

# UNOFFICIAL COPY

95709039

DEPT-01 RECORDING \$33.50  
 T#7777 TRAN 1313 10/18/95 13:28:00  
 #9305 + SK \*-95-709039  
 COOK COUNTY RECORDER

SPACE ABOVE LINE FOR RECORDER'S USE

## ASSIGNMENT AND ASSUMPTION OF GROUND LEASE (Transport. Niles, Illinois)

THIS ASSIGNMENT AND ASSUMPTION OF GROUND LEASE (this "Assignment") is made and entered into effective for all purposes and in all respects as of the 9th day of October, 1995 (the "Effective Date"), by and between REAL PROPERTIES MLP LIMITED PARTNERSHIP, a Delaware limited partnership ("Assignor"), whose mailing address is 11400 West Olympic Boulevard, Suite 700, Los Angeles, California 90064-1507, and the UNITED STATES POSTAL SERVICE, an independent establishment of the executive branch of the Government of the United States (39 U.S.C. § 201) whose mailing address is 475 L'Enfant Plaza, S.W., Washington, D.C. 20260-6433, Attention: Dennis E. Wamsley, Manager - Asset Management ("Assignee").

### RECITALS

A. The United States Postal Service, as tenant, and LaSalle National Bank, as Trustee under Trust Number 24200 (collectively, the "Ground Lessor"), as landlord, entered into that certain ground lease dated April 26, 1974 (the "Ground Lease") for certain real property located at 6977 West Oakton, Village of Niles, Illinois 60648 more particularly described on Exhibit "A" attached hereto and incorporated herein by this reference (the "Property"). The Ground Lease was recorded on August 28, 1975 in the Official Records of Cook County, Illinois as Document Number 23203868, relating to the property.

Recording Requested By and  
 When Recorded Return to:  
**United States Postal Service**  
**475 L'Enfant Plaza, S.W.**  
**Washington, D.C. 20260-1121**  
**Attn: Dennis E. Wamsley**



33.50  
 BWA

Dell  
 9/15/95  
 1449-9916  
 0100-1119

Property of Clerk's Office  
 95709039

UNOFFICIAL COPY

00000000

Property of Cook County Clerk's Office

# UNOFFICIAL COPY

B. The tenant's interest in the Ground Lease was subsequently transferred to Assignor pursuant to an Assignment of Lease dated December 13, 1989, recorded December 29, 1989 as Document 89621248.

C. Assignor and Assignee have entered into that certain Purchase and Sale Agreement dated as of June 27, 1995, as amended (the "Agreement"), pursuant to which Assignor has agreed to assign to Assignee, and Assignee has agreed to assume, the rights and obligations of the tenant under certain ground leases, including the Ground Lease.

## AGREEMENT

NOW, THEREFORE, in consideration of the foregoing, of the mutual covenants herein set forth and of other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. Effective Date of Assignment. This Assignment shall be effective as of the Effective Date.

2. Assignment and Assumption. Assignor hereby assigns and transfers to Assignee all of Assignor's right, title and interest in and to the Ground Lease and the leasehold estate, which assignment shall include, but shall not be limited to, all of the Assignor's right, title and interest in and to the buildings and improvements located on the Property. Assignee hereby accepts the foregoing assignment and assumes and promises to perform all of the obligations of Assignor under the Ground Lease arising from and after the Effective Date, including all obligations under the Ground Lease, if any, to maintain or repair any portion of the Property and the improvements thereon.

3. Miscellaneous Provisions. This Assignment is executed for the purpose of implementing and confirming the transfer of the Ground Lease from Assignor to Assignee as provided in the Agreement. This Assignment shall inure to the benefit of and shall be binding upon each of the parties hereto and the successors and assigns of such parties. This Assignment may be executed in counterparts, each of which shall be deemed an original, and all of which together shall constitute one and the same instrument. [SIGNATURES BEGIN ON NEXT PAGE]

95703139

UNOFFICIAL COPY

Property of Cook County Clerk's Office

# UNOFFICIAL COPY

IN WITNESS WHEREOF, the parties hereto have duly executed this Assignment as of the day and year first set forth above.

