

DuPage Theatre Surplus Assignment Agreement

THIS AGREEMENT entered into this 29th day of May, 2009, by and between the Lombard Historical Society, their successors and or assigns (hereinafter referred to as "LHS") and the Friends of the DuPage Theatre (herein after referred to as "FRIENDS").

WITNESSETH:

WHEREAS, the LHS by Resolution of the Lombard Village Board dated March 15, 2007 is the owner of the DuPage Theatre Surplus (hereinafter referred to as the "Surplus").

WHEREAS, the LHS and the FRIENDS have identified the Surplus as the specific items listed on the attached Exhibit A (hereinafter referred to as "Exhibit A").

WHEREAS, the Surplus is currently being stored at Safeguard Self Storage (hereinafter "Safeguard"), a private storage facility located at 638 E. St. Charles Road, Lombard, IL 60148.

WHEREAS, the Village of Lombard is currently in control of the Surplus storage and is making monthly payments of One Hundred Eighty Dollars (\$180.00) to Safeguard for the lease of the unit in which the Surplus is being stored.

WHEREAS, the Village of Lombard will discontinue making those monthly storage-unit payments effective June 1, 2009 and has directed LHS to take control of the Surplus and be responsible to make any future monthly lease payments to Safeguard for the storage of the Surplus.

WHEREAS, the LHS and the FRIENDS have expressed a mutual interest in preserving and displaying the Surplus items indicated in Exhibit A.

WHEREAS, the LHS and the FRIENDS both desire that the items in Exhibit A be retained in their collections rather than being permanently loaned, sold, donated or otherwise disposed of.

WHEREAS, the FRIENDS have expressed a desire to gain possession and control of the Surplus items, indicated in Exhibit A, to assist them in fulfilling their mission of constructing and adorning a Cultural Arts Center in Lombard.

NOW THEREFORE, in consideration of the premises and the following covenants and conditions and other good and valuable consideration the receipt of which is hereby acknowledged, the parties do hereby agree as follows:

1. That the items listed in Exhibit A will be assigned by the LHS to the FRIENDS for an indefinite period.
2. The LHS and the FRIENDS agree that DuPage Theatre items in the Surplus, specifically including the items on Exhibit A are not to be permanently loaned, sold, donated or otherwise disposed of other than by further agreement of the parties hereto.
3. That the FRIENDS will make the monthly lease payments on the current Surplus storage facility beginning June 1, 2009 and until the later of the termination of that lease term or when the FRIENDS have made arrangements to move and store the items on Exhibit A at another storage location at their expense. At which time, the FRIENDS will be responsible for future storage payments.
4. The FRIENDS agree to notify the LHS when they alter the storage location of the items on Exhibit A.
5. The FRIENDS hereby agree to take all necessary and appropriate measures to ensure that all the items listed on Exhibit A are preserved in no worse condition than they find them on June 1, 2009.
6. The LHS is to be notified immediately and in writing of the dissolution of the FRIENDS organization and/or their loss of status as a non-for-profit organization under sections 501(C)(3) of the Internal Revenue Code.
7. Upon dissolution or change in status of the FRIENDS, the items listed on Exhibit A will revert back to the collections of the LHS.
8. Surplus items retained by the LHS may be made available by loan to the FRIENDS for display in a Cultural Arts Center in Lombard.
9. At any later date, the FRIENDS may determine that any item(s) listed on Exhibit A should be removed from the collection and disposed of by any means, provided the FRIENDS first offer ownership and control of the item(s) without condition to LHS.

DUPAGE THEATER ITEMS

Exhibit A

31-yellow/gold seats
19-yellow/gold metal frames
10- complete red seats
14- chair backs
12- cushions
16- arms
3-Lombardopoly game tables
2-Peerless Magna Arc Projector Light
5-wire reels
1-box of projector parts
4-big projector reels
21-boxes of letter and numbers for the marquee

LIGHTS

2-Chandeliers w/beads
1-Latern Wall Sconce
2-Organ Grill Lamp Brackets
8-Aisle Lamps
3-Chandeliers w/chains
1-Hanging Lamp-1-Drinking Fountain Lamp
14-Balcony Lights w/14-Balcony Lamp Bases
6-Star Lights
3-3 light Lobby Wall Sconces
6-Organ Pipe Lamps-6-glass pane lamp shades
2-Lobby Lamps w/2 big paper lamp shades
6-Pipe Organ Grill Lights
3-2 light wall sconces
2-ceiling fixtures
1-Box Lamps
7-small paper lamp shades
2-bags of misc. light bulbs

DUPAGE THEATRE SURPLUS KEPT
BY THE LOMBARD HISTORICAL SOCIETY

- 1- Eat Sign
- 1- Aisle Lamp
- 1- Balcony Light w/1 Balcony lamp base
- 2- Star Lights
- 1- 3 light lobby wall sconces
- 1- light wall sconces
- 1- box lamp

IN WITNESS WHEREOF, the parties have set their hand and seal on the
Day and year first written above.

Lombard Historical Society

By: Carinne Humm
Its President

Attest: [Signature]
Its Treasurer

Friends of the DuPage Theater

By: Abraham Dynalo
Its President

Attest: [Signature]
Its Vice President

Sworn before me this 29th day of May, 2009

[Signature]
Notary Signature

