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02-17706



0021432122

**PREPARED BY AND WHEN RECORDED RETURN TO:**

Thomas J. Kelly  
Pedersen & Houpt, P.C.  
161 North Clark Street, Suite 3100  
Chicago, Illinois 60601



**MEMORANDUM OF LEASE**

This Memorandum of Lease is by and between Chicago Title Land Trust Company, not personally, but as Trustee under Trust Agreement dated May 1, 2002, and known as Trust No. 1110819 ("Landlord") and HCRI Illinois Properties, LLC, a Delaware limited liability company ("Tenant"), pursuant to which Landlord has demised to Tenant, and Tenant has accepted such demise from Landlord, the Leased Premises (later defined) upon the following terms:

Date of Restated Lease: December 17, 2002

Legal Description of current Leased Premises: See Exhibit A attached hereto.

Description of current Leased Premises:

Building: "Boiler Building" located on the Ravenswood Hospital Campus  
4550 North Winchester Avenue  
Chicago, Illinois 60640

Premises: A portion of the two (2) level building and an adjacent service building containing steam boilers (together, the "Service Building") which is depicted on Exhibit B attached hereto and made a part hereof (which such portion is hereinafter referred to as the "Boiler Building"), subject to the provisions of the Restated Lease affecting this Term.

Term: Expires December 31, 2101 for the Cafeteria-Boiler Premises described therein, subject to the provisions of the Restated Lease affecting the length of this Term.

Expires December 31, 2101 for the Modified Kitchen Area described therein, subject to the provisions of the Restated Lease affecting the length of this Term.

The purpose of this Memorandum of Lease is to give record notice of the Restated Lease and of the rights created thereby, all of which are hereby confirmed.

Lawyers Title Insurance Corporation

11 pages

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IN WITNESS WHEREOF, the parties have executed this Memorandum of Lease as of the 17th day of December 2002.

**TENANT:**

HCRI ILLINOIS PROPERTIES, LLC,  
a Delaware limited liability company

By: Health Care REIT, Inc., Its Sole Member

By: *Erin C. Ibele*

Name: ERIN C. IBELE

Its: VICE PRESIDENT AND  
CORPORATE SECRETARY

**LANDLORD:**

CHICAGO TITLE LAND TRUST COMPANY, not  
personally, but as Trustee under Trust Agreement  
dated May 1, 2002, and known as Trust No.  
1110819

By: \_\_\_\_\_

Name: \_\_\_\_\_

Its: \_\_\_\_\_

Property of Cook County Clerk's Office

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IN WITNESS WHEREOF, the parties have executed this Memorandum of Lease as of the 17th day of December 2002.

TENANT:

HCRI ILLINOIS PROPERTIES, LLC,  
a Delaware limited liability company

By: Health Care REIT, Inc., a Delaware  
corporation, its sole member

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

LANDLORD:

CHICAGO TITLE LAND TRUST COMPANY, not  
personally, but as Trustee under Trust Agreement  
dated May 1, 2002, and known as Trust No.  
11 0819

By: \_\_\_\_\_  
Name: *David J. Lanniotti*  
Its: *Vice President*

*\*subject to explanatory rider*

Property of Cook County Clerk's Office

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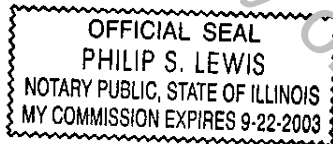
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## LANDLORD'S ACKNOWLEDGMENT

STATE OF ILLINOIS            )  
  ) SS:  
COUNTY OF Cook            )

The undersigned, a Notary Public in and for said county, in the State aforesaid, DO HEREBY CERTIFY THAT David J. Lenciotti, the Vice President of Chicago Title Land Trust Company, not personally, but as Trustee under Trust Agreement dated May 1, 2002, and known as Trust No. 1110819, personally known to me (or satisfactorily proven) to be the same person whose name is subscribed to the foregoing instrument, appeared this day in person and acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act and deed, and as the free and voluntary act and deed of said trustee, for the purposes therein contained.

Given under my hand and official seal this 18<sup>th</sup> day of December, 2002.



