

# UNOFFICIAL COPY

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Chicago, Illinois 60602-4283



Doc#: 0427344037  
Eugene "Gene" Moore Fee: \$32.00  
Cook County Recorder of Deeds  
Date: 09/29/2004 10:12 AM Pg: 1 of 5

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## MEMORANDUM OF LEASE

THIS MEMORANDUM OF LEASE is made and entered into as of this 10<sup>th</sup> day of September, 2004, by and between **DYNAPROP XVIII: STATE STREET LLC**, an Illinois limited liability company ("Landlord"), and **BANK ONE, National Association**, a national banking association ("Tenant").

### RECITALS

WHEREAS, Landlord and Tenant have executed that certain Lease Agreement dated March 18, 2004 ("Original Lease"), as amended by that certain First Amendment to Lease Agreement ("First Amendment") dated June 3, 2004 (the Original Lease and the First Amendment are collectively the "Lease") with respect to a portion of the property legally described on Exhibit "A" attached hereto ("Property"), and as more particularly described in the Lease; and

WHEREAS, Landlord and Tenant desire to evidence their agreement with respect to the Lease by this Memorandum of Lease.

NOW, THEREFORE, in consideration of the lease of the Premises from Landlord to Tenant and the payment by Tenant to Landlord of good and valuable consideration therefor, the receipt and sufficiency of which are hereby acknowledged, the parties have agreed as follows:

1. The foregoing recitals are hereby incorporated herein by this reference. All capitalized terms used herein shall have the same meaning as ascribed to such terms in the Lease unless otherwise defined herein.

2. Landlord has leased the Premises to Tenant for a term of ten (10) years, with three (3) consecutive five (5) year options. The Lease term is expected to commence in the year 2004.

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3. Section 7.1 of the Lease provides that Tenant shall have the exclusive right to “use the Premises for the conduct of all business and activities which it or any subsidiary or affiliate is now or hereafter authorized by law to engage in and conduct, including a full service financial institution, both directly and through subsidiaries and affiliates, and also including without limitation, banking, mortgage lending, insurance, securities services, ATM service, (in and/or outside of the Premises, including adjacent Common Areas), savings and loan, pay day loan company (or other commercial or personal lender), trust company, credit card company, and mortgage company.” Provided, however, Section 7.2 of the Lease states in part that “...notwithstanding the foregoing to the contrary, Landlord may permit the third party use of the Property, the Building, and the Complex, for insurance, securities sales and brokerage, and financial investment purposes.”

4. The specific terms of the Lease and the rights and obligations of the parties with respect thereto are fully set forth in the Lease.

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IN WITNESS WHEREOF, the undersigned have executed this Memorandum of Lease as of the day and date first above written.

LANDLORD:

DYNAPROP XVIII: STATE STREET LLC,  
an Illinois limited liability company

By: Dynaprop Development Corporation,  
its manager

By: *Rick Turner*  
Print Name: RICK TURNER  
Its: PRESIDENT

TENANT:  
BANK ONE, National Association,  
a national banking association

By: *Michael F. Weinberg*  
Print Name: \_\_\_\_\_  
Its: Michael F. Weinberg  
Senior Vice President

*(Handwritten mark)*

Property of Cook County Clerk's Office

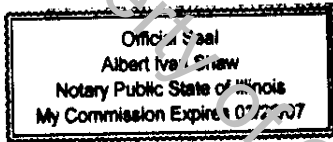
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STATE OF ILLINOIS )  
 ) SS  
COUNTY OF COOK )

I, ALBERT IVAN SHAW, a Notary Public in and for said County, in the State aforesaid, do hereby certify that Rick Turner personally known to be the President of Dynaprop Development Corporation, manager of **DYNAPROP XVIII: STATE STREET LLC**, an Illinois limited liability company, in whose name the above and foregoing instrument is executed, appeared before me this day in person and acknowledged that he signed and delivered the said instrument as his/her free and voluntary act and as the free and voluntary act of the Landlord for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 18<sup>th</sup> day of August, 2004.



Albert Ivan Shaw  
Notary Public

My Commission Expires: 3/22/07

STATE OF ILLINOIS )  
 ) SS  
COUNTY OF COOK )

I, Donna Wollard, a Notary Public in and for said County, in the State aforesaid, do hereby certify that Michael Filbeck personally known to be the President of **BANK ONE, National Association**, a national banking association in whose name the above and foregoing instrument is executed, appeared before me this day in person and acknowledged that he signed and delivered the said instrument as his free and voluntary act and as the free and voluntary act of said the Tenant for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 10<sup>th</sup> day of August, 2004.



Donna Wollard  
Notary Public

My Commission Expires: 9-26-07

**UNOFFICIAL COPY****EXHIBIT A****LEASE PROPERTY LEGAL DESCRIPTION**

LOTS 1 AND 5, BOTH INCLUSIVE, TOGETHER WITH A PART OF THE VACATED 30 FOOT ALLEY, LYING WEST OF AND ADJOINING THE WEST LINE OF SAID LOTS 2 TO 5 IN BLOCK 32 IN CANAL TRUSTEES NEW SUBDIVISION OF BLOCKS IN EAST FRACTIONAL SOUTHEAST ¼ OF SECTION 21, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 1; THENCE SOUTH 00 DEGREES 03 MINUTES 47 SECONDS EAST ALONG THE EAST LINE OF SAID LOTS 1 TO 5, BOTH INCLUSIVE, SAID LINE ALSO BEING THE WEST LINE OF SOUTH STATE STREET, A DISTANCE OF 293.68 FEET; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, ALONG THE SOUTH LINE OF SAID LOT 5 AND THE SOUTH LINE OF SAID VACATED 30 FOOT ALLEY, SAID LINE ALSO BEING THE NORTH LINE OF WEST CULLERTON STREET A DISTANCE OF 162.30 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 37 SECONDS EAST, A DISTANCE OF 92.57 FEET; THENCE NORTH 31 DEGREES 56 MINUTES 18 SECONDS WEST A DISTANCE OF 15.35 FEET; THENCE NORTH 58 DEGREES 03 MINUTES 42 SECONDS EAST A DISTANCE OF 57.55 FEET; THENCE NORTH 31 DEGREES 54 MINUTES 03 SECONDS WEST, A DISTANCE OF 69.60 FEET; THENCE NORTH 58 DEGREES 08 MINUTES 39 SECONDS EAST, ALONG THE NORTHWESTERLY LINE OF SAID VACATED 30 FOOT ALLEY AND THE NORTHWESTERLY LINE OF SAID LOT 1, SAID LINE ALSO BEING THE SOUTHEASTERLY LINE OF SOUTH ARCHER AVENUE, A DISTANCE OF 186.23 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

Tax Id #'s: 17-21-414-001  
 17-21-414-002  
 17-21-414-003  
 17-21-414-004  
 17-21-414-005  
 17-21-414-006

AIKIA: 1900 S. State St., Chicago, IL