

UNOFFICIAL COPY 00346843

3325/0147 32 001 Page 1 of 8
2000-05-15 14:52:36
Cook County Recorder 35.50



00346843

SHORT FORM LEASE

THIS LEASE AGREEMENT, entered into as of the 23rd day of March, 2000, between La Salle Bank National Association, of Chicago, IL, not individually, but as Trustee under Trust Agreement dated March 10, 1975 known as Trust number 48700, a Delaware Limited Partnership ("Landlord"), and RUBY TUESDAY, INC., a Georgia corporation ("Tenant"), witnesseth as follows:

In consideration of the sum of TEN DOLLARS and other valuable consideration, including that recited in the certain lease instrument executed by the parties contemporaneously herewith, Landlord hereby demises and lets to Tenant and Tenant leases from Landlord that certain property with an address of 504 Orland Square, Space E-4, Orland Park, IL, described in Exhibit "A" attached hereto and made a part hereof ("the Premises"),

To have and to hold the Premises for a term of fifteen (15) years, which commenced on May 29, 1989. The parties executed a notice setting forth date of commencement of the initial term on May 19, 1989.

The terms, covenants and conditions hereof and of the unrecorded lease shall inure to and be binding upon the Landlord and Tenant and their respective heirs, personal representatives, successors and assigns.

MTI Accom

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00346843

Throughout the term of this lease, no person, firm or corporation providing labor, services or materials shall be entitled to a lien against Landlord's interest in the land or building, and all mechanics' and materialmen's liens and other statutory and equitable liens for labor, services and materials are hereby expressly prohibited.

Nothing contained herein shall relieve either party of the obligations or deprive either party of the benefits contained in the contemporaneous unrecorded lease.

IN WITNESS WHEREOF, the parties have executed this instrument on the dates appearing with their respective signatures below.

LASALLE BANK NATIONAL ASSOCIATION, not individually but as Trustee Under Trust Agreement dated March 10, 1975 known as Trust 48700

By: *Deborah Berg*
Name: Deborah Berg
As Its: ASSISTANT VICE PRESIDENT

RUBY TUESDAY, INC., a Georgia corporation

By: *J. Russell Mothershead*
Name: J. Russell Mothershead
As Its: Senior Vice President

THIS INSTRUMENT PREPARED BY
AND WHEN RECORDED RETURN TO:
Tammy Kaousias
Ruby Tuesday, Inc
150 West Church Ave.
Maryville, TN 37801

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 all 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.



[ACKNOWLEDGMENTS TO FOLLOW ON NEXT PAGE]

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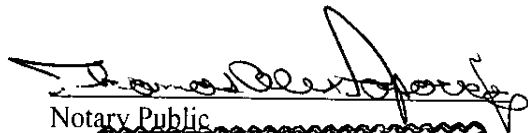
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ACKNOWLEDGMENTS

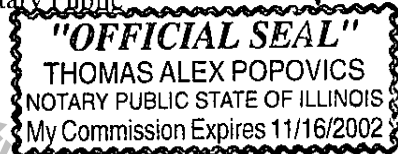
STATE OF Illinois)
)
COUNTY OF Cook) SS.

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY, that Deborah Berg ~~ASSISTANT VICE PRESIDENT~~ who is personally known to me to be the same person whose name is subscribed to the foregoing instrument as such ~~ASSISTANT VICE PRESIDENT~~, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their own free and voluntary act and as the free and voluntary act of said **LA SALLE ASSOCIATION NATIONAL BANK**, for the uses and purposes therein set forth.

Given under my hand and seal this 21st day of March, 2000.


Notary Public

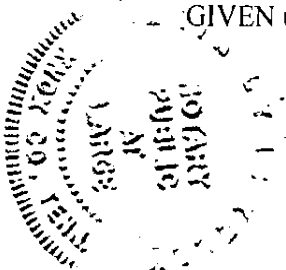
My Commission Expires: 11-16-02

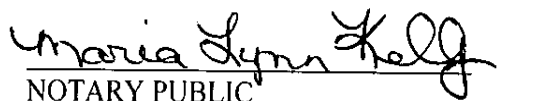


STATE OF TENNESSEE)
)
COUNTY OF BLOUNT) SS.

