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ASSIGNMENT OF DECLARATION

96896659

DEPT-01 RECORDING \$33.00
 T40012 TRAN 3192 11/25/96 11:05:00
 40830 & RC N-96-896659
 COOK COUNTY RECORDER

This document prepared by:

When recorded mail to:

Jonathan L. Mills
 Sugar, Friedberg & Felsenthal
 30 North LaSalle Street
 Suite 2600
 Chicago, Illinois 60602

Jonathan L. Mills
 Sugar, Friedberg & Felsenthal
 30 North LaSalle Street
 Suite 2600
 Chicago, Illinois 60602

3300

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THIS ASSIGNMENT OF DECLARATION ("this Assignment") is dated NOVEMBER 11, 1996 and is by and between OLD ORCHARD CAR WASH, INC., an Illinois corporation ("Assignor") and TURTLE WAX, INC., an Illinois corporation ("Assignee").

LASALLE NATIONAL TRUST, N.A., as successor trustee to LASALLE NATIONAL BANK, not individually but solely as trustee under a trust agreement dated February 23, 1960 and known as Trust No. 10-10835-09 ("LaSalle"), is the owner of the land legally described in the Exhibit attached hereto.

Assignor, LaSalle, and LOEWS CHICAGO CINEMAS, INC., an Illinois corporation ("Loews") are parties to a Declaration of Easements and Operating Agreement dated November 3, 1988 and recorded by the Cook County Recorder of Deeds on 11/2/96 1996 as document no. 96-96896659 ("the Declaration") pursuant to which Assignor acquired rights and easements with respect to the Theater Parcel, as therein defined, subject to the terms and conditions of the Declaration.

Assignor, as lessor, and Assignee, as lessee, are parties to a Commercial Sublease dated as of the date hereof ("the Sublease") pursuant to which Assignor leases to Assignee, and Assignee leases from and occupies, the Car Wash Parcel. The Commencement Date of the Sublease is the date hereof. The Termination Date of the Sublease is November 11, 2011.

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BOX 333-CTI

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For \$10.00 and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto stipulate and agree as follows:

1. Assignment of Rights Under Declaration. (a) Except as provided in Paragraph 1(b) hereof, Assignor hereby assigns to Assignee during the term of this Assignment, without qualification or exception, all of Assignor's rights, titles, and interests arising out of the Declaration. (b) Assignor's assignment of the rights and privileges of the Car Wash Operator set forth in Section 6.6 of the Declaration is on a non-exclusive basis the rights and with the intent that the unanimous consent of Assignor and Assignee shall be required to constitute the consent of the Car Wash Operator for purposes of Section 6.6.

2. Assumption of Obligations Under Declaration. Assignee hereby assumes during the term of this Assignment all covenants, duties, undertakings, and other obligations due from the Car Wash Operator under the Declaration.

3. Term of Assignment. The provisions of this Assignment shall be effective throughout the term of the Sublease and shall terminate on the termination of the Sublease.

4. Notices. Any notice or other communication required to be given to Assignee shall be addressed to:

Turtle Wax, Inc.
5655 West 73rd Street
Chicago, Illinois 60639-6211
Attn: Raymond F. Kolodziej
and
Wilson N. Boyles

with a copy to:

Jonathan L. Mills
Sugar, Friedberg & Felsenthal
30 North LaSalle Street
Suite 2600
Chicago, Illinois 60602

5. Interpretation; Partial Invalidity; Binding on Successors and Assigns; Counterparts. This Assignment shall be interpreted and enforced in accordance with the laws of the State of Illinois. Use of paragraph headings and of singular or plural, masculine, feminine, or neuter nouns and pronouns is for convenience only and shall be liberally construed. The invalidity or unenforceability of any provision hereof shall not affect, modify, or impair the validity and enforceability of all other provisions hereof. This Assignment shall be binding on and shall inure to the benefit of the parties hereto and their

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representatives, heirs, legatees, successors, and assigns. This Assignment may be executed in counterparts, but all counterparts shall constitute one and the same agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Assignment on or as of the date first above written.

ASSIGNOR:

Old Orchard Car Wash, Inc.

By: [Signature]
Jerrold Marks, Treasurer

ASSIGNEE:

Turtle Wax, Inc.

By: [Signature]
Raymond P. Kolodziej, Vice
President

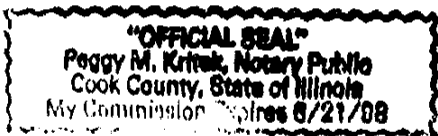
STATE OF ILLINOIS)
COUNTY OF COOK) SS

ACKNOWLEDGMENT

I, the undersigned, a notary public in and for the State and County aforesaid, do hereby certify that Jerrold Marks, the treasurer of Old Orchard Car Wash, Inc., an Illinois corporation, 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 treasurer, he signed and delivered the said instrument as his free and voluntary act for the uses and purposes therein set forth.

