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. 42894 + JM *-95-277916
. COOK COUNTY RECORDER

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Above Space For Recorder's Use Only

3/8

ASSIGNMENT AND ASSUMPTION OF SUBLEASE

LUNAN FAMILY RESTAURANTS LIMITED PARTNERSHIP, an Illinois Limited Partnership, with its principal offices at 414 N. Orleans, Suite 402, Chicago, Illinois 60610 ("Assignor"), for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, to it paid by IHOP PROPERTIES, INC., a California corporation, with its principal offices at 525 N. Brand Boulevard, 3rd Floor, Glendale, California 91203 ("Assignee"), receipt of which is hereby acknowledged, does hereby assign, transfer and set over unto Assignee all of Assignor's right, title and interest in and to that certain Sublease dated September 30, 1991, between Marriott Family Restaurants, Inc., a Maryland corporation, as sublandlord, and Lunan Family Restaurants Limited Partnership, an Illinois Limited Partnership, as subtenant, a memorandum of which was recorded in the Office of the Recorder of Deeds of Cook County, Illinois, on October 2, 1991, as Document No. 91513476 (the "Sublease"), demising those certain Premises described on Exhibit A attached hereto and, by this reference, incorporated herein (the "Premises"), together with all rights and interests of Assignor in and to the Premises and all leasehold improvements contained therein or thereon.

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

Assignor hereby indemnifies and agrees to hold harmless Assignee, its successors and assigns, from and against any and all damage, loss, liability, claim, cost, expense, action and cause of action (including, without limitation, reasonable attorneys' fees and disbursements and costs of investigation incurred by Assignee) incurred by or asserted against Assignee, its successors and assigns, arising from and in connection with the Sublease which are attributable to acts, omissions or events occurring prior to the date hereof.

BOX 333-CTI

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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

2025 RELEASE UNDER E.O. 14176

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provisions, conditions, limitations and other obligations accruing to or to be paid or performed on the part of Assignor under the Sublease on and after the date hereof.

Assignee acknowledges receipt of the Sublease and hereby indemnifies and agrees to hold harmless Assignor, its successors and assigns, from and against any and all damage, loss, liability, claim, cost, expense, actions and causes of action (including, without limitation, reasonable attorneys' fees and disbursements and costs of investigation incurred by Assignor) incurred by or asserted against Assignor, its successors and assigns, arising from or in connection with the Sublease which are attributable to acts, omissions or events occurring on or after the date hereof.

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

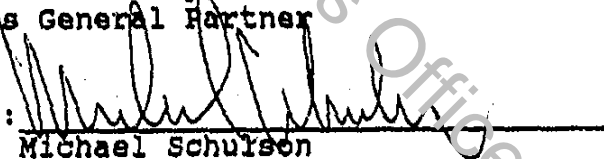
This Assignment and Assumption of Sublease may be executed in any number of counterparts, all of which shall constitute one and the same document.

IN WITNESS WHEREOF, Assignor and Assignee have caused this Assignment and Assumption of Sublease to be duly executed this 24th day of APRIL, 1995

ASSIGNOR:

LUNAN FAMILY RESTAURANTS, an Illinois limited partnership, Debtor and Debtor in Possession

By: Lunan Family Restaurants, Inc., an Illinois corporation,
Its General Partner

By: 
Michael Schurson
President

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ASSIGNEE:

IHOP PROPERTIES, INC., a California corporation

By: *Richard K. Herzer*
Richard K. Herzer
President

267058

COOK COUNTY
REAL ESTATE TRANSACTION TAX
151.50

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This Document Prepared By:

Robert B. Weil, Esq.
Sonnenschein Nath & Rosenthal
8000 Sears Tower
233 South Wacker
Chicago, Illinois 60606-6404

Send Subsequent Tax Bills To:

IHOP Properties, Inc.
525 North Brand Blvd.
3rd Floor
Glendale, California 91203

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After Recording Mail To:

Joseph J. London, Esq.
Warner Center Plaza
21800 Oxnard Street, Suite 1190
Woodland Hills, CA 91367

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9 27 1995

STATE OF ILLINOIS

COUNTY OF COOK

ss.