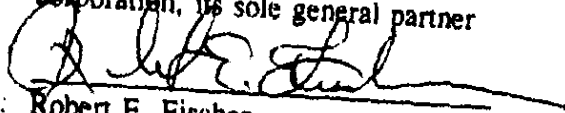
**ASSIGNOR:**

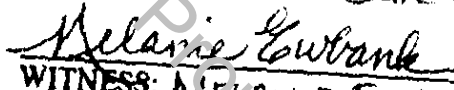
**REAL PROPERTIES MLP LIMITED PARTNERSHIP**, a Delaware limited partnership

SIGNED SEALED AND DELIVERED IN THE PRESENCE OF:

By: RRP-DGT GP Corp., a Delaware corporation, its sole general partner

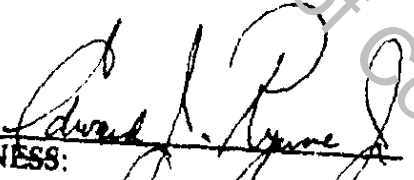
  
WITNESS: Melissa Barker


By:   
Name: Robert E. Fischer  
Title: President

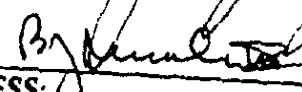
  
WITNESS: MELANIE EWANK

**ASSIGNEE:**

**UNITED STATES POSTAL SERVICE**, an independent establishment of the executive branch of the Government of the United States (39 U.S.C. § 201)

  
WITNESS: \_\_\_\_\_

By:   
Name: Dennis E. Wamsley  
Title: Contracting Officer

  
WITNESS: \_\_\_\_\_

04-00-1100

04-00-1100

UNOFFICIAL COPY

Property of Cook County Clerk's Office

# UNOFFICIAL COPY

STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF LOS ANGELES )

On this 13<sup>th</sup> day of October, 1995 before me, Dinah S Riddle, a Notary Public, personally appeared Robert E. Fischer, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument, the person or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

My Commission Expires: 8-19-97

Dinah S. Riddle  
Notary Public



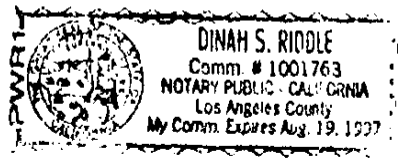
STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF LOS ANGELES )

On this 13<sup>th</sup> day of October, 1995 before me, Dinah S Riddle, a Notary Public, personally appeared Dennis E. Wamsley, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument, the person or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