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY, that **J. Russell Mothershed** who is personally known to me to be the same person whose name is subscribed to the foregoing instrument as such **Senior Vice President**, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their own free and voluntary act and as the free and voluntary act of said **Ruby Tuesday, Inc.**, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal, this 3rd day of March, 2000.




NOTARY PUBLIC
Printed Name: Maria Lynn Kelly
My commission expires Feb. 1, 2003

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EXHIBIT A

LEGAL DESCRIPTION

00346843

Store No. E-4 situated in a Shopping Center known as ORLAND SQUARE, being more particular described as follows:

Carson Site - Legal Description

A tract of land in the South Half of Section 10, Township 36 North, Range 12 East of the Third Principal Meridian, described as follows:

Commencing on the West line of said Section 10 a distance of 1274.60 feet North of the South line of said Section 10; thence North $0^{\circ}01'40''$ East 104.00 feet along the West line of said South Half, thence South $89^{\circ}58'20''$ East 50.40 feet; thence South $77^{\circ}59'08''$ East 40.93 feet; thence South $89^{\circ}58'20''$ East 231.61 feet; thence South $83^{\circ}35'28''$ East 156.17 feet; thence due East 512.84; thence South 30° West 31.75 feet; thence due East 65.60 feet; thence South $79^{\circ}42'36''$ East 64.98 feet; thence North 45° East 25.15 feet; thence South $44^{\circ}59'08''$ East 80.59 feet; thence North $45^{\circ}04'08''$ East 56.63 feet; thence South $45^{\circ}00'25''$ East 248.71 feet; thence South $44^{\circ}57'32''$ West 55.89 feet; thence South $44^{\circ}54'17''$ East 30.09 feet; thence South 45° West 231.20 feet; thence due South 475.24 feet; thence South $26^{\circ}32'43''$ West 45.50 feet to a point on curve; thence Northwesterly on a curve convex to the Southwest having a radius of 1536.30 feet, an arc distance of 320.54 feet and a chord bearing of North $57^{\circ}28'38''$ West to a point of compound curve; thence Northwesterly on a curve convex to the Southwest having a radius of 1414.59 feet, an arc distance of 296.29 feet and a chord bearing of North $45^{\circ}30'$ West to a point of compound curve; thence Northwesterly on a curve convex to the Southwest having a radius of 1949.66 feet, an arc distance of 576.12 feet and a chord bearing of North $31^{\circ}02'04''$ West to a point; thence South $67^{\circ}25'52''$ West 12.50 feet to a point on curve; thence Northwesterly on a curve convex to the Northeast having a radius of 30 feet, an arc distance of 35.29 feet and a chord bearing of North $56^{\circ}16'12''$ West to a point of tangent; thence North $89^{\circ}53'20''$ West 285.74 feet; thence South $78^{\circ}01'15''$ West 40.86 feet; thence North $89^{\circ}58'20''$ West 50.83 feet to the place of beginning, all in Cook County, Illinois.

Developer Site - Legal Description

A tract of land in the Southwest quarter of the West Half of the South East Quarter of Section 10, Township 36 North, Range 12 East of the Third Principal Meridian, described as:

Commencing at the south west corner of Sandberge Ridge Subdivision, as recorded on March 19, 1968 as Document Number 20434987 (said south west corner being on the centerline of 94th Avenue); thence south 89 degrees 57 minutes 50 seconds east 784.98 feet along the south line of said subdivision; thence south 00 degrees 02 minutes 10 seconds west 151.19 feet to a point of curve; thence westerly on a curve convex to the north having a radius of 399 feet, an arc distance of 383.01 feet and a chord bearing of north 85 degrees 59 minutes west to a point of reverse curve; thence continuing westerly on a curve convex to the south having a radius of 1088.24 feet, an arc distance of 1.53 feet and a chord bearing of south 66 degrees 34 minutes 12 seconds west;

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EXHIBIT A (continued)

