the Vice President of K MART CORPORATION, a Michigan corporation, the corporation therein named, and acknowledged to me that such corporation executed the within instrument pursuant to its By-Laws or to a resolution of its Board of Directors.

WITNESS my hand and official seal.

Mary A. Schmitzler
Notary Public, County of: _____
My commission expires: _____
MARY A. SCHMITZLER
Notary Public, Oakland County, Mich.
My Commission Expires May 10, 1987

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EXHIBIT 1

#2086 - Lansing, Illinois

1. Lease dated January 10, 1986, Amalgamated Trust & Savings Bank as Trustee under Trust #4951 to K mart Corporation.
2. Memorandum of lease dated January 10, 1986 (recorded).

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EXHIBIT 2

LEGAL DESCRIPTION

Lots 1 through 17, and Outlots A and B, being a part of The Landings Planned Unit Development, being a Subdivision of part of the Southwest 1/4 of Section 19, Township 36 North, Range 15 East of the Third Principal Meridian, in Cook County, Illinois, subject to that certain Declaration of Reciprocal Easements and Operating Covenants dated July 31, 1985, and recorded in Cook County, Illinois as Document No. 85149087.

Property Address: NEC Torrence Avenue & 170 Street
Lansing, Illinois

Permanent Tax Number: 30-19-301-005-0000

Lansing, Illinois

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