

18-30-301-001-0000

18-30-305-003-0000



Doc#: 0409717125
Eugene "Gene" Moore Fee: \$32.50
Cook County Recorder of Deeds
Date: 04/06/2004 11:25 AM Pg: 1 of 5

MEMORANDUM OF LEASE

This is a Memorandum of Lease for the Lease executed on 6/18/02, between Subway Real Estate Corp. a corporation organized under the laws of the State of Delaware, having its principal office at 325 Bic Drive, Milford, CT 06460, hereinafter called "the Tenant," and BRC Limited Partnership, organized under the laws of the State of , having its principal office at: 1400 West 16th Street Ste 350, Oak Brook, IL, 60523 hereinafter called "the Landlord."

For the purpose of this document and/or the Lease, as well as the exhibits/schedules executed by the Landlord and Tenant, the terms "Landlord" and "Lessor" as used shall be deemed synonymous and the terms "Tenant" and "Lessee" as used shall be deemed synonymous.

The Landlord leases to the Tenant the premises as described in the Lease:

1. Premises:

Store Number: 26175 approximately: 1230 Square Feet.

112 Burr Ridge Parkway
Located at: County Line Rd & Burr Ridge Pk, Burr Ridge, IL

State of: IL

County of: Cook

2. Term:

The Lease is for a term of 5 years to commence on 8/1/02 and terminate on 7/31/07.

3. Renewal (Option) Periods:

The Tenant shall have the right to renew this lease for: 3 period(s) of 5 year(s) each.

Within ten (10) days of the expiration or earlier termination of this lease, Tenant, upon Landlord's request, shall deliver to Landlord an executed Memorandum of Termination of Lease.

Landlord and Tenant agree that any conflict between the terms of the Master Lease and the provisions of this Memorandum of Lease shall be resolved in favor of this Memorandum of Lease.

Prepared by, and return to:
Subway Real Estate Corp.
M. Garay, Lease Recording
325 Bic Drive ~ Milford, CT 06460
203-878-2791 ext. 1742

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EXHIBIT AA

LEGAL DESCRIPTION OF SHOPPING CENTER

For purposes of this Lease, the term "Shopping Center" shall mean any buildings, improvements, appurtenances constructed thereon and real property, including without limitation, malls, walkways, kiosks, stands, outside portions, free standing structures, curbs, driveways, parking lots, parking structures, retention ponds or components thereof, legally described as follows:

Lot 1 in Burr Ridge Market Resubdivision of Lots 4, S and vacated Emro Drive in Burr Ridge Park Unit 2 in the West ½ of the Southwest ¼ of Section 30, Township 38 North, Range 12, East of the Third Principal Meridian, according to the Plat thereof recorded April 18, 1989 as Document Number 89171S49, in Cook County, Illinois.

Lot 1 in Burr Ridge in Burr Ridge Park Unit 1 in the West ½ of the Southwest ¼ of Section 30, Township 38 North, Range 12, East of the Third Principal Meridian, according to the Plat thereof recorded January 3, 1984, as Document Number 26915064, in Cook County, Illinois.

PARCEL NUMBERS - 18-30-301-001-0000
18-30-305-003-0000

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ASSIGNMENT OF LEASE

LOCATION: County Line Square Shopping Center

SUITE: 112

TENANT: Subway Real Estate Corp.


DATE OF LEASE:

KNOW ALL MEN BY THESE PRESENTS that the undersigned, as Assignor, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby grant, convey, sell, assign and transfer unto **FIFTH THIRD BANK, AS TRUSTEE UNDER TRUST AGREEMENT DATED NOVEMBER 25, 2002 AND KNOWN AS TRUST NO. 17343**, all of the right, title and interest in that certain Lease identified above, a copy of which is attached hereto and made a part hereof.

Assignor hereby warrants and represents that the Lease attached hereto and made a part hereof is in good standing, and that the Assignor has not been put on any notice as to any defense, offset, claim or counter-claim by the Lessee of said Lease or any person or entity claiming by or through said Lessee, and the Assignor further represents that there is no litigation now pending or threatened against the Assignor's (Lessor's) interest in and to said Lease.

Dated: January 13, 2003

BRC LIMITED PARTNERSHIP

By: 

MARK MARINELLO, General Partner

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Acknowledgement - General

In Witness whereof the "Landlord" has hereunto executed this document this 25th day of Feb, 2004.

Landlord: [Signature]

Signature

Robert Garber
Print

Owner
Title:

2-25-04
Date

Margaret M. Garber 2/25/04
Witness Date

[Signature] 2/25/04
Witness Date

Margaret M. Garber
Print

Tim Garber
Print

STATE OF Ill

COUNTY OF Cook

On this the 25th day of Feb in the Year 2004, before me, the undersigned, a Notary Public in and for said State, personally appeared

the above names
personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledge to me that he/she/they executed the same in his/her, their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

[Signature]
Notary Public

(Notarial Seal)
My Commission expires 2/18/05

Prepared by, and return to:
Subway Real Estate Corp.
325 Bic Drive ~ Milford, CT 06460

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Acknowledgement - Tenant - general

In Witness Whereof the "Tenant" has hereunto executed this document this 17th
day of March, 2004.

Tenant: Subway Real Estate Corp.

[Signature]
John C. Devine, Its: Vice President

[Signature]
Witness

[Signature]
Witness

[Signature]
Print

[Signature]
Print

STATE OF CONNECTICUT

COUNTY OF NEW HAVEN

On this the 17th day of March in the Year 2004,
before me, the undersigned, a Notary Public in and for said State, personally appeared
John C. Devine, Vice President of Subway Real Estate Corp., personally known to me or
proved to me on the basis of satisfactory evidence to be the individual whose name is
subscribed to the within instrument and acknowledge to me that he executed the same in
his capacity, and that by his signature on the instrument, the individual, or the person
upon behalf of which the individual acted, executed the instrument.

[Signature]
Notary Public

(Notarial Seal)

My Commission expires 4/30/07

Prepared by, and return to:
Subway Real Estate Corp.
325 Bic Drive ~ Milford, CT 06460