



201208270076

Skagit County Auditor

8/27/2012 Page

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5 10:29AM

THIS DOCUMENT PREPARED BY AND  
UPON RECORDATION RETURN TO:  
VANESSA ORTA, ESQ.  
ANDERSON, McCOY & ORTA, P.C.  
100 North Broadway, Suite 2600  
Oklahoma City, Oklahoma 73102

**DOCUMENT TITLE:**

ASSIGNMENT OF ASSIGNMENT OF LEASES AND RENTS

**BORROWER(S):**

ROWEN BURLINGTON OPCO. LLC, a Delaware limited liability company

**GRANTOR/ASSIGNOR:**

MORGAN STANLEY MORTGAGE CAPITAL HOLDINGS LLC, a New York limited liability company

**GRANTEE/ASSIGNEE:**

U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR MORGAN STANLEY CAPITAL I INC., COMMERCIAL MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2012-C5 having an address at 190 S. LaSalle Street, 7th Floor, Mail Code MK-IL-SL7, Chicago, IL 60603 ("Assignee")

**PROPERTY DESCRIPTION:**

1. Parcel Number(s): P24104 and P23978
2. SHORT LEGAL DESCRIPTION: Abbreviated form: Ptn of the SE/4 NE/4, 7-34-4 E W.M. aka Trs. A&B, Survey #200501130086, **Skagit County, Washington**
3. ADDITIONAL DESCRIPTION ON EXHIBIT "A" OF DOCUMENT

**RECORDING NUMBER REFERENCES:**

# 201204020129

AMO ID: 882.063

Loan/File Name: Burlington Retail Center

KNOW THAT

**MORGAN STANLEY MORTGAGE CAPITAL HOLDINGS LLC, a New York limited liability company**, having an address at 1585 Broadway, New York, NY 10036 ("Assignor"),

For valuable consideration given by:

**U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR MORGAN STANLEY CAPITAL I INC., COMMERCIAL MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2012-C5**, having an address at 190 S. LaSalle Street, 7th Floor, Mail Code MK-IL-SL7, Chicago, IL 60603 ("Assignee"),

the receipt and sufficiency of which is hereby acknowledged, Assignor does hereby grant, bargain, sell, convey, assign, transfer, and set over, without recourse, representation and warranty, all of Assignor's right, title and interest, of any kind whatsoever, including that of mortgagee, beneficiary, payee, assignee or secured party (as the case may be), in and to the following:

ASSIGNMENT OF LEASES AND RENTS (as same may have been amended) by ROWEN BURLINGTON OPCO, LLC, a Delaware limited liability company ("Borrower"), to Assignor, and recorded April 2, 2012, as Document Number 201204020129, in the Real Estate Records pertaining to the land situated in the State of Washington, County of Skagit ("Real Estate Records");

covering the property described as Abbreviated form: Ptn of the SE/4 NE/4, 7-34-4 E W.M. aka Trs. A&B, Survey #200501130086, Skagit County, Washington;

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

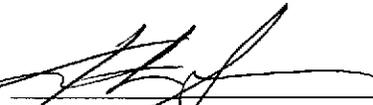
IN WITNESS WHEREOF, the Assignor has caused these presents to be effective as of July 30, 2012.



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ASSIGNOR:

**MORGAN STANLEY MORTGAGE  
CAPITAL HOLDINGS LLC, a New  
York limited liability company**

By:   
Name: Kristin Sansone  
Title: Vice President

STATE OF NEW YORK )  
                                  )  
COUNTY OF NEW YORK )

On the 1st day of August, 2012, before me, the undersigned, a Notary Public in and for said state, personally appeared Kristin Sansone, as Vice President of Morgan Stanley Mortgage Capital Holdings LLC, 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 she executed the same in her authorized capacity, and that by her 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:

12.6.2014

Signature:   
Notary Public

LESLIE RUSSO  
Notary Public, State of New York  
No. 01RU6232298  
Qualified in New York County  
Commission Expires Dec. 6, 2014



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**EXHIBIT A  
LEGAL DESCRIPTION**

PARCEL "A":

That portion of the Southeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of Section 7, Township 34 North, Range 4 East, W.M., described as follows:

Beginning at a point on the West line of State Highway No. 99, that is 30 feet West and 305.07 feet South of the Northeast corner of said subdivision;  
thence North  $88^{\circ}50'30''$  West parallel to the North line of said subdivision, 398.8 feet, more or less, to the West line of that certain tract deeded to Emil Hanson by Deed recorded under Auditor's File No. 362759;  
thence Southerly parallel to the East line of said subdivision, 101.55 feet;  
thence South  $88^{\circ}50'30''$  East to the West line of said Highway;  
thence North along said West line to the point of beginning,

EXCEPT that portion thereof lying East of a line drawn 40 feet West of and parallel with the East line of said subdivision.

Situate in the City of Burlington, County of Skagit, State of Washington.

PARCEL "B":

That portion of the Southeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of Section 7, Township 34 North, Range 4 East, W.M., described as follows:

Beginning at a point on the West line of State Highway No. 99, that is 30 feet West and 406.62 feet South of the Northeast corner of said subdivision;  
thence North  $88^{\circ}50'30''$  West parallel to the North line of said subdivision, 399.09 feet, more or less, to the West line of that certain tract deeded to Emil Hanson by Deed recorded under Auditor's File No. 362759;  
thence Southerly parallel to the East line of said subdivision, 50 feet;  
thence South  $88^{\circ}50'30''$  East to the West line of said Highway;  
thence North along said West line to the point of beginning,

EXCEPT that portion thereof lying East of a line drawn 40 feet West of and parallel with the East line of said subdivision.

EXCEPT that portion conveyed to the City of Burlington, a municipal corporation by Deed recorded September 3, 2003, under Skagit County Auditor's File No. 200309030115 for road right-of-way.

Situate in the City of Burlington, County of Skagit, State of Washington.



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PARCEL "C":

A non-exclusive easement for ingress, egress and utilities in favor of the above described Parcels "A" and "B" over and across an adjoining portion of the Southeast ¼, of the Northeast ¼, of Section 7, Township 34 North, Range 4 East, W.M., as established and more particularly described on Easement Agreement dated September 30, 1998 and recorded November 2, 1998, under Auditor's File No. 9811020023.

Situate in the City of Burlington, County of Skagit, State of Washington.



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