Philip A. Lewis  
Notary Public

## TENANT'S ACKNOWLEDGMENT

STATE OF OHIO                )  
  ) SS:  
COUNTY OF \_\_\_\_\_ )

The undersigned, a Notary Public in and for said county, in the State aforesaid, DO HEREBY CERTIFY THAT \_\_\_\_\_, the \_\_\_\_\_ of Health Care REIT, Inc., a Delaware corporation, the sole member of HCRI Illinois Properties, LLC, a Delaware limited liability company, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared this day in person and acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act and deed, and as the free and voluntary act and deed of said corporation, for the purposes therein contained.

Given under my hand and official seal this \_\_\_\_\_ day of December, 2002.

\_\_\_\_\_  
Notary Public

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## LANDLORD'S ACKNOWLEDGMENT

STATE OF ILLINOIS        )  
  ) SS:  
COUNTY OF \_\_\_\_\_ )

The undersigned, a Notary Public in and for said county, in the State aforesaid, DO HEREBY CERTIFY THAT \_\_\_\_\_, the \_\_\_\_\_ of Chicago Title Land Trust Company, not personally, but as Trustee under Trust Agreement dated May 1, 2002, and known as Trust No. 1110819, personally known to me (or satisfactorily proven) to be the same person whose name is subscribed to the foregoing instrument, appeared this day in person and acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act and deed, and as the free and voluntary act and deed of said trustee, for the purposes therein contained.

Given under my hand and official seal this \_\_\_\_\_ day of December, 2002.

\_\_\_\_\_  
Notary Public

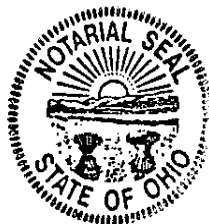
## TENANT'S ACKNOWLEDGMENT

STATE OF OHIO        )  
  ) SS:  
COUNTY OF LUCAS    )

The undersigned, a Notary Public in and for said county, in the State aforesaid, DO HEREBY CERTIFY THAT ERIN C. BELLE, the VICE PRESIDENT AND CORPORATE SECRETARY of Health Care REIT, Inc., the sole member of HCRI Illinois Properties, LLC, a Delaware limited liability company, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared this day in person and acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act and deed, and as the free and voluntary act and deed of said limited liability company, for the purposes therein contained.

Given under my hand and official seal this 17th day of December, 2002.

