

# UNOFFICIAL COPY

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1998-09-23 08:40:43  
Cook County Recorder 31.00

## ASSIGNMENT OF ASSIGNMENT OF LEASES AND RENTS

MADE BY

SWISSOTEL HOLDING, INC.

TO

SNH FINANZIERUNGEN AG

D 17683912  
J By

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Dated: ns of August 1, 1998

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PERMANENT INDEX NO.: 17-10-318-025-0000

COUNTY: COOK

STREET ADDRESS: 323 East Wacker Drive  
Chicago, Illinois 60601

Prepared by and Record and Return To:

Parker Chapin Flattau & Klimpl, LLP  
1211 Avenue of the Americas  
New York, New York 10036-8735  
Att'n.: Harvey Boneparth, Esq.

22049 **BOX 333-CTI**

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## ASSIGNMENT OF ASSIGNMENT OF LEASES AND RENTS

KNOW THAT SWISSOTEL HOLDING, INC., a Delaware corporation having an office at 405 Park Avenue, New York, New York 10022 ("Assignor"), in consideration of Ten Dollars (\$10.00) and other good and valuable consideration paid by SNH FINANZIERUNGEN AG, a Swiss corporation having an office at P.O. Box, CH-8058 Zurich Airport, Switzerland ("Assignee"), hereby assigns unto Assignee the Assignment of Leases and Rents described on Schedule A attached hereto and made a part hereof covering premises described on Schedule B attached hereto and made a part hereof:

**TOGETHER** with the notes, indebtedness and obligations secured thereby and described in said assignment and the moneys due and to grow due thereon with the interest:

**TO HAVE AND TO HOLD** the same unto Assignee and to the successors, legal representatives and assigns of Assignee forever.

This Assignment of Assignment of Leases and Rents is made without recourse to Assignor.

**IN WITNESS WHEREOF**, Assignor has duly executed this Assignment of Assignment of Leases and Rents as of August 1, 1998.

SWISSOTEL HOLDING, INC.

By: 

Name: Michael A. Fyan  
Title: Vice President - Finance

By: 

Name: Melvin Weinberg  
Title: Secretary

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NEW YORK  
STATE OF PENNSYLVANIA)  
NEW YORK) SS.:  
COUNTY OF CAMBRIA )

I, HILARIE LEVION KATZ, a Notary Public in and for said County, in the State aforesaid, do hereby certify that Michael A. Fynn, the Vice President - Finance of **Swissotel Holding, Inc.**, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument in such capacity, appeared before me in person and acknowledged that he signed and delivered the said instrument in such capacity as his own free voluntary act and as the free and voluntary act of said corporation, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal, this 14<sup>th</sup> day of September, 1998.

Hilarie Levion Katz  
NOTARY PUBLIC  
(Seal)

[Commission Expiration Date  
(if not part of seal)]: 7/5/2000

HILARIE LEVION KATZ  
Notary Public, State of New York  
No. 01KA4935894  
Qualified in New York County  
Commission Expires July 5, 2000

STATE OF NEW YORK )  
 ) SS.:  
COUNTY OF NEW YORK)

I, HILARIE LEVION KATZ, a Notary Public in and for said County, in the State aforesaid, do hereby certify that Melvin Weinberg, the Secretary of **Swissotel Holding, Inc.**, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument in such capacity, appeared before me in person and acknowledged that he signed and delivered the said instrument in such capacity as his own free voluntary act and as the free and voluntary act of said corporation, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal, this 14<sup>th</sup> day of September, 1998.

Hilarie Levion Katz  
NOTARY PUBLIC  
(Seal)

[Commission Expiration Date  
(if not part of seal)]: 7/5/2000

HILARIE LEVION KATZ  
Notary Public, State of New York  
No. 01KA4935894  
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COOK COUNTY CLERK'S OFFICE  
111 WEST WASHINGTON STREET  
CHICAGO, ILLINOIS 60601  
TELEPHONE (312) 603-1000  
FAX (312) 603-1001

COOK COUNTY CLERK'S OFFICE  
111 WEST WASHINGTON STREET  
CHICAGO, ILLINOIS 60601  
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Schedule A

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Assignment of Lenses and Rents dated as of August 1, 1997, made by BRE/Swiss L.L.C. to Swissotel Ventures, Inc., recorded on August 7, 1997, in the Cook County Recorder's Office as Document No. 97574985.

