

ASSIGNMENT AND ASSUMPTION OF LEASE

\$17.00

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THIS ASSIGNMENT AND ASSUMPTION OF LEASE (the "Assignment") is made and entered into as of the 20<sup>th</sup> day of NOVEMBER, 1988, by and between EVANSTON THEATRES INC., an Illinois corporation ("Assignor"), and LOEWS CHICAGO CINEMAS, INC., an Illinois corporation ("Assignee").

W I T N E S S E T H:

WHEREAS, Chicago Title and Trust Company, as Trustee under Trust Agreement dated May 13, 1943, and known as Trust No. 32830, and Jacob Kaplan and Julius Kaplan, as beneficiaries of the Land Trust, as landlord ("Landlord"), and Assignor, as tenant, entered into a lease agreement dated November 1, 1984, a Memorandum of which lease was recorded September 17, 1985 as Document 85193383 and filed September 17, 1985 as Document LR2462647 (collectively the "Lease"), demising certain premises located at 1702 and 1716 Central, Evanston, Illinois 60201, which premises consists of theater auditoriums, the basement, projection booths, lobbies, box offices and marquees as depicted on the plot plan attached hereto as Exhibit A which is located on the real estate described on Exhibit B attached hereto; and

WHEREAS, Assignor wishes to assign all of its right, title and interest in and to the Lease to Assignee, upon the terms and conditions as hereinafter set forth; and

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WHEREAS, Assignee desires to take an assignment of the Lease, upon the terms and conditions as hereinafter set forth.

NOW, THEREFORE, in consideration of the mutual covenants and conditions set forth and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereby covenant and agree as follows:

1. Assignment of Lease. Assignor hereby assigns, grants, conveys and quitclaims all of its right, title and interest in and to the Lease to Assignee, its successors and assigns from the date hereof for all of the remaining term of the Lease, including all renewals and extensions thereof and all options to purchase, if any. Assignor also irrevocably assigns to Assignee all of its right, title and interest in and to (i) any and all insurance or real estate tax impounds, credits and deposits and (ii) any and all security deposits held in escrow by Landlord or third parties pursuant to the Lease.

2. Assumption of Tenant's Obligations. Assignee hereby covenants and agrees to assume, be bound by and perform all of the terms, covenants, agreements, conditions and provisions of the Lease on the part of Assignor to be honored, observed and/or performed with respect to facts or events occurring after the date hereof.

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3. Tenant's Address for Notices. As of the date hereof, Assignee's address for notices under the Lease shall be:

Loews Chicago Cinemas, Inc.  
c/o Columbia Pictures Entertainment, Inc.  
711 Fifth Avenue  
New York, New York 10022  
Attention: General Counsel

with a copy to:

Loews Theatre Management Corp.  
400 Plaza Drive  
Secaucus, New Jersey 07094  
Attention: Seymour Smith, Esq.

and

Columbia Pictures Entertainment, Inc.  
711 Fifth Avenue  
New York, New York 10022  
Attention: General Counsel

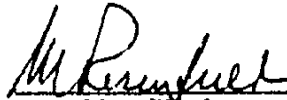
IN WITNESS WHEREOF, the parties hereto have caused this Assignment to be duly executed under proper authority as of the day and year first written above.

ATTEST:  


SECRET

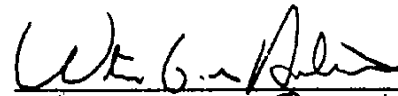
ASSIGNOR:

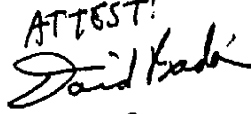
EVANSTON THEATRES INC., an Illinois corporation

By:   
Its: PRESIDENT  
Print Name: MARTIN ROSENFELD

ASSIGNEE:

LOEWS CHICAGO CINEMAS, INC., an Illinois corporation

By:   
Its: Senior Vice President  
Print Name: Winston Lynn Buitenen

ATTEST:  
  
Asst Sec.

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Cook County Clerk's Office

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## ACKNOWLEDGMENT OF ASSIGNOR

STATE OF ILLINOIS )  
 ) SS.  
COUNTY OF COOK )

I, the undersigned, a Notary Public, in and for the County and State aforesaid, do hereby certify that MARTIN ROSEN FELD and LOUIS MARKS, personally known to me to be the President and Secretary, respectively, of EVANSTON THEATRES INC., an Illinois 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 President and Secretary, they signed and delivered the said instrument 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 official seal this 2nd day of November, 1988.

  
Notary Public

My Commission Expires 3-19-89

## ACKNOWLEDGMENT OF ASSIGNEE

NEW JERSEY  
STATE OF ~~KENTUCKY~~ )  
HUDSON ) SS.  
COUNTY OF ~~COOK~~ )

I, the undersigned, a Notary Public, in and for the County and State aforesaid, do hereby certify that Winston G. van Buitenen and David I. Badain, personally known to me to be the Sr. Vice President and Assistant Secretary, respectively, of LOEWS CHICAGO CINEMAS, INC., an Illinois 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 Sr. Vice President and Assistant Secretary, they signed and delivered the said instrument and caused the corporate seal of said

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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 official seal this 28th day of October, 1988.

*Virginia C. Castano*  
Notary Public

My Commission Expires \_\_\_\_\_.