*Julia Steingass*  
Notary Public



JULIA STEINGASS  
Notary Public, State of Ohio  
My Commission Expires 8-13-05

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EXHIBIT A

## Legal Description of "Boiler Building" Area

That part of Lots 20, 21, 22 and 23 Block 14 in Ravenswood being a Subdivision of part of the Northeast Quarter and the Northeast Quarter of the Southeast Quarter of Section 18, and part of Section 17, Township 40 North, Range 14, East of the Third Principal Meridian, described as follows: commencing at the Southeast corner of Lot 3 of Samuel Brown Jr.'s Subdivision of Lots 13 and 14 in Block 14 in Ravenswood, aforesaid being also a point on the West line of a 20 foot public alley; thence North  $00^{\circ}07'32''$  West along the West line of said 20 foot public alley, 403.21 feet; thence North  $89^{\circ}58'54''$  West 49.98 feet to the point of beginning; thence North  $89^{\circ}58'54''$  West 48.00 feet; thence South  $00^{\circ}01'06''$  West 50.18 feet; thence North  $89^{\circ}58'54''$  West 15.95 feet; thence North  $00^{\circ}01'06''$  East 9.48 feet; thence North  $89^{\circ}58'54''$  West 2.00 feet; thence North  $00^{\circ}01'06''$  East 5.71 feet; thence South  $89^{\circ}58'54''$  East 2.00 feet; thence North  $00^{\circ}01'06''$  East 15.99 feet; thence North  $89^{\circ}58'54''$  West 2.00 feet; thence North  $00^{\circ}01'06''$  East 4.69 feet; thence South  $89^{\circ}58'54''$  East 2.00 feet; thence North  $00^{\circ}01'06''$  East 5.48 feet; thence North  $89^{\circ}58'54''$  West 2.50 feet; thence North  $00^{\circ}01'06''$  East 14.37 feet; thence South  $89^{\circ}58'54''$  East 7.13 feet; thence North  $00^{\circ}01'06''$  East 7.85 feet; thence South  $89^{\circ}58'54''$  East 2.51 feet; thence North  $00^{\circ}01'06''$  East 35.02 feet; thence North  $89^{\circ}58'54''$  West 0.85 feet; thence North  $00^{\circ}01'06''$  East 46.65 feet; thence South  $89^{\circ}58'54''$  East 0.90 feet; thence North  $00^{\circ}01'06''$  East 10.29 feet; thence South  $89^{\circ}58'54''$  East 2.65 feet; thence North  $00^{\circ}01'06''$  East 5.66 feet; thence South  $89^{\circ}58'54''$  East 23.26 feet; thence South  $00^{\circ}01'06''$  West 0.15 feet; thence South  $89^{\circ}58'54''$  East 8.16 feet; thence South  $00^{\circ}01'06''$  West 15.73 feet; thence South  $89^{\circ}58'54''$  East 0.82 feet; thence South  $00^{\circ}01'06''$  West 25.04 feet; thence North  $89^{\circ}52'13''$  East 70.77 feet; thence South  $00^{\circ}07'47''$  East 71.49 feet; thence North  $89^{\circ}46'19''$  West 48.92 feet; thence South  $00^{\circ}01'06''$  West 1.75 feet to the point of beginning, in Cook County, Illinois.