00346843

thence south 00 degrees 01 minutes 30 seconds west 171.68 feet; thence south 45 degrees west 311.26 feet; thence south 00 degrees 01 minutes 30 seconds west 279.79 feet; thence south 45 degrees west 57.94 feet; thence south 44 degrees 56 minutes 56 seconds east 67.13 feet; thence south 44 degrees 56 minutes 56 seconds west 55.93 feet; thence south 45 degrees 01 minutes 54 seconds east 216.98 feet; thence north 45 degrees 01 minutes 05 seconds east 31.85 feet; thence south 45 degrees 14 minutes 31 seconds east 7.10 feet; thence north 44 degrees 50 minutes 15 seconds east 49.34 feet; thence south 45 degrees 12 minutes 34 seconds east 30.10 feet thence north 45 degrees 05 minutes 13 seconds east 13.28 feet; thence south 44 degrees 50 minutes 03 seconds east 68.75 feet; thence north 45 degrees east 155.14 feet; thence due east 636.58 feet; thence south 16 degrees 29 minutes east 435.61 feet to a point of curve; thence southerly on a curve convex to the east having a radius of 1330.73 feet, an arc distance of 382.45 feet and a chord bearing of south 08 degrees 15 minutes east to a point of compound curve; thence southerly on a curve convex to the east having a radius of 505.17 feet, an arc distance of 283.30 feet and a chord bearing of south 16 degrees 02 minutes 56 seconds west; thence north 57 degrees 53 minutes 05 seconds west 12.50 feet to a point on curve; thence northerly on a curve convex to the east having a radius of 492.67 feet, an arc distance of 154.74 feet and a chord bearing of north 23 degrees 07 minutes 04 seconds east; thence north 45 degrees west 64.71 feet to a point of curve; thence northwesterly on a curve convex to the north east having a radius of 20 feet, an arc distance of 13.83 feet and a chord bearing of north 64 degrees 48 minutes 40 seconds west to a point of tangent; thence north 84 degrees 37 minutes 14 seconds west 10.65 feet to a point of curve; thence northwesterly on a curve convex to the south west having a radius of 111.04 feet, an arc distance of 76.79 feet and a chord bearing of north 64 degrees 48 minutes 38 seconds west to a point of tangent; thence north 45 degrees west 347.52 feet; thence north 27 degrees 28 minutes 26 seconds west 39.85 feet; thence north 45 degrees west 124 feet to a point of curve; thence west on a curve convex to the north having a radius of 52 feet, an arc distance of 81.68 feet and a chord bearing of due west to a point of reverse curve; thence westerly on a curve convex to the south having a radius of 100 feet, an arc distance of 157.08 feet and a chord bearing of due west to a point of tangent; thence north 45 degrees west 160 feet; thence south 45 degrees west 384 feet; thence south 45 degrees east 114.23 feet; thence due south 257.52 feet; thence north 60 degrees east 20.78 feet; thence due south 316.97 feet; thence south 81 degrees 30 minutes east 218.55 feet to a point of curve; thence easterly on a curve convex to the south having a radius of 1012.50 feet, an arc distance of 438.04 feet and a chord bearing of north 86 degrees 06 minutes 21 seconds east to a point of compound curve; thence northeasterly on a curve convex to the south east having a radius of 492.67 feet, an arc distance of 196.86 feet and a chord bearing of north 62 degrees 15 minutes 53 seconds east; thence south 39 degrees 10 minutes 54 seconds east 12.50 feet to a point of curve; thence southwesterly on a curve convex to the south east having a radius of 505.17 feet, an arc distance of 201.85 feet and a chord bearing of south 62 degrees 15 minutes 55 seconds west to a point of compound curve; thence westerly on a curve convex to the south having a radius of 1025 feet, an arc distance of 443.45 feet and a chord bearing of south 86 degrees 06 minutes 22 seconds west to a point of tangent; thence north 81 degrees 30 minutes west 275 feet to a point of curve; thence westerly up a curve convex to the south having a radius of 1548.80 feet, an arc distance of 219.95 feet and a chord bearing of north 77 degrees 25 minutes 53 seconds west to a point of reverse curve; thence southwesterly on a

