

UNOFFICIAL COPY

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02/17/01 03 001 Page 1 of 8  
2001-01-02 14:27:13  
Cook County Recorder 35.50



This Instrument was prepared by and after recording should be returned to:

Andrew D. Small, Esq.  
Katten Muchin Zavis  
525 West Monroe Street  
Suite 1600  
Chicago, Illinois 60661

(The Above Space for Recorder's Use Only)

**DISCHARGE OF MEMORANDUM OF AGREEMENT TO LEASE  
AND MORTGAGE AND ASSIGNMENT TO SECURE OPTION**

This Discharge of Memorandum of Agreement to Lease and Mortgage and Assignment to Secure Option is made this 21<sup>st</sup> day of December, 2000 by and between LASALLE BANK NATIONAL ASSOCIATION, as successor trustee to American National Bank and Trust Company of Chicago not personally but solely as Trustee under Trust Agreement dated December 19, 1979 and known as Trust No. 48662-08 ("Landlord") and 730 NORTH MICHIGAN AVENUE, L.L.C., an Illinois limited liability company ("Tenant").

**WHEREAS:**

A. Landlord and LaSalle Bank National Association, as successor trustee to American National Bank and Trust Company of Chicago, not personally but solely as Trustee under Trust Agreement dated April 20, 1994 and known as Trust No. 118199-01 ("Original Tenant") are parties to that certain Agreement to Lease dated as of January 1, 1996 (the "Lease"), pursuant to which Landlord leased to Original Tenant the property described on Exhibit A attached hereto;

B. Landlord and Original Tenant are parties to that certain Memorandum of Agreement to Lease and Mortgage and Assignment to Secure Option entered into on January 22, 1996 and recorded in the Cook County Recorder's Office on January 24, 1996 as Document No. 96065184 (the "Memorandum");

C. Original Tenant assigned all of its rights, title and interest in the Lease to the Tenant;

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Property of Cook County Clerk's Office

D. Landlord and Tenant have agreed to terminate the Lease; and

E. Landlord and Tenant desire to enter into this Discharge of Memorandum of Agreement to Lease and Mortgage and Assignment to Secure Option ("Discharge") as of the date and year above stated in order to provide record notice of the discharge of the Memorandum.

**NOW, THEREFORE**, intending to be legally bound and in consideration of the mutual promises and conditions hereinafter set forth the parties hereto agree as follows:

1. The recitals set forth above are hereby incorporated herein by reference as if same are fully set forth herein.
2. The parties acknowledge that the Lease has been terminated.
3. The Memorandum is hereby discharged pursuant to this Discharge.
4. This Discharge may be executed in any number of counterparts and by different parties hereto in separate counterparts, each of which when so executed shall be deemed to be an original and all of which taken together shall constitute one and the same agreement.

[SIGNATURE PAGE TO FOLLOW]

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IN WITNESS WHEREOF, the parties hereby have executed this instrument the date and year first above set forth.

TENANT:

730 NORTH MICHIGAN AVENUE,  
L.L.C., an Illinois limited liability company

By: 730 North Michigan Avenue  
Venture, an Illinois general  
partnership, its managing member

By: TKM L.L.C., an Illinois  
limited liability company, its  
partner

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Its: Duly Authorized  
Representative

By: McGolden Mile Corporation,  
a Delaware corporation, its  
partner

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Its: \_\_\_\_\_

LANDLORD:

LASALLE BANK NATIONAL  
ASSOCIATION, as successor trustee to  
American National Bank and Trust company  
of Chicago not personally but solely as  
Trustee under Trust Agreement dated  
December 19, 1979 and known as Trust No.  
48662 -08

By: Nancy A Carlin  
Name: Nancy A Carlin  
Its: Assistant Vice President

This instrument is executed by LASALLE BANK National Association, not personally but solely as Trustee, as aforesaid, in the exercise of the power and authority conferred upon and vested in it as such Trustee. All the terms, provisions, stipulations, covenants and conditions to be performed by LASALLE BANK National Association are undertaken by it solely as Trustee, as aforesaid, and not individually and no statements herein made are made on information and belief and are to be construed accordingly, and no personal liability shall be asserted or be enforceable against LASALLE BANK National Association by reason of any of the terms, provisions, stipulations, covenants and/or statements contained in this instrument

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IN WITNESS WHEREOF, the parties hereby have executed this instrument the date and year first above set forth.

TENANT:


LANDLORD:

730 NORTH MICHIGAN AVENUE,  
L.L.C., an Illinois limited liability company

LASALLE BANK NATIONAL  
ASSOCIATION, as successor trustee to  
American National Bank and Trust company  
of Chicago not personally but solely as  
Trustee under Trust Agreement dated  
December 19, 1979 and known as Trust No.  
48662


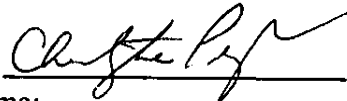
By: 730 North Michigan Avenue  
Venture, an Illinois general  
partnership, its managing member

By: TKM L.L.C., an Illinois  
limited liability company, its  
partner

By:   
Name: Steven R. Rudolph  
Its: Duly Authorized  
Representative

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Its: \_\_\_\_\_

By: McGolden Mile Corporation,  
a Delaware corporation, its  
partner

 By:   
Name: \_\_\_\_\_  
Its: \_\_\_\_\_

DeKalb County Clerk's Office

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STATE OF Illinois )

) SS.

