

# UNOFFICIAL COPY



Recording Requested By:

And When Recorded Return To:

O'Rourke, Hogan, Fowler & Dwyer  
Suite 2900  
10 South LaSalle Street  
Chicago, Illinois 60603  
Attn: W. Craig Fowler, Esq.

Doc#: 0515345103  
Eugene "Gene" Moore Fee: \$34.50  
Cook County Recorder of Deeds  
Date: 06/02/2005 01:42 PM Pg: 1 of 6

(Space Above this Line for County Recorder's Use Only)

## Memorandum of Real Estate Contract

This Memorandum of Real Estate Contract ("**Memorandum**") is made as of the 1<sup>st</sup> day of April, 2005, by and between James M. Ticus or his nominee or assignee ("**Purchaser**") and Harris Bank Winnetka, N.A., as Trustee under Trust Agreement dated November 20, 1997 and known as Trust No. L3904 ("**Seller**").

### Recitals

- A. Seller is the fee simple title holder of that certain parcel of real property located in Evanston, Cook County, Illinois, which is legally described on Exhibit A attached hereto and made a part hereof ("**Property**").
- B. Purchaser and Seller (acting by its beneficiary and agent) are parties to that certain Multi-Board Residential Real Estate Contract 3.0, effective as of April 1, 2005 ("**Contract**"). Pursuant to the Contract, Seller has agreed to sell to Purchaser, and Purchaser has agreed to purchase from Seller, fee title to a portion of the Property to which reference is made in the Contract (such portion is herein called the "**Subject Property**"), in accordance with the terms, provisions and conditions of the Contract.
- C. Seller and Purchaser now desire to set forth and confirm both the existence of the Contract and Purchaser's contract purchaser rights thereunder with respect to the Subject Property, by recording this Memorandum.

### Agreements

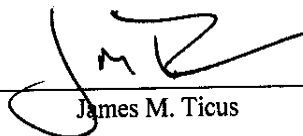
Now, therefore, in consideration of the foregoing Recitals, the mutual covenants and promises hereinafter set forth, and other good and valuable consideration, the receipt and sufficiency of all of which are hereby acknowledged, the parties hereby agree as follows:

1. Incorporation of Recitals; Definitions. The foregoing Recitals are hereby incorporated into and made a part of this Memorandum, as if fully set forth herein. Capitalized terms used in this Memorandum and not otherwise defined herein shall have the respective meanings given them in the Contract.
2. Contract Purchaser Status. By virtue of the Contract, Purchaser is the contract purchaser with respect to the Subject Property, as of April 1, 2005. As such, from and after April 1, 2005, Purchaser is and will be entitled to the status of a contract purchaser under the Contract and all of the rights, priorities and privileges attendant thereto under applicable law.
3. Purpose of Memorandum. This Memorandum is being executed and recorded in order to give notice of the existence of the Contract and the contract purchaser rights of Purchaser as a result thereof with respect to the Subject Property. This Memorandum is not a restatement of the Contract, or any portion thereof, and will not alter, modify, vary or amend any of the terms, provisions or conditions of the Contract. In the event of any conflict or inconsistency between the terms, provisions and conditions of this Memorandum and the terms, provisions and conditions of the Contract, the terms, provisions and conditions of the Lease will in all respects govern and control.

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In witness whereof, the parties have executed this Memorandum as of the date first above written:

Purchaser:

  
\_\_\_\_\_

James M. Ticus

Seller:

Harris Bank Winnetka, N.A., as Trustee under Trust Agreement dated November 20, 1997 and known as Trust No. L3904

By: \_\_\_\_\_  
Glenn Moak, Its Duly Authorized Agent

Property of Cook County Clerk's Office

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In witness whereof, the parties have executed this Memorandum as of the date first above written:

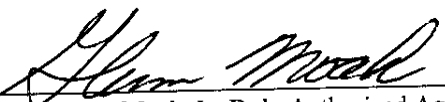
Purchaser:

\_\_\_\_\_  
James M. Ticus

Seller:

Harris Bank Winnetka, N.A., as Trustee under Trust Agreement dated November 20, 1997 and known as Trust No. L3904

By:

  
\_\_\_\_\_  
Glenn Moak, Its Duly Authorized Agent

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## Acknowledgment

STATE OF ILLINOIS  
SS.  
COUNTY OF COOK

I, W. Craig Fowler, a notary public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that James M. Ticus, personally known to me to be the same person 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 as his free and voluntary act, for the uses and purposes therein set forth.

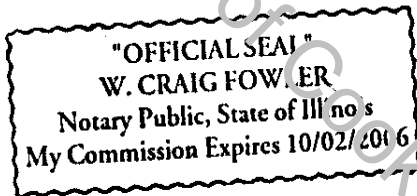
GIVEN under my hand and official seal this 31<sup>st</sup> day of April, 2005.

W. Craig Fowler  
Notary Public

Printed Name: W. Craig Fowler

Resident of: Cook County, Illinois

Commission Expires: 10/2/2006



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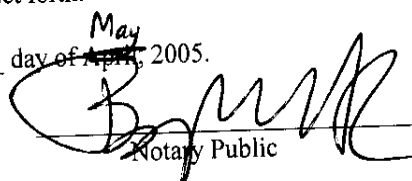
# UNOFFICIAL COPY

## Acknowledgment

STATE OF Illinois  
COUNTY OF Cook SS.

I, Barry M. Rosenbloom, a notary public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Glenn Moak, personally known to me to be the duly authorized agent of HARRIS BANK WINNETKA, N.A., a national banking association, as Trustee as aforesaid