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Skagit County Auditor

\$78.00

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**DOCUMENT PREPARED BY AND
WHEN RECORDED, RETURN TO:**
ANDERSON, McCOY & ORTA, P.C.
100 North Broadway, Suite 2600
Oklahoma City, Oklahoma 73102
Telephone: 888-236-0007

DOCUMENT DATE:
EFFECTIVE AS OF FEBRUARY 25, 2016

DOCUMENT TITLE:
ASSIGNMENT OF ASSIGNMENT OF LEASES AND RENTS

BORROWER(S):
ROCAR SEDRO-WOOLLEY, LLC

GRANTOR/ASSIGNOR:
MORGAN STANLEY MORTGAGE CAPITAL HOLDINGS LLC, A NEW YORK LIMITED
LIABILITY COMPANY, HAVING AN ADDRESS AT 1585 BROADWAY, NEW YORK,
NY 10036

GRANTEE/ASSIGNEE:
U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR MORGAN STANLEY BANK
OF AMERICA MERRILL LYNCH TRUST 2016-C28, COMMERCIAL MORTGAGE PASS-
THROUGH CERTIFICATES, SERIES 2016-C28, HAVING AN ADDRESS AT 190 S.
LASALLE STREET, 7TH FLOOR, CHICAGO, IL 60603,

PROPERTY DESCRIPTION:
PARCEL NUMBER(S): P77397, 4176-008-020-0009
LEGAL DESCRIPTION ATTACHED

RECORDING NUMBER REFERENCE(S):
201511240050

Reference No.: 8023.131
Matter Name: Walgreens - Sedro Woolley, WA
Pool: MSBAM 2016-C28

ASSIGNMENT OF ASSIGNMENT OF LEASES AND RENTS

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

to

**U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR MORGAN STANLEY BANK
OF AMERICA MERRILL LYNCH TRUST 2016-C28, COMMERCIAL MORTGAGE PASS-
THROUGH CERTIFICATES, SERIES 2016-C28**
(Assignee)

Effective as of February 25, 2016

Parcel Number(s): P77397, 4176-008-020-0009
County of Skagit
State of Washington

DOCUMENT PREPARED BY AND WHEN RECORDED, RETURN TO:
ANDERSON, McCOY & ORTA, P.C.
100 North Broadway, Suite 2600
Oklahoma City, Oklahoma 73102
Telephone: 888-236-0007

ASSIGNMENT OF ASSIGNMENT OF LEASES AND RENTS

As of the 25th day of February, 2016, MORGAN STANLEY MORTGAGE CAPITAL HOLDINGS LLC, a New York limited liability company, having an address at 1585 Broadway, New York, NY 10036, ("Assignor"), as the holder of the instrument hereinafter described and for valuable consideration hereby endorses, assigns, sells, transfers and delivers to U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR MORGAN STANLEY BANK OF AMERICA MERRILL LYNCH TRUST 2016-C28, COMMERCIAL MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2016-C28, having an address at 190 S. LaSalle Street, 7th Floor, Chicago, IL 60603, ("Assignee"), its successors, participants and assigns, without recourse or warranty, all right, title and interest of Assignor in and to that certain:

ASSIGNMENT OF LEASES AND RENTS made by ROCAR SEDRO-WOOLLEY, LLC, a Delaware limited liability company to MORGAN STANLEY BANK N.A., a national banking association dated as of November 24, 2015 and recorded on November 24, 2015, as Instrument Number 201511240050 in the Recorder's Office of Skagit County, Washington (as the same has heretofore been amended, modified, restated, supplemented, renewed or extended), securing payment of note(s) of even date therewith, in the original principal amount of \$4,250,000.00, and creating a first lien on the property described in Exhibit A attached hereto and by this reference made a part hereof.

foregoing instrument(s) assigned to Assignor by assignment instrument(s) recorded simultaneously herewith, in the Recorder's Office.

Together with any and all notes and obligations therein described, the debt and claims secured thereby and all sums of money due and to become due thereon, with interest provided for therein, and hereby irrevocably appoints Assignee hereunder its attorney to collect and receive such debt, and to foreclose, enforce and satisfy the foregoing the same as it might or could have done were these presents not executed, but at the cost and expense of Assignee.

Together with any and all other liens, privileges, security interests, rights, entitlements, equities, claims and demands as to which Assignor hereunder possesses or to which Assignor is otherwise entitled as additional security for the payment of the notes and other obligations described herein.

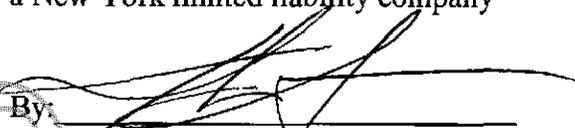
This Assignment shall be binding upon and shall inure to the benefit of the parties hereto and their respective successors and assigns.

[SIGNATURE(S) ON THE FOLLOWING PAGE]

IN WITNESS WHEREOF, the Assignor has caused this instrument to be executed this 18 day of February, 2016.