Given under my hand and official seal this 13th day of November, 1996.

[Signature]
Notary Public
My commission expires: 6-21-98



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representatives, heirs, legatees, successors, and assigns. This Assignment may be executed in counterparts, but all counterparts shall constitute one and the same agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Assignment on or as of the date first above written.

ASSIGNOR:

Old Orchard Car Wash, Inc.

By: _____
Jerrold Marks, Treasurer

ASSIGNEE:

Turtle Wax, Inc.

By: _____
Raymond P. Kołodziej, Vice
President

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

ACKNOWLEDGMENT

I, the undersigned, a notary public in and for the State and County aforesaid, do hereby certify that Jerrold Marks, the treasurer of Old Orchard Car Wash, Inc., an Illinois corporation, 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 treasurer, he signed and delivered the said instrument as his free and voluntary act for the uses and purposes therein set forth.

Given under my hand and official seal this ____ day of
November, 1996.

Notary Public
My commission expires: _____

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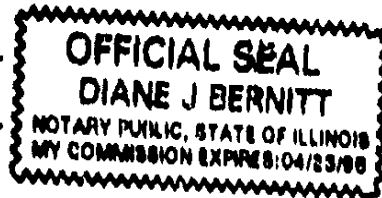
STATE OF ILLINOIS)
 COUNTY OF COOK) SS

ACKNOWLEDGMENT

I, the undersigned, a notary public in and for the State and County aforesaid, do hereby certify that Raymond P. Kolodziej, Vice President of Turtle Wax, Inc., an Illinois corporation, 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 Vice President, he signed and delivered the said instrument as his free and voluntary act for the uses and purposes therein set forth.

Given under my hand and official seal this 12th day of November, 1996.

Diane J. Berritt
 Notary Public
 My commission expires:



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Parcel 1:

Lot 16 (excepting from said Lot the East 10 feet thereof, taken for widening of Skokie Boulevard) in Payne's Subdivision of part of the Northeast 1/4 of Section 16, Township 41 North, Range 13 East of the Third Principal Meridian, in Cook County, Illinois.

also:

That part of the Northeast 1/4 of Section 16, Township 41 North, Range 13 East of the Third Principal Meridian, in Cook County, Illinois, described as follows:

Beginning at the Southwest corner of Lot 16 in Payne's Subdivision of part of the Northeast 1/4 of said Section 16; thence West, along the Westerly extension of the South line of Lot 16, a distance of 14.40 feet; thence North, along a line drawn parallel with the West line of Lot 16, a distance of 39.40 feet; thence East, along a line drawn parallel with the Westerly extension of the South line of Lot 16, a distance of 14.40 feet to the point of intersection with the West line of Lot 16; thence South 39.40 feet to the point of beginning, in Cook County, Illinois.

Permanent index numbers: 10-16-201-011-0000
10-16-222-016-0000

Parcel 2:

All of Lots 11 to 15 both inclusive (excepting from said Lots the East 10 feet thereof, taken for widening of Skokie Boulevard and also excepting from said lots 11, 12, and 13 those parts taken for dedication of Emerson Street) in Payne's Subdivision of part of the Northeast 1/4 of Section 16, Township 41 North, Range 13 East of the Third Principal Meridian, in Cook County, Illinois.

Permanent index numbers: 10-16-222-011-0000
10-16-222-012-0000
10-16-222-013-0000
10-16-222-014-0000
10-16-222-015-0000

Address Over Skokie Blvd, Skokie

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Parcel 3:

The North 895 feet of that part of the Northeast 1/4 of Section 16, Township 41 North, Range 13 East of the Third Principal Meridian, described as follows:

Commencing on the East line of said Section, 10 chains South of the Northeast corner thereof; thence South on said East line, 20.18 chains to the center line of Gross Point Road; thence South 45 degrees West along the center of said Road, 3.74 chains; thence North 26 degrees West, 25.77 chains to a point 10 chains South of the North line of said Section; thence East parallel with the North line of said Section, 14.4 chains to the place of beginning (excepting from said North 895 feet, the East 240 feet thereof and also that part thereof lying North of a line which is 373 feet South of and parallel with the North line of the South 1/2 of the Northeast 1/4 of the Northeast 1/4 of said Section 16), in Cook County, Illinois.

also:

Lot 7 (except the North 8 feet 3 5/8ths inches thereof) and all of Lots 8, 9, and 10 (excepting from said Lots the East 10 feet thereof, taken for widening of Skokie Boulevard) in Payne's Subdivision of part of the Northeast 1/4 of Section 16, Township 41 North, Range 13 East of the Third Principal Meridian, in Cook County, Illinois.

Permanent index numbers: 10-16-204-011-0000
10-16-222-019-0000
10-16-222-020-0000

Address 9400 Skokie Blvd, Skokie

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