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EXHIBIT A (continued)

curve convex to the north west having a radius of 35 feet, an arc distance of 65.14 feet and a chord bearing of south 53 degrees 19 minutes 07 seconds west to a point of tangent; thence due south 143.19 feet; thence south 18 degrees 15 minutes 36 seconds east 52.35 feet; thence due south 62 feet to the south line of said Section 10; thence due west 113.40 feet along last said south line; thence due north 315.19 feet to a point of curve; thence northwesterly on a curve convex to the north east having a radius of 35 feet, an arc distance of 40.89 feet and a chord bearing of north 33 degrees 28 minutes 06 seconds west to a point of reverse curve; thence northwesterly on a curve convex to the south west having a radius of 1548.80 feet, an arc distance of 417.28 feet and a chord bearing of north 59 degrees 13 minutes 08 seconds west to a point of compound curve; thence northwesterly on a curve convex to the south west having a radius of 1427.09 feet, an arc distance of 237.87 feet and a chord bearing of north 46 degrees 43 minutes 31 seconds west to a point of reverse curve; thence westerly on a curve convex to the north having a radius of 35 feet, an arc distance of 43.38 feet and a chord bearing of north 77 degrees 27 minutes 40 seconds west to a point of tangent; thence south 67 degrees 01 minutes 40 seconds west 107.96 feet to a point of curve; thence westerly on a curve convex to the south having a radius of 771.77 feet, an arc distance of 309.81 feet and a chord bearing of south 78 degrees 31 minutes 40 seconds west to a point of tangent; thence north 89 degrees 58 minutes 20 seconds west 208.01 feet; thence south 77 degrees 20 minutes 09 seconds west 40.96 feet; thence north 89 degrees 58 minutes 20 seconds west 53.55 feet to the west line of the south west quarter of said Section 10; thence north 00 degrees 01 minutes 40 seconds east 87 feet along last said west line; thence south 89 degrees 58 minutes 20 seconds east 53.19 feet; thence south 77 degrees 18 minutes 12 seconds east 41.04 feet; thence south 89 degrees 58 minutes 20 seconds east 208.2 feet to a point of curve; thence easterly on a curve convex to the south having a radius of 702.77 feet, an arc distance of 282.11 feet and a chord bearing of north 78 degrees 31 minutes 40 seconds east to a point of tangent; thence north 67 degrees 01 minutes 40 seconds east 67.10 feet to a point of curve; thence northerly on a curve convex to the east having a radius of 35 feet, an arc distance of 63.63 feet and a chord bearing of north 14 degrees 56 minutes 46 seconds east to a point of reverse curve; thence northwesterly on a curve convex to the south west having a radius of 1962.16 feet, an arc distance of 498.86 feet and a chord bearing of north 29 degrees 51 minutes 09 seconds west to a point; thence north 67 degrees 25 minutes 52 seconds east 42.50 feet to a point of curve; thence southeasterly on a curve convex to the south west having a radius of 1949.06 feet, an arc distance of 576.12 feet and a chord bearing of south 31 degrees 02 minutes 04 seconds east to a point of compound curve; thence southeasterly on a curve convex to the south west having a radius of 1414.59 feet, an arc distance of 296.29 feet and a chord bearing of south 45 degrees 30 minutes 00 seconds east to a point of compound curve; thence southeasterly on a curve convex to the south west having a radius of 1536.3 feet, an arc distance of 320.54 feet and a chord bearing of south 57 degrees 28 minutes 38 seconds east to a point; thence north 26 degrees 32 minutes 43 seconds east 45.50 feet; thence due north 475.24 feet; thence north 45 degrees east 231.20 feet; thence north 44 degrees 54 minutes 17 seconds west 30.09 feet; thence north 44 degrees 57 minutes 32 seconds east 55.89 feet; thence north 45 degrees 00 minutes 25 seconds west 248.71 feet; thence south 45 degrees 04 minutes 08 seconds west 56.63 feet; thence north 44 degrees 59 minutes 08 seconds west 80.59 feet; thence south 45 degrees west 25.15 feet; thence north 79 degrees 42 minute 36 seconds west 64.98 feet;

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EXHIBIT A (continued)

