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Eugene "Gene" Moore Fee: \$34.00
Cook County Recorder of Deeds
Date: 08/20/2003 10:45 AM Pg: 1 of 6

**THIS INSTRUMENT PREPARED BY
AND AFTER RECORDING RETURN TO:**
Alan D. Pearlman, Esq.
Law Offices of Alan D. Pearlman, LLC
20 North Wacker Drive, #1500
Chicago, Illinois 60606

PROPERTY ADDRESS:

Southwest Corner of 95th and
Western Avenue, Chicago, Illinois

MEMORANDUM OF GROUND LEASE AGREEMENT

KNOW ALL MEN BY THESE PRESENTS THAT EVERGREEN PLAZA ASSOCIATES LIMITED PARTNERSHIP, an Illinois limited partnership (the "Landlord"), whose address is 9730 S. Western Avenue, Suite 418, Chicago, Illinois 60805, has leased to AppleILLINOIS II, LLC, an Illinois limited liability company (the "Tenant"), under a Ground Lease Agreement dated June 23, 2003 (the "Lease") between Landlord and Tenant, certain premises (the "Leased Premises") located in Cook County, Illinois, more specifically described on Exhibit "A" attached hereto and made a part hereof.

This Memorandum of Ground Lease Agreement is solely for recording notice purposes.

The Lease is for a term commencing no later than on or about March 1, 2004 and shall continue until that date which is twenty (20) years following the "Commencement Date" (as defined in the Lease) with Tenant having the right and privilege to extend the Lease for three (3) additional terms of five (5) years each, unless sooner terminated in accordance with the provisions thereof. The Lease contains the contract of leasing between the parties including, without limitation, the amount of rent, times when rent shall be paid, and other provisions and covenants which govern the relationship of Landlord and Tenant between the parties. All persons are hereby put on notice of the existence of such Lease and are referred to the Lease for its terms and conditions.

This instrument is executed pursuant to the provisions contained in the Lease and is not intended to vary the terms and conditions thereof.

This instrument may be executed in any number of counterparts each of which are identical and which, when taken together, constitute one document.

(4)

**Near North National Title Corp
222 North LaSalle Street
Chicago, Illinois 60601**

COB/NNNT
5701
NO1032100

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IN WITNESS WHEREOF, this Memorandum of Ground Lease Agreement is dated as of this 30~~th~~ day of July, 2003.

LANDLORD:

TENANT:

EVERGREEN PLAZA ASSOCIATES PARTNERSHIP, an Illinois limited partnership

APPLEILLINOIS II, LLC, an Illinois liability company

By: TPG FINANCIAL, INC.
Its: General Partner

By: _____
Name: _____
Its: _____

By: *[Signature]*
Name: Phillip A. Provo
Its: President

Date of Execution: 7/30/03

Date of Execution: _____

APEARL~1\Agreements\Provo\Lease\Apple-MemLse.doc
7/30/2003 3:54 PM

PROPERTY OF COOK COUNTY CLERK'S OFFICE

UNOFFICIAL COPY

IN WITNESS WHEREOF, this Memorandum of Ground Lease Agreement is dated as of this _____ day of July, 2003.

LANDLORD:

TENANT:

EVERGREEN PLAZA ASSOCIATES PARTNERSHIP, an Illinois limited partnership

APPLEILLINOIS II, LLC, an Illinois liability company

By: TPG FINANCIAL, INC.
Its: General Partner

By: George W. Weiden
Name: George W. Weiden
Its: Vice President

By: _____
Name: _____
Its: _____

Date of Execution: _____

Date of Execution: 7/30/03

APEARL-1\Agreements\Provo\Lease\Apple-MemLse.doc
7/30/2003 1:29 PM

Property of Cook County Clerk's Office

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STATE OF Missouri)
) SS.
COUNTY OF Jackson)

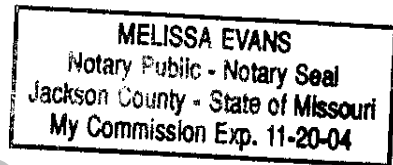
I, Melissa Evans, a Notary Public in and for said County and State, **DO HEREBY CERTIFY** that Bruce A. Provo, President of TPG Financial, Inc., an Illinois corporation, General Partner of **Evergreen Plaza Associates Limited Partnership**, whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that he signed and delivered the said instrument, on behalf of said corporation and limited partnership and as his free and voluntary act, and as the duly authorized and free and voluntary act of the company, for the uses and purposes therein set forth.

