

UNOFFICIAL COPY

0020143115

16/9/01 000001 Page 1 of 6

2002-02-04 14:59:26

Cook County Recorder

59.50

Recording Requested By and
When Recorded Mail to:



0020143115

Atherton Capital Incorporated
1001 Bayhill Drive, Suite 155
San Bruno, CA 94066
ATTN: Loan Administration

(Space above this line for Recorder=s Use)

Store No. 223
1119 No. LaGrange Road
LaGrange Park, Illinois
223

69181-10
01-18169

MEMORANDUM OF LEASE

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, American National Bank and Trust Company of Chicago, as Trustee under Trust No. 60084, fee owner of the below described Premises, as lessor (hereinafter the "Landlord") and JIFFY LUBE INTERNATIONAL OF MARYLAND, INC., a Maryland corporation, as lessee (hereinafter the "Tenant"), entered into a written lease dated September 20th, 1985 (hereinafter the "Lease") whereunder and whereby Landlord did lease, rent and demise unto said lessee the property described in Exhibit A attached hereto, all of which is hereinafter referred to as the "Premises".

WHEREAS, Landlord presently leases to Tenant the Premises TO HAVE AND TO HOLD upon Tenant's paying the Rent and other charges provided for and observing the covenants and conditions set forth in the Lease for a term expiring on October 31, 2005, and Tenant has no options to extend the term.

NOW, THEREFORE, this Memorandum of Lease is executed by the undersigned parties with the intention that the same shall be filed for the record in the Office of the Recorder of Deeds of the County of Cook, State of Illinois, to give notice of the existence of Tenant's leasehold estate under the Lease in and to the Premises.

IN WITNESS WHEREOF, the undersigned parties have each caused this Memorandum of Lease to be executed as of the 25th day of ~~December~~, 2002.

January

TENANT:

JIFFY LUBE INTERNATIONAL OF MARYLAND, INC.

By:

Title: Vice President
Kevin M. Lyng

WITNESS:

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ACKNOWLEDGMENT

STATE OF TEXAS §

COUNTY OF HARRIS §

I, Donna K. Griffin, a Notary Public, do hereby certify that Kevin M. Lyng personally came before me this day and acknowledged that he is Vice President of Jiffy Lube International of Maryland, Inc., a Maryland corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its Vice President, and attested by himself as its Vice President.

WITNESS my hand and official seal this 21st day of December, 2001.

Donna K. Griffin
Donna K. Griffin, Notary Public

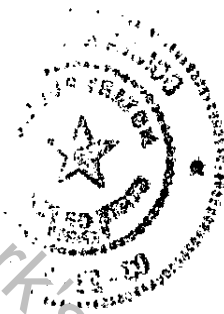
My Commission Expires: March 23, 2002



Property of Cook County Clerk's Office

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Recording Requested By and
When Recorded Mail to:

Atherton Capital Incorporated
101 Bayhill Dr. Suite 155
San Bruno, CA 94066

(Space above this line for Recorder=s Use)

Store No. 223
1119 No. LaGrange Road
LaGrange Park, Illinois

MEMORANDUM OF LEASE

KNOW ALL MEN BY THESE PRESENTS:

LaSalle Bank National Association, successor trustee to American

WHEREAS, National Bank and Trust Company of Chicago, as Trustee under Trust No. 60084, and not personally fee owner of the below described Premises, as lessor (hereinafter the "Landlord") and JIFFY LUBE INTERNATIONAL OF MARYLAND, INC., a Maryland corporation, as lessee (hereinafter the "Tenant"), entered into a written lease dated _____, _____ (hereinafter the "Lease") whereunder and whereby Landlord did lease, rent and demise unto said lessee the property described in Exhibit A attached hereto, all of which is hereinafter referred to as the "Premises".

WHEREAS, Landlord presently leases to Tenant the Premises TO HAVE AND TO HOLD upon Tenant's paying the Rent and other charges provided for and observing the covenants and conditions set forth in the Lease for a term expiring on October 31, 2005, and Tenant has no options to extend the term.

NOW, THEREFORE, this Memorandum of Lease is executed by the undersigned parties with the intention that the same shall be filed for the record in the Office of the Recorder of Deeds of the County of Cook, State of Illinois, to give notice of the existence of Tenant's leasehold estate under the Lease in and to the Premises.