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**Schedule B**  
[Legal Descriptions]

Parcel 1:

A parcel of land, being a part of the lands lying east of and adjoining Fort Dearborn addition to Chicago, being the whole of the south west fractional 1/4 of section 10, Township 39 north, Range 14 east of the third principal meridian, in Cook County, Illinois, located and described as follows:

Commencing on the east line of North Columbus Drive, 110 feet wide, (as said North Columbus Drive was dedicated and conveyed to the City of Chicago by instrument recorded in the Recorder's Office of Cook County, Illinois on June 5, 1972 as Document Number 21925615) at a point which is 768.878 feet, measured along said east line, north from the point of intersection of said east line, (extended south) with the north line of East Randolph Street, (as said East Randolph Street was dedicated and conveyed to the City of Chicago by instrument recorded in said Recorder's Office on December 11, 1979, as Document Number 25276446), and running thence east along a line perpendicular to said east line of North Columbus Drive (said perpendicular line being also the north line of the arcade level park as said arcade level park is located and defined in the amendatory lake front ordinance passed by the City Council of the City of Chicago on September 17, 1969), a distance of 381.738 feet; thence north along a line perpendicular to said last described course, a distance of 146.625 feet, to the point of beginning for the parcel of land hereinafter described; thence continuing north along said last described perpendicular line, a distance of 141.107 feet to an intersection with the southerly line of East Wacker Drive as said East Wacker Drive was dedicated and conveyed to the City of Chicago by the aforesaid instrument recorded as Document Number 21925615; thence westwardly along said southerly line of East Wacker Drive (said southerly line being here a straight line deflecting 85 degrees 24 minutes 29 seconds to the left from a northward extension of the last described course), a distance of 12.571 feet; thence continuing westwardly along said southerly line of East Wacker Drive, said southerly line being here the arc of a circle which is tangent to the last described course, is convex to the south and has a radius of 1840.488 feet, a distance of 162.710 feet; thence continuing westwardly along said southerly line of East Wacker Drive, said southerly line being here a straight line which is tangent to the last described course, a distance of 47.914 feet to an intersection with a line of 160.571 feet, measured perpendicularly, east from and parallel with said east line, and northward extension thereof, of North Columbus Drive; thence south along said parallel line a distance of 170.325 feet to a point which is 146.625 feet north from the aforementioned north line of the arcade level park; thence east along a line perpendicular to said last described course, a distance of 221.167 feet, to the point of beginning.

Parcel 2:

Perpetual and non-exclusive easement to install, use, maintain, repair and replace underground storm sewer, sanitary sewer, water, gas and electric lines in the 15 foot wide strip of land (herein called "Utility Easement Area") to serve Parcel 1 from the existing 66 foot utility easement, as created by instrument titled "Easements, Covenants and Restrictions" recorded June 30, 1886 as document number 86267044, over the following described land:

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A parcel of land, being a part of the lands lying east of and adjoining Fort Dearborn addition to Chicago, being the whole of the south west fractional 1/4 of Section 10, Township 39 north, Range 14 east of the third principal meridian, in Cook County, Illinois, which parcel of land is bounded and described as follows:

Commencing on the east line of North Columbus Drive (as said North Columbus Drive was dedicated and conveyed to the City of Chicago by instrument recorded in the Recorder's Office of Cook County, Illinois, on June 5, 1972 as document number 21925615) at a point which is 844.72 feet, measured along said east line, north from the point of intersection of said east line, extended south, with the north line, extended east, of East Randolph Street; and running thence east along a line perpendicular to said east line of North Columbus Drive (said perpendicular line being also the north line of a certain strip of land, 66 feet wide, conveyed to the City of Chicago for public utilities by instrument recorded in said Recorder's Office on May 14, 1962 as document number 18474522) a distance of 170.571 feet to the point of beginning at the south west corner of the hereinafter described parcel of land; thence north along a line parallel with said east line of North Columbus Drive, a distance of 70.783 feet; thence east along a line perpendicular to the last described line, a distance of 15.00 feet; thence south along a line parallel with said east line of North Columbus Drive, a distance of 70.783 feet to said north line of the strip of land conveyed to the City of Chicago for public utilities; thence west along said line a distance of 15.00 feet to the point of beginning.

TA # N97-1655  
RECORD AND RETURN TO:  
TITLE ASSOCIATES INC.  
430 PARK AVENUE  
NEW YORK, NY 10022  
D.M. PAPAGNI

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