GIVEN under my hand and official seal, this 30 day of July, 2003.

Melissa Evans
Notary Public

My Commission expires: 11-20-2004

STATE OF _____)
) SS.
COUNTY OF _____)



I, _____, a Notary Public in and for said County and State, **DO HEREBY CERTIFY** that _____ of **AppleILLINOIS II, L.L.C.**, an Illinois limited liability company, whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that he signed and delivered the said instrument, on behalf of said company and as his free and voluntary act, and as the duly authorized and free and voluntary act of the company, for the uses and purposes therein set forth.

GIVEN under my hand and official seal, this _____ day of _____, 2003.

Notary Public

My Commission expires: _____

UNOFFICIAL COPY

STATE OF _____)
) SS.
COUNTY OF _____)

I, _____, a Notary Public in and for said County and State, **DO HEREBY CERTIFY** that Bruce A. Provo, _____ of TPG Financial, Inc., an Illinois corporation, General Partner of **Evergreen Plaza Associates Limited Partnership**, whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that he signed and delivered the said instrument, on behalf of said corporation and limited partnership and as his free and voluntary act, and as the duly authorized and free and voluntary act of the company, for the uses and purposes therein set forth.

GIVEN under my hand and official seal, this _____ day of _____, 2003.

Notary Public

My Commission expires: _____

STATE OF Kentucky)
) SS.
COUNTY OF KENTON)

I, Phyllis E. Bump, a Notary Public in and for said County and State, **DO HEREBY CERTIFY** that George W. Warden, Vice President of AppleILLINOIS II, L.L.C., an Illinois limited liability company, whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that he signed and delivered the said instrument, on behalf of said company and as his free and voluntary act, and as the duly authorized and free and voluntary act of the company, for the uses and purposes therein set forth.

GIVEN under my hand and official seal, this 30th day of July, 2003.

Phyllis E Bump
Notary Public

My Commission expires: 4-25-2006

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EXHIBIT A

LEGAL DESCRIPTION OF LEASED PREMISES

A PARCEL OF LAND DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF LOT A OF THE PLAT OF CONSOLIDATION OF ARTHUR RUBLOFF'S EVERGREEN PLAZA; THENCE WEST ALONG THE NORTH LINE OF SAID LOT A 47.34 FEET; THENCE SOUTH PERPENDICULAR TO LAST DESCRIBED LINE 151.18 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 130.36 FEET; THENCE WEST PERPENDICULAR TO LAST 62.73 FEET; THENCE NORTH PERPENDICULAR TO THE LAST DESCRIBED LINE 2.66 FEET; THENCE WEST PERPENDICULAR TO THE LAST DESCRIBED LINE 29.90 FEET; THENCE NORTH PERPENDICULAR TO THE LAST DESCRIBED LINE 12.00 FEET; THENCE EAST PERPENDICULAR TO THE LAST DESCRIBED LINE 11.56 FEET; THENCE NORTH PERPENDICULAR TO THE LAST DESCRIBED LINE 111.00 FEET; THENCE WEST PERPENDICULAR TO THE LAST DESCRIBED LINE 17.33 FEET; THENCE NORTH PERPENDICULAR TO THE LAST DESCRIBED LINE 5.00 FEET; THENCE EAST PERPENDICULAR TO THE LAST DESCRIBED LINE 26.40 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

PROPERTY ADDRESS:

Southwest Corner of 95th and
Western Avenue, Chicago, Illinois

PERMANENT INDEX NUMBER

24-12-236-003-0000 (pt.)