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This document was prepared by:

050024  
Cook County, IL

David S. Handsman  
Weil, Gotshal & Manges  
767 Fifth Avenue  
New York, New York 10153

RECORDING REQUESTED BY:

I. Magnin, Inc.  
c/o R.H. Macy & Co., Inc.  
151 West 34th Street  
New York, New York 10001

88196890

AND WHEN RECORDED MAIL TO:

MAIL TO: Andrew M. Smith, Esq.  
Weil, Gotshal & Manges  
767 Fifth Avenue  
New York, New York 10153

88196890

MAIL TAX STATEMENTS TO:

I. Magnin, Inc.  
c/o R.H. Macy & Co., Inc.  
151 West 34th Street  
New York, New York 10001  
Attention: Corporate Tax Department

ASSIGNMENT AND ASSUMPTION OF LEASE

KNOW ALL MEN BY THESE PRESENTS, that FEDERATED DEPARTMENT STORES, INC., a Delaware corporation, having an office at 7 West Seventh Street, Cincinnati, Ohio 45202 (hereinafter called the "Assignor"), for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by the Assignor, hereby assigns, transfers, delivers and sets over to I. MAGNIN, INC., a Delaware corporation, having an office at 151 West 34th Street, New York, New York 10001 (hereinafter called the "Assignee"), all of the Assignor's right, title and interest, in, to and under the lease described on Schedule A attached hereto and made a part hereof (the "Lease"), as tenant thereunder, and the Assignor's interest, if any, in and to the buildings, improvements and fixtures erected on or located at the real property covered by the Lease.

TO HAVE AND TO HOLD the same unto the Assignee, its legal representatives and successors and assigns, from and after the date hereof for the balance of the term of the Lease, subject to the rents, terms, covenants, conditions and provisions of the Lease, without warranty of title, whether express, implied or statutory.

This Assignment is for nominal consideration from the Assignor to the Assignee, which is a wholly-owned sub-

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subsidiary of the Assignor, and accordingly no documentary transfer taxes are due.

The Assignee hereby accepts the within Assignment, and the Assignee, for the benefit of the Assignor and the lessor under the Lease, covenants and agrees, on behalf of the Assignee, the legal representatives and the successors and assigns of the Assignee, to keep, observe and perform from and after the date of the delivery of this Assignment each and every one of the terms, covenants, agreements, provisions, conditions, and limitations contained in the Lease, including all accrued liabilities and obligations of the Assignor under the Lease and including all liabilities and obligations of the Assignor originating under the Lease before and accruing after the effective date of this Assignment.

The Assignee, for the benefit of the Assignor and the lessor under the Lease, hereby assumes and agrees to pay and perform the obligations to be paid and performed by the Assignor under the Lease.

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

IN WITNESS WHEREOF, the Assignor and the Assignee have duly executed this instrument as of the 31 day of May, 1988.

Assignor:

FEDERATED DEPARTMENT STORES, INC.,  
a Delaware corporation

By: Dennis J. Broderick

Dennis J. Broderick  
Vice President

Assignee:

I. MAGNIN, INC.,  
a Delaware corporation

By: Dana B. Cobb

Dana B. Cobb  
Vice President

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STATE OF NEW YORK )  
                          ) ss:  
COUNTY OF NEW YORK)

On May 3, 1988, before me, the undersigned, a Notary Public in and for said State, personally appeared Dennis J. Broderick, personally known to me or proved to me on the basis of satisfactory evidence to be the person who executed the within instrument as the Vice President of the corporation that executed the within instrument, and acknowledged to me that such corporation executed the within instrument pursuant to its by-laws or resolution of its board of directors.

WITNESS my hand and official seal.

*Joanne Cole*

JOANNE COLE  
NOTARY PUBLIC, State of New York  
No. 31-4054454  
Qualified in New York County  
Commission Expires March 30, 1990

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502/60920.94

STATE OF NEW YORK )  
 ) ss:  
COUNTY OF NEW YORK)

On May 3, 1988, before me, the undersigned, a Notary Public in and for said State, personally appeared Dana B. Cobb, personally known to me or proved to me on the basis of satisfactory evidence to be the person who executed the within instrument as the Vice President of the corporation that executed the within instrument, and acknowledged to me that such corporation executed the within instrument pursuant to its by-laws or resolution of its board of directors.

WITNESS my hand and official seal.

*Joanne Cole*

JOANNE COLE  
NOTARY PUBLIC, State of New York  
No. 31-4854454  
Qualified in New York County  
Commission Expires March 30, 1990

502/60920.94/2-2

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## SCHEDULE "A"

I. Magnin - 050024

Chicago, Illinois

Lease, dated March 25, 1970, originally between N.K. Winston Corporation, as landlord, and Federated Department Stores, Inc., as tenant, as amended and supplemented, including, but not limited to, instruments dated April 20, 1970, June 18, 1970, October 1, 1971, May 29, 1973 and September 11, 1984.

Memorandum of Lease dated March 25, 1970 recorded April 30, 1970 as Document Number 21147828; Third Amendment to Lease dated September 11, 1984 recorded July 31, 1985 as Document Number 85127561.

DEPT-01 RECORDING \$16.00  
112222 TRAN 2117 05/09/88 14:37:00  
#4267 # 15 \*--88-196890  
COOK COUNTY RECORDER

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## LEGAL DESCRIPTION

### Parcel 1:

That part of Lots 1 and 2 in Ferry's Subdivision of part of Block 20 in Canal Trustee's Subdivision of the South Fractional quarter of Section 3, Township 39 North, Range 14 East of the Third Principal Meridian described as follows: Beginning at the North East corner of said Lot 1, thence West on the North line of said Lots, 184.85 feet to the South East corner of Lot 4 in said Subdivision; thence South at right angles to the said North line of Lots 1 and 2, to the South line of Lot 2; thence East on the South line of said Lots 1 and 2, 184.49 feet to the South East corner of said Lot 1; thence North on the East line of said Lot 1, 107.18 feet to the point of beginning, in Cook County, Illinois.

### PARCEL 2:

That part of the following described premises being parts of the first floor and basement of the "Tower space" as delineated on the aforesaid Lease and Memorandum thereof as Exhibit "B": Lots 1, 2, 3, 4, and 5 in Ferry's Subdivision of part of Block 20 in Canal Trustee's Subdivision of South Fractional quarter of Section 3, Township 39 North, Range 14 East of the Third Principal Meridian; Lot 4 in County Clerk's Division of Lot 2 in Subdivision of the South one-third of Lot 7 and East 140 feet of Lot 5 in Assessor's Division of the North two-thirds of said Block 20 in Canal Trustee's Subdivision of South Fractional quarter of Section 3, Township 39 North, Range 14 East of the Third Principal Meridian; Lots 15, 16, 17, 18 and 19 in Assessor's Division of the North two-thirds of said Block 20 in Canal Trustee's Subdivision of South Fractional quarter of Section 3, Township 39 North, Range 14 East of the Third Principal Meridian, in Cook County, Illinois.

### Permanent Tax Numbers:

17-03-225-024

17-03-225-025

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