00346843

thence due west 65.60 feet; thence north 30 degrees east 31.75 feet; thence due west 512.84 feet; thence north 83 degrees 35 minutes 28 seconds west 156.17 feet to a point of curve; thence northeasterly on a curve convex to the south east having a radius of 30 feet, an arc distance of 56.59 feet and a chord bearing of north 35 degrees 59 minutes 05 seconds east to a point of reverse curve; thence northerly on a curve convex to the west having a radius of 1962.16 feet, an arc distance of 121.88 feet and a chord bearing of north 16 degrees 16 minutes 48 seconds west to a point of compound curve; thence northerly on a curve convex to the west having a radius of 823.67 feet, an arc distance of 208.85 feet and a chord bearing of north 07 degrees 14 minutes 11 seconds west to a point of tangent; thence north 00 degrees 01 minutes 40 seconds east 182.42 feet to a point of curve; thence northwesterly on a curve convex to the north east having a radius of 40 feet, an arc distance of 62.83 feet and a chord bearing of north 44 degrees 58 minutes 20 seconds west to a point of tangent; thence north 89 degrees 58 minutes 21 seconds west 162 feet; thence south 77 degrees 20 minutes 09 seconds west 40.96 feet; thence north 89 degrees 58 minutes 21 seconds west 48.04 feet to the west line of the south west quarter of said Section 10; thence north 00 degrees 01 minutes 40 seconds east 87 feet along last said west line; thence south 89 degrees 58 minutes 20 seconds east 47.67 feet; thence south 77 degrees 18 minutes 11 seconds east 41.04 feet; thence south 89 degrees 58 minutes 20 seconds east 163.09 feet to a point of curve; thence northeasterly on a curve convex to the south east having a radius of 40 feet, an arc distance of 59.80 feet and a chord bearing of north 47 degrees 11 minutes 48 seconds east to a point of reverse curve; thence northeasterly on a curve convex to the north west having a radius of 240 feet, an arc distance of 358.87 feet and a chord bearing of north 47 degrees 11 minutes 42 seconds east to a point of tangent; thence south 59 degrees 58 minutes 30 seconds east 36.12 feet; thence south 00 degrees 01 minutes 30 seconds west 12.50 feet; thence north 89 degrees 58 minutes 30 seconds west 36.12 feet to a point of curve; thence southwesterly on a curve convex to the north west having a radius of 227.50 feet, an arc distance of 357.35 and chord bearing of south 45 degrees 01 minutes 35 seconds west to a point of tangent; thence south 00 degrees 01 minutes 40 seconds west 318.24 feet to a point of curve; thence southerly on a curve convex to the west having a radius of 811.16 feet, an arc distance of 189.54 feet and a chord bearing of south 06 degrees 39 minutes 58 seconds east; thence due east 131.24 feet; thence south 30 degrees west 31.75 feet; thence due east 520.69 feet; thence north 86 degrees 51 minutes 03 seconds east 36.68 feet; thence north 15 degrees east 167.84 feet; thence south 00 degrees 05 minutes 27 seconds east 4.05 feet; thence south 89 degrees 38 minutes 34 seconds east 7.28 feet; thence north 44 degrees 59 minutes 20 seconds east 34.71 feet; thence north 09 degrees 25 minutes 32 seconds west 7.26 feet; thence south 89 degrees 50 minutes 01 seconds west 4.07 feet; thence north 45 degrees east 191.98 feet; thence north 45 degrees west 10.72 feet to a point of curve; thence westerly on a curve convex to the north having a radius of 20 feet; an arc distance of 15.71 feet and a chord bearing of north 67 degrees 30 minutes west to a point of tangent; thence due west 49.79 feet; thence north 00 degrees 01 minutes 30 seconds east 507.58 feet; thence south 89 degrees 58 minutes 30 seconds east 134.09 feet; thence north 00 degrees 00 minutes 20 seconds east 165 feet to the place of beginning, all in Cook County, Illinois.

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EXHIBIT A : (continued)

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Property Address: Orland Square Mall
504 Orland Square, Space E-4
Orland Park, IL 60462

P.I.N.: 27-10-300-012

Property of Cook County Clerk's Office