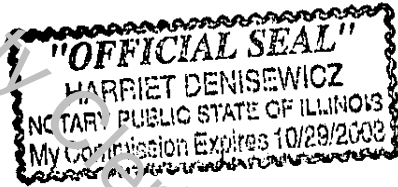
COUNTY OF Cook )

I, Harriet/Denisewicz, a Notary Public in and for said County, in the State aforesaid, DO  
 HEREBY CERTIFY, that Nancy A Carlin, Asst/ Vice President of LASALLE BANK NATIONAL  
 ASSOCIATION, as successor trustee to American National Bank and Trust company of Chicago  
 not personally but solely as Trustee under Trust Agreement dated December 19, 1979 and known  
 as Trust No. 48662-08 (the "Trust"), who is personally known to me to be the same person whose  
 name is subscribed to the foregoing instrument as such Asst / Vice President, appeared before me this day  
 in person and acknowledged that he/she signed and delivered the said instrument as his/her own  
 free and voluntary act and as the free and voluntary act of said corporation on behalf of the Trust,  
 for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 29 day of December, 2000.

*Harriet Denisewicz*  
 \_\_\_\_\_  
 Notary Public

My commission expires \_\_\_\_\_

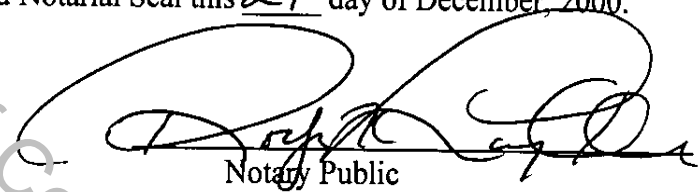


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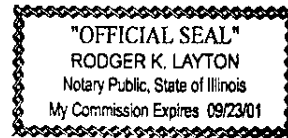
STATE OF ILLINOIS )  
 ) SS.  
COUNTY OF COOK )

I, Rodger K. Layton Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY, that Christopher, Pieszko of McGolden Mile Corporation, a Delaware corporation (the "Corporation"), the partner of 730 North Michigan Avenue Venture, an Illinois general partnership, the managing member of 730 North Michigan Avenue, L.L.C., an Illinois limited liability company, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument as such <sup>VICE</sup> President, appeared before me this day in person and acknowledged that he/she signed and delivered the said instrument as his/her own free and voluntary act and as the free and voluntary act of said corporation on behalf of the Corporation, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 21 day of December, 2000.

  
Notary Public

My commission expires 9-03-01



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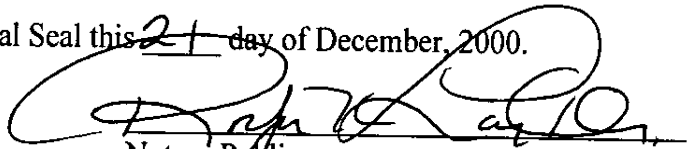
STATE OF ILLINOIS

COUNTY OF COOK

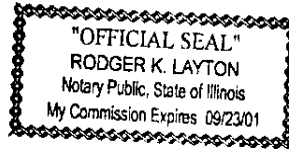
) SS.  
)

I, Rodger K. LAYTON a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY, that <sup>STEVEN R.</sup> ~~Rudolph~~, duly authorized representative of TKM L.L.C., an Illinois limited liability company (the "Limited Liability Company"), the partner of 730 North Michigan Avenue Venture, an Illinois general partnership, the managing member of 730 North Michigan Avenue, L.L.C., an Illinois limited liability company, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument as such <sup>DULY AUTHORIZED</sup> ~~representative~~ appeared before me this day in person and acknowledged that he/she signed and delivered the said instrument as his/her own free and voluntary act and as the free and voluntary act of the Limited Liability Company, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 21 day of December, 2000.

  
Notary Public

My commission expires 9-23-01



**EXHIBIT A**

**LEGAL DESCRIPTION OF LEASED PROPERTY**

Lot 3 and Lot 7 in 730 N. Michigan Avenue Subdivision being a subdivision in the North Fractional ½ of Section 10, Township 39 North, Range 14 East of the Third Principal Meridian in Cook County, Illinois recorded June 30, 1999 as document number 99631468.

**FORMERLY KNOWN AS:**

Lot 8 in Block 53 in Butler's Subdivision of the Northeast Corner of Block 53 in Kinzies Addition to Chicago, in the West ½ of the Northwest 1/4 of Section 10, Township 39 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois.

Address of Property: 730 North Michigan Avenue, Chicago, IL

Permanent Index Number: 17-10-102-014-0000