I, LAURA G. DURKIN, a notary public in and aforesaid County, in the State aforesaid, DO HEREBY CERTIFY that MICHAEL SCHULSON personally known to me to be the PRESIDENT of Lunan Family Restaurants, Inc., an Illinois corporation, the General Partner of Lunan Family Restaurants Limited Partnership, an Illinois limited partnership, and personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that as such PRESIDENT, that he signed and delivered the said instrument as the free and voluntary act and deed of said limited partnership, for the uses and purposes therein set forth.

GIVEN under my hand and official seal this 24th day of APRIL, 1995.



Laura G. Durkin
Notary Public
My Commission Expires:
9-17-97

STATE OF CALIFORNIA

COUNTY OF _____

s.s.

On _____, 1995, before me, _____, a Notary Public in and for said County and State, personally appeared Richard K. Herzer, personally known to me 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.

Signature _____

(Seal)

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STATE OF ILLINOIS)
)
COUNTY OF _____) ss.

I, _____, a notary public in and aforesaid County, in the State aforesaid, DO HEREBY CERTIFY that MICHAEL SCHULSON personally known to me to be the PRESIDENT of Lunan Family Restaurants, Inc., an Illinois corporation, the General Partner of Lunan Family Restaurants Limited Partnership, an Illinois limited partnership, and personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that as such PRESIDENT, that he signed and delivered the said instrument as the free and voluntary act and deed of said limited partnership, for the uses and purposes therein set forth.

GIVEN under my hand and official seal this _____ day of _____, 1995.

Notary Public
My Commission Expires:

STATE OF CALIFORNIA)
)
COUNTY OF Los Angeles) S.S.

On April 19th, 1995, before me, Cathy Celano, a Notary Public in and for said County and State, personally appeared Richard K. Herzer, personally known to me 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.

Signature _____

Cathy Celano

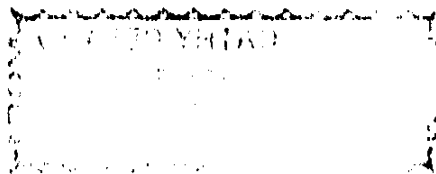


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EXHIBIT A

LEGAL DESCRIPTION

Parcel 1:

A parcel of land in the Northeast 1/4 of Section 3, Township 39 North, Range 12, East of the Third Principal Meridian described as follows: Commencing at a point 94.82 feet South of the North line of aforesaid Section 3 and 33 feet West of the East line of aforesaid Section 3, being the intersection of the West line of 9th Avenue and the South line of North Avenue, running thence North 89°42'10" West in the South line of aforesaid North Avenue a distance of 400.97 feet; thence running South 00°19'50" West 26.50 feet to the point of beginning; thence continuing South 00°19'50" West 131.00 feet; thence running North 89°40'10" West 145.00 feet; thence running North 00°19'50" East 131.00 feet; thence run South 89°40'10" East 145.00 feet to the point of beginning, in Cook County, Illinois.

Parcel 2:

Non-exclusive easements and rights, appurtenant to and benefitting Parcel 1 to and for the benefit of Bond Drug Company of Illinois and, among others, its successors and assigns, as created and existing by the document entitled "Lease" dated December 26, 1986 between LaSalle National Bank, as Trustee under Trust Agreement dated May 15, 1981 and known as Trust No. 103971, and Bond Drug Company of Illinois, as disclosed by the document entitled "Memorandum of Lease" recorded February 20, 1987 as Document No. 87100763 for, among other things, vehicular parking, pedestrian and vehicular passage, ingress to and egress from said Parcel 1 to and from adjacent streets, highways, roads and rights-of-way over and across all driveways, entrance ways, roadways, walking areas and parking areas located within the area described in said Lease, and for the purpose of connection to and use of existing and future drainage and utility facilities located over, under and across the area described in said Lease.

PIN No.: 15-03-211-007-0000

Commonly known as: 1040 Winston Plaza, Melrose, Park, Illinois

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