

# UNOFFICIAL COPY

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2002-07-12 11:25:46  
Cook County Recorder 27.00



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Record and Return to:  
Kirkland & Ellis  
200 East Randolph Drive  
Chicago, IL 60601  
Attn: Robert T. Buday, Esq.

This instrument was prepared by the above named attorney.

## MEMORANDUM OF OPTION TO PURCHASE AND RIGHT OF FIRST REFUSAL

THIS MEMORANDUM OF OPTION TO PURCHASE AND RIGHT OF FIRST REFUSAL is made this 9th day of February, 2001, by and among JOSEPH P. BONCHER and MARY BONCHER (collectively, "Landlord") and ARIA MODEL AND TALENT MANAGEMENT LLC, a Delaware limited liability company ("Tenant").

### WITNESSETH:

WHEREAS, by that certain Lease of even date herewith by and between Landlord and Tenant (the "Lease"), Landlord has granted to Tenant, and Tenant has acquired from Landlord, an option to purchase and a right of first refusal with respect to the real estate described in Exhibit A attached hereto and made a part hereof (the "Premises") upon the terms and subject to the conditions set forth in the Lease.

WHEREAS, pursuant to and upon the terms and conditions set forth in the Lease, said option and right of first refusal shall expire on February 8th, 2011, if not earlier terminated in accordance with the terms of the Lease.

WHEREAS, no lease, mortgage, lien or other encumbrance affecting the Premises which is created or entered into after the date hereof and prior to February 8th, 2011, shall be valid or effective without obtaining the prior written consent of Tenant; all such leases, mortgages, liens and

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other encumbrances shall be void and of no force or effect against Tenant or Tenant's interest in the Premises.

WHEREAS, the covenants and agreements of Landlord under the Lease are covenants running with the land and shall be binding upon Landlord and Landlord's heirs, representatives, successors and assigns.

NOW THEREFORE, for and in consideration of the covenants and agreements of the parties contained in the Lease and other good and valuable consideration, the receipt and sufficiency of which the parties hereby acknowledge, Landlord and Tenant hereby execute and record this Memorandum Of Option To Purchase And Right Of First Refusal in accordance with the terms of the Lease solely for the purpose of giving notice of the existence thereof and shall not supersede or in any way modify the terms or conditions of the Lease.

IN WITNESS WHEREOF, Landlord and Tenant have caused this Memorandum of Option To Purchase And Right Of First Refusal to be executed as of the date first above written.

LANDLORD:

Joseph P. Boncher  
Joseph P. Boncher

Mary Boncher  
Mary Boncher

TENANT:

ARIA MODEL & TALENT  
MANAGEMENT LLC, a Delaware limited  
liability company

By: David Kronfeld  
Name: \_\_\_\_\_  
Title: Chairman

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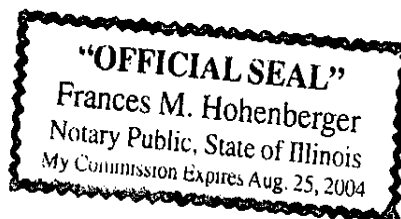
STATE OF ILLINOIS )  
                                  )SS.  
COUNTY OF COOK )

I, the undersigned, a notary public in and for said County, in the state aforesaid, DO HEREBY CERTIFY THAT Joseph P. Boncher and Mary Boncher, personally appeared before me this day in person and signed and delivered this instrument as their free and voluntary act.

GIVEN under my hand and notarial seal this 9<sup>th</sup> day of February, 2001.

Frances M. Hohenberger  
Notary Public

My commission expires:  
August 25, 2004



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STATE OF ILLINOIS     )  
                                  )SS.  
COUNTY OF COOK     )

I, the undersigned, a notary public in and for said County, in the state aforesaid, DO HEREBY CERTIFY THAT David Kronfeld, personally known to me to be the Chairman of Aria Model & Talent Management LLC, a Delaware limited liability company, appeared before me this day in person and signed and delivered this instrument as the President of said limited liability company as his free and voluntary act, and as the free and voluntary act and deed of said limited liability company for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 9<sup>th</sup> day of February, 2001.

Frances M Hohenberger

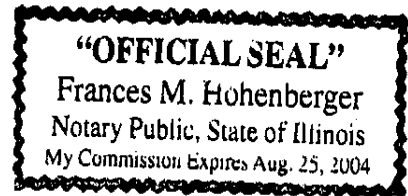
Notary Public

My commission expires:

August 25, 2004

THIS DOCUMENT WAS PREPARED BY,  
AND AFTER RECORDING SHOULD BE  
RETURNED TO:

Kirkland & Ellis  
200 East Randolph Drive  
Chicago, IL 60601  
Attn: Robert T. Buday, Esq.



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## EXHIBIT A

### Legal Description

PARCEL 1: UNIT NO(S). 2C AND 2D IN THE ACORN LOFTOMINIUM, A CONDOMINIUM, AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED REAL ESTATE: PARTS OF LOTS 2, AND LOTS 3 AND 4 IN THE ASSESSOR'S DIVISION OF LOTS 1 TO 9, BOTH INCLUSIVE, IN BLOCK 50 IN CARPENTER'S ADDITION TO CHICAGO; TOGETHER WITH LOT 10 AND THE NORTH 1/2 OF LOT 13 AND THE WEST 70 FEET OF THE NORTH 6 INCHES OF THE SOUTH 1/2 OF LOT 13 IN BLOCK 50 IN CARPENTER'S ADDITION TO CHICAGO IN THE SOUTHEAST 1/4 OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS; WHICH SURVEY IS ATTACHED AS APPENDIX "B" TO THE DECLARATION OF CONDOMINIUM RECORDED AS DOCUMENT NUMBER 00366860, TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS.

PARCEL 2: EASEMENTS FOR THE BENEFIT OF PARCEL 1 AND OTHER PROPERTY FOR ACCESS, INGRESS, EGRESS, USE AND ENJOYMENT AS SET FORTH IN THE GRANT OF EASEMENTS AND OPERATING AGREEMENT RECORDED AS DOCUMENT NUMBER 00366855.

PARCEL 3: UNITS P2-49, P2-50, P2-15 AND P2-53 IN THE WASHINGTON-MORGAN GARAGE CONDOMINIUM AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED REAL ESTATE: CERTAIN PARTS OF LOTS IN BLOCK 50 IN CARPENTER'S ADDITION TO CHICAGO IN THE SOUTHEAST 1/4 OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN. WHICH SURVEY IS ATTACHED AS EXHIBIT "B" TO THE DECLARATION OF CONDOMINIUM RECORDED AS DOCUMENT NUMBER 00366857, AND AS AMENDED, TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS, ALL IN COOK COUNTY, ILLINOIS.

PARCEL 4: EASEMENTS FOR THE BENEFIT OF PARCEL 3 AND OTHER PROPERTY FOR ACCESS, INGRESS, EGRESS, USE AND ENJOYMENT AS SET FORTH IN THE GRANT OF EASEMENTS AND OPERATING AGREEMENT RECORDED AS DOCUMENT NUMBER 00366855.

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