VIRGINIA C. CASTANO  
A Notary Public of New Jersey  
My Commission Expires July 10, 1989

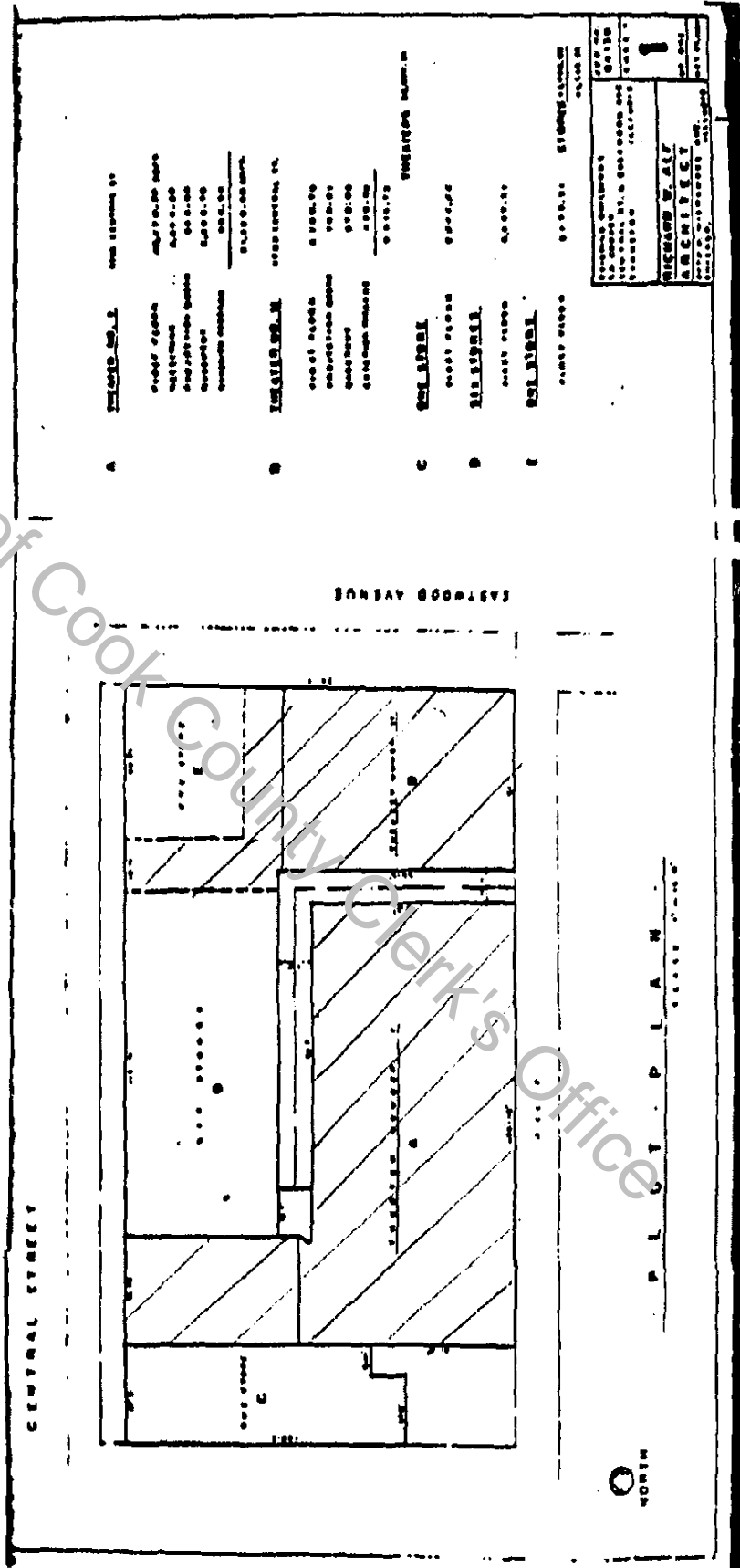
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## EXHIBIT A

Property of Cook County Clerk's Office



No.	Description	Area	Value	Remarks
1	Lot 1	0.12	1200.00	
2	Lot 2	0.12	1200.00	
3	Lot 3	0.12	1200.00	
4	Lot 4	0.12	1200.00	
5	Lot 5	0.12	1200.00	
6	Lot 6	0.12	1200.00	
7	Lot 7	0.12	1200.00	
8	Lot 8	0.12	1200.00	
9	Lot 9	0.12	1200.00	
10	Lot 10	0.12	1200.00	
11	Lot 11	0.12	1200.00	
12	Lot 12	0.12	1200.00	
13	Lot 13	0.12	1200.00	
14	Lot 14	0.12	1200.00	
15	Lot 15	0.12	1200.00	
16	Lot 16	0.12	1200.00	
17	Lot 17	0.12	1200.00	
18	Lot 18	0.12	1200.00	
19	Lot 19	0.12	1200.00	
20	Lot 20	0.12	1200.00	

PREPARED BY DRAWN BY CHECKED BY APPROVED BY DATE	PROJECT NO. SHEET NO. OF _____ TOTAL DATE OF ISSUE SCALE
<b>RICHARD W. ALF</b> <b>REGISTERED</b> <small>REGISTERED PROFESSIONAL ENGINEER</small> <small>NO. 123456789</small>	

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## EXHIBIT B

### Legal Description

Lots 6, 7, 8, 9 and 10 in Block 9 in North Evanston in Section 12, Township 41 North, Range 13 East of the Third Principal Meridian, in Cook County, Illinois

P.I. Number: 10-12-201-008  
Street Address: 1702 and 1716 Central  
Evanston, Illinois 60201

This instrument was prepared by  
and after recording, mail to:

Maureen A. Dowd  
Kirkland & Ellis  
200 East Randolph Drive  
Chicago, Illinois 60601

Box 289

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