My Commission Expires: 8-19-97

Dinah S. Riddle  
Notary Public



Transport (IL) 459  
1193219.03

9570009

UNOFFICIAL COPY

Property of Cook County Clerk's Office

95709009



# UNOFFICIAL COPY

ILLINOIS  
TRANSPORT  
BLDG. NO. 459

## EXHIBIT "A"

### LEGAL DESCRIPTION

#### PARCEL 1:

Leasehold Estate (as to the ground only) comprising and including all the buildings and improvements thereon created by Ground Lease dated April 26, 1974 by and between LaSalle National Bank, as Trustee under Trust Number 24200, Lessor, and the United States Postal Service, Lessee, recorded August 28, 1975 as Document Number 23203868 (also recorded as Document Number 23203870); and Supplemental Agreement by and between LaSalle National Bank, as Trustee under Trust Number 24200, and Robert R. Krilich, and The United States Postal Service, dated November 21, 1974 recorded August 28, 1975 as Document Number 23203869 amending said Ground Lease; and Assignment dated July 16, 1975 made by The United States Postal Service to C & B Ltd; recorded August 28, 1975 as Document Number 23203870, assigning all the right, title and interest of the Ground Lessee, The United States Postal Service, to C & B Ltd., a general partnership; and acceptance thereof by C & B Ltd. and The United States Postal Service dated May 30, 1975 recorded August 28, 1975 as Document Number 23203871; and Supplemental Agreement by and between LaSalle National Bank, as Trustee under Trust Number 24200, and Robert R. Krilich, and The United States Postal Service dated February 10, 1976 and Assignment thereof from The United States Postal Service to C & B Ltd., dated March 18, 1976 all recorded April 28, 1976 as Document Number 23406271 amending said Ground Lease; and Assignment dated May 6, 1976 recorded May 20, 1976 as Document Number 23492265, assigning all right, title and interest in and to the Ground Lease (as amended, supplemented and assigned set forth herein) made by C & B Ltd., a California general partnership, to Lem E. Wilson and Dorris M. Wilson, his wife, as joint tenants as to an undivided 2/3 interest and to Ray E. Wilson and Donna R. Wilson, his wife as joint tenants, as to an undivided 1/3 interest, as tenants in common; and Assignment of "Assignable Ground Lease" and Supplemental Agreements thereto dated September 27, 1982 recorded November 23, 1982 as Document Number 26419649, assigning all right, title and interest in and to the Ground Lease (as amended supplemented and assigned set forth herein made by Lem W. Wilson and Doris M. Wilson, his wife, and Ray E. Wilson and Donna R. Wilson his wife, to Mahmoudi, S.A., a Panamanian corporation; and Assignment of "Assignable Ground Lease"; and Supplemental Agreements thereto dated November 3, 1982 recorded November 23, 1982 as Document Number 26419652, assigning all right, title and interest in and to the Ground Lease (as amended, supplemented and assigned set forth herein) made by Mahmoudi, S.A., a Panamanian corporation, to Transport, Ltd., a California Limited Partnership; and Assignment of "Assignable Ground Lease" and Supplemental Agreements Thereto dated December 13, 1989 recorded December 29, 1989 as Document Number 89621248 made by Transport, Ltd., a California limited partnership to Real Properties MLP Limited Partnership, a Delaware limited partnership, which Lease demises the land for a term of years.

#### The Land:

That part of the Northwest quarter (1/4) of Section 30, Township 41 North, Range 13 East of the Third Principal Meridian, described as follows: Commencing at the intersection of the center line of Waukegan Road and the North line of said Northwest quarter (1/4); thence South, 7° 57' West along the center line of Waukegan Road, 691.38 feet; thence South 89° 2' East, 70.52 feet to the Point of Beginning of the property intended to be described; thence North 7° 57' East, 457.0 feet; thence North 89° 31' East,

UNOFFICIAL COPY

Property of Cook County Clerk's Office

9370 30 39

# UNOFFICIAL COPY

ILLNOIS  
TRANSPORT  
BLDG. NO. 459

## EXHIBIT "A" CONTINUED

### LEGAL DESCRIPTION

175.58 feet; thence South  $1^{\circ} 48' 13''$  West, 458.10 feet; thence North  $89^{\circ} 2'$  West, 22.75 feet; thence South  $30^{\circ} 4' 33''$  East, 14.43 feet; thence South  $57^{\circ} 24' 40''$  West, 8.43 feet; thence North  $89^{\circ} 2'$  West, 40.25 feet; thence North  $24^{\circ} 46' 44''$  West, 18.90 feet; thence North  $89^{\circ} 2'$  West, 152.55 feet to the Point of Beginning, (together with all the buildings and improvements located thereon), in Cook County, Illinois.

#### PARCEL 2:

Non-Exclusive Rights for ingress and egress for the benefit of Parcel 1, as granted in Assignable Ground Lease, dated April 26, 1974 and recorded August 28, 1975 as document number 23203868, by and between LaSalle National Bank trust number 24200 and the United States Postal Service, from Waukegan Road and Oakton Street, and the rights to use the shopping center roadways to and from the leased property.

TAX # 10-30-107-020, 023

6777 W. OAKTON NILES, IL.

UNOFFICIAL COPY

9570919

Property of Cook County Clerk's Office

# UNOFFICIAL COPY

## DECLARATION

The undersigned declares as follows:

1. The UNITED STATES POSTAL SERVICE is an independent establishment of the executive branch of the Government of the United States of America.

2. Accordingly, the conveyance of the property referenced in the attached Assignment and Assumption of Ground Lease from Real Properties MLP Limited Partnership to the UNITED STATES POSTAL SERVICE should be exempt from any transfer or recordation taxes.

Under penalty of perjury, the undersigned declares, to the best of its knowledge and belief, the foregoing is true and correct.

EXECUTED this 9<sup>th</sup> day of October 1995.

UNITED STATES POSTAL OFFICE

By: 

Name: Dennis E Wamsley

Title: Contracting Officer

UNOFFICIAL COPY

Property of Cook County Clerk's Office

8-20-2025