ASSIGNOR:

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

By: 
Name: Kristin Sansone
Title: Vice President

STATE OF NEW YORK

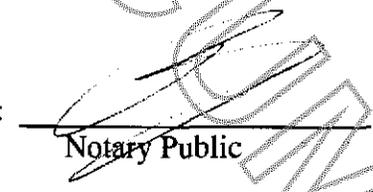
COUNTY OF NEW YORK

On the 18 day of February, 2016, 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:

PAUL C DAY
NOTARY PUBLIC, STATE OF NEW YORK
NO. 01DA6264665
QUALIFIED IN NEW YORK COUNTY
COMMISSION EXPIRES: 7/02/2016

Signature: 

Notary Public

EXHIBIT A

LEGAL DESCRIPTION

THE LAND REFERRED TO IN THIS REPORT/POLICY IS SITUATED IN THE STATE OF WASHINGTON, COUNTY OF SKAGIT, AND IS DESCRIBED AS FOLLOWS:

THE SOUTH ½ OF BLOCK 8, "WEST ADDITION TO THE TOWN OF WOOLLEY, SKAGIT COUNTY, WASH.", AS PER PLAT RECORDED IN VOLUME 2 OF PLATS, PAGE 89, RECORDS OF SKAGIT COUNTY, WASHINGTON. SAID SOUTH ½ CONSISTS OF LOTS 13 THROUGH 24.

TOGETHER WITH THE NORTH 15 FEET OF HARRISON STREET ADJACENT THERETO AS VACATED BY CITY ORDINANCE NO. 1285-97, RECORDED UNDER AUDITOR'S FILE NO. 9802200031.

EXCEPTING THEREFROM THAT PORTION OF LOT 13 CONVEYED TO THE STATE OF WASHINGTON FOR SECONDARY STATE HIGHWAY NO. 1-A AND 1-F, SEDRO-WOOLLEY VICINITY, BY DEEDS RECORDED APRIL 14, 1956, UNDER AUDITOR'S FILE NO. 516234, AND MAY 27, 1955, UNDER AUDITOR'S FILE NO. 518491.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED 2 PARCELS FOR RIGHT-OF-WAY DEDICATIONS ON HARRISON STREET AS RECORDED UNDER AUDITOR'S FILE NO. 200710100079.

1.) A PORTION OF LOT 24, SOUTH ½ OF BLOCK 8, "WEST ADDITION TO THE TOWN OF WOOLLEY, SKAGIT COUNTY, WASH.", AS DEPICTED AND RECORDED IN VOLUME 2, PAGE 89 OF SKAGIT COUNTY PLATS, AND OF THE VACATED NORTH 15 FEET OF HARRISON STREET AS DESCRIBED IN CITY ORDINANCE 1285-97 RECORDED UNDER AUDITOR'S FILE NO. 9802200031. SAID PARCEL IS WITHIN THE NORTHWEST ¼ OF THE SOUTHWEST ¼ OF SECTION 24, TOWNSHIP 35 NORTH, RANGE 4 EAST, W.M., AND IS DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 24, THENCE SOUTH 01°16'33" WEST ALONG THE WEST LINE OF SAID VACATED NORTH 15 FEET A DISTANCE OF 15 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 88°43'27" EAST ALONG THE SOUTH LINE OF SAID VACATED NORTH 15 FEET A DISTANCE OF 30.00 FEET; THENCE NORTH 43°43'27" WEST A DISTANCE OF 42.43 FEET TO AN INTERSECTION WITH THE WEST LINE OF SAID LOT 24; THENCE SOUTH 01°16'33" WEST ALONG SAID WEST LINE AND ALONG THE WEST LINE OF SAID VACATED 15 FEET A DISTANCE OF 30.00 FEET TO THE TRUE POINT OF BEGINNING.

2.) A PORTION OF THE VACATED NORTH 15 FEET OF HARRISON STREET VACATED IN CITY ORDINANCE 1285-97 AND RECORDED UNDER AUDITOR'S FILE NO. 9802200031. HARRISON STREET LIES SOUTH OF THE SOUTH BLOCK 8, "WEST ADDITION TO THE TOWN OF WOOLLEY, SKAGIT COUNTY, WASH.", AS RECORDED IN VOLUME 2, PAGE 89 OF SKAGIT COUNTY PLATS, SAID PLAT IS WITHIN THE NORTHWEST ¼ OF THE SOUTHEAST ¼ OF SECTION 24, TOWNSHIP 35 NORTH, RANGE 4 EAST, W.M. SAID PORTION OF THE VACATED NORTH 15 FEET IS DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID VACATED NORTH 15 FEET; THENCE NORTH $88^{\circ}43'27''$ WEST ALONG THE SOUTH LINE OF SAID VACATED NORTH 15 FEET A DISTANCE OF 9.05 FEET; THENCE NORTH $69^{\circ}28'12''$ EAST A DISTANCE OF 11.36 FEET TO AN INTERSECTION WITH THE EAST LINE OF SAID VACATED NORTH 15 FEET; THENCE SOUTHWEST ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 369.30 FEET, A CENTRAL ANGLE OF $0^{\circ}41'43''$ FOR AN ARC DISTANCE OF 4.48 FEET TO THE TRUE POINT OF BEGINNING.