IN WITNESS WHEREOF, the undersigned parties have each caused this Memorandum of Lease to be executed as of the 25th day of January, 2002. (For the Exculpatory Provision of LaSalle Bank National Association see attached rider)

TENANT:

JIFFY LUBE INTERNATIONAL OF
MARYLAND, INC.

WITNESS:

By: _____
Title: _____

LANDLORD
LaSalle Bank National Association, as
successor trustee under Trust No.
60084 and not personally

BY 
Trust Officer

Memorandum of

RIDER ATTACHED TO AND MADE A PART OF/LEASE DATED January 25, 2002

* THIS LEASE is executed by LASALLE BANK NATIONAL ASSOCIATION, not personally but as trustee as aforesaid, in the exercise of the power and authority conferred upon and vested in it as such trustee, and under the express direction of the beneficiaries of a certain Trust Agreement dated January 16, 1984 and known as Trust No. 60084 at LaSalle Bank National Association to all provisions of which Trust Agreement this LEASE is expressly made subject. It is expressly understood and agreed that nothing herein or in said *LEASE contained shall be construed as creating any liability whatsoever against said Trustee personally, and in particular without limiting the generality of the foregoing, there shall be no personal liability to pay any indebtedness accruing hereunder or to perform any covenants, either express or implied, herein contained or to keep, preserve or sequester any property of said Trust, and that all personal liability of said Trustee of every sort, if any, is hereby expressly waived by said Lessee, and that so far as said Trustee is concerned the owner of any indebtedness or liability accepting hereunder shall look solely to the premises hereby leased for payment thereof. It is expressly understood and agreed that said Trustee has no agents or employees and merely holds naked legal title to the property herein described; that said trustee has no control over, and under this Lease assumes no responsibility for (1) the management or control of such property (2) the upkeep, inspection, maintenance or repair of such property (3) the collection of rents or rental of such property, or (4) the conduct of any business which is carried on upon premises. Trustee does not warrant, indemnify, defend title nor is it responsible for any environmental damage.

*Memorandum of

By: _____
Title: _____

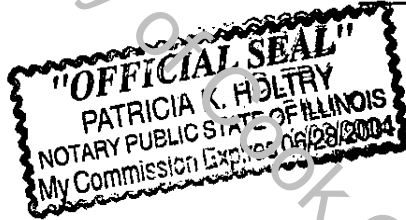
STATE OF Illinois)
) SS.
COUNTY OF Cook)

On this 25th day of January 2002, before me appeared Harrict Denisewicz, known to me personally, who being by me duly sworn, did say that he is the Trust Officer of Lasalle Bank National Association ~~Trust Officer of American National Bank and Trust Company of Chicago, as Trustee under Trust No. 60084~~, and that said instrument was signed on behalf of said Trust, and said Trustee acknowledged said instrument to be the free act and deed of said Trust.

(Seal)

Patricia K. Holtry

Notary Public



#214262.1

Cook County Clerk's Office

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Ece

STORE NO. 223
1119 NO. LAGRANGE ROAD
LAGRANGE PARK, ILLINOIS

EXHIBIT A

LEGAL DESCRIPTION

SubLeasehold Estate, as defined in the Conditions and Stipulations of the ALTA Leasehold Policy, to be created by the instrument herein referred to as the Lease, said Lease executed and acknowledged by and between Jiffy Lube International, Inc., (Sublessor), Lessor, and BVJ Enterprises, Inc., (Sublessee), a memorandum of which was dated July 16, 1998 recorded August 4, 1998 as Document Number 98683341, for a term of 20 years commencing June 25, 1987, subject to such term commencing, terminating or expiring on such other date(s) as provided in the Lease, demising and leasing the following described premises, to-wit:

And,

Assignment of SubLease to be executed and acknowledged by and between BVJ Enterprises, Inc., and Heartland Automotive Services, Inc., dated _____, and recorded _____, as Document Number _____.

The Land:

LOTS 22, 23 AND 24 IN BLOCK 5 IN MARES AND WHITE'S SECOND ADDITION TO LAGRANGE PARK, A SUBDIVISION OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 28, TOWNSHIP 39 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.

Pin no.

15-28-310-033

Property of Cook County Clerk's Office