P.I.N. Nos.: 14-18-213-001  
14-18-213-002

4550 N. Winchester Ave  
Chicago, IL 60640

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**EXHIBIT B**

**DEPICTION OF SERVICE BUILDING**

Property of Cook County Clerk's Office

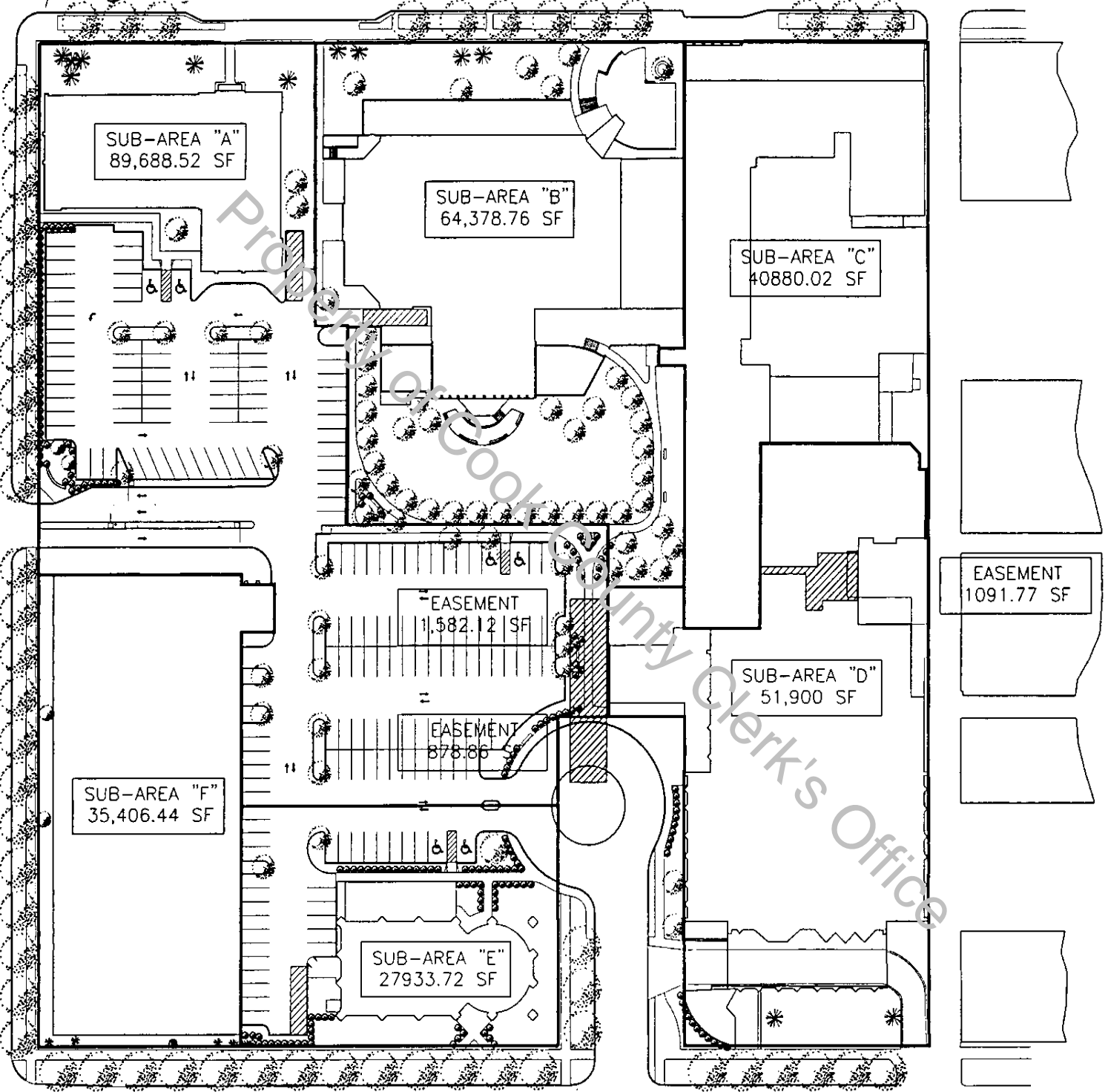




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- A = Prof'l Office Building Parcel
- B = Adler Pavilion Parcel
- C = Old Hospital Parcel
- D = Specialty Care Pavilion Parcel
- E = Residential Apartment Parcel
- F = Garage Condo Parcel

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PARCEL "A"	89,688.52 SF
PARCEL "B"	64,378.76 SF
PARCEL "C"	40,880.02 SF
PARCEL "D"	51,900.50 SF
PARCEL "E"	27,933.72 SF
PARCEL "F"	35,405.85 SF
<b>TOTAL</b>	<b>310187.37 SF</b>

NOTE:  
 LOADING DOCK EASEMENT FOR PARCEL "C" INCLUDED IN PARCEL "D" AREA  
 CANOPY EASEMENT FOR PARCEL "D" INCLUDED IN PARCEL "A" AREA  
 CANOPY EASEMENT REQUIRED FROM CITY

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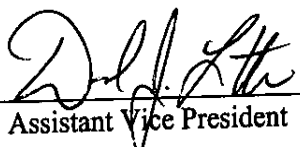
## EXCULPATORY CLAUSE FOR CHICAGO TITLE LAND TRUST COMPANY, AS TRUSTEE UNDER TRUST # 1110819

It is expressly understood and agreed by and between the parties hereto, anything to the contrary notwithstanding, that each and all of the warranties, indemnities, representations, covenants, undertakings and agreements herein made on the part of the Trustee while in form purporting to be the warranties, indemnities, representations, covenants, undertakings and agreements of said Trustee are nevertheless each and every one of them, made and intended not as personal warranties, indemnities, representations, covenants, undertakings and agreements by the Trustee or for the purpose or with the intention of binding said Trustee personally but are made and intended for the purpose of binding only that portion of the trust property specifically described herein, and this instrument is executed and delivered by said Trustee not in its own right, but solely in the exercise of the powers conferred upon it as such Trustee; and that no personal liability or personal responsibility is assumed by nor shall at any time be asserted or enforceable against CHICAGO TITLE LAND TRUST COMPANY, on account of this instrument or on account of any warranty, indemnity, representation, covenant or agreement of the said Trustee in this instrument contained, either expressed or implied, all such personal liability, if any, being expressly waived and released.

Date: 12-18-02

CHICAGO TITLE LAND TRUST COMPANY, as Trustee  
Under Trust No. 1110819

By:

  
Assistant Vice President