

**ASSIGNMENT OF LEASE**

**Agreement** made, effective as of the \_\_\_ day of April 2015 by and between MXMAC, LLC, a New York State Limited Liability Company, with offices for the transaction of business at 28 Saratoga Circle, Saratoga Springs, New York 12866, here referred to as Assignor **Piper DP Realty, Inc.**, a New York State Corporation, with offices for the transaction of business at 13 West Fulton Street, Gloversville, New York 12078, here referred to as Assignee.

**For and in consideration** of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is acknowledged, Assignor assigns and transfers to Assignee all of Assignor’s right, title and interest in and to that certain real property lease, dated July 9, 2012 made between the City of Saratoga Springs, party of the first party, and MXMAC, LLC and JBA Restaurant Corp., parties of the second part, subject to all the terms, conditions, covenants and agreements contained in such leases.

Assignee accepts the above assignment as of the above-stated effective date of this agreement and assume and agree to perform all the terms, conditions, covenants, and agreements of such lease, on the part of the lessee in such lease to be performed. Assignee’s agreement shall be binding on the heirs, legal representatives, successors and assigns of assignees.

**In witness whereof**, each party to this agreement has caused it to be executed at Saratoga Springs, New York on the date indicated below.

**MXMAC, LLC**

BY: \_\_\_\_\_  
Joseph A. Mack, Member

**Piper DP Realty, Inc.**

BY: \_\_\_\_\_  
Daniel Polidore

The above specified Assignment of Lease, pursuant to Paragraph “15” of the Lease Agreement dated July 9, 2012 between the City of Saratoga Springs, MXMAC, LLC and JBA Restaurant Corp., is consented to by the City of Saratoga Springs, pursuant to the Resolution of the City of Saratoga Springs City Council on April 21, 2015.

\_\_\_\_\_  
Joanne D. Yepsen, Mayor  
Pursuant to City Council Resolution  
dated April 21, 2015

STATE OF NEW YORK :  
 : SS  
COUNTY OF SARATOGA :

On this \_\_\_\_ day of **April 2015**, before me, the undersigned, personally appeared **Joseph A. Mack**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or person on behalf of which the individual acted, executed the instrument.

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Notary Public

STATE OF NEW YORK :  
 : SS  
COUNTY OF SARATOGA :

On this \_\_\_\_ day of **April 2015**, before me, the undersigned, personally appeared **Daniel Polidore**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or person on behalf of which the individual acted, executed the instrument.

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Notary Public

STATE OF NEW YORK :  
 : SS  
COUNTY OF SARATOGA :

On this \_\_\_\_ day of **April 2015**, before me, the undersigned, personally appeared **Joanne D. Yepsen**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or person on behalf of which the individual acted, executed the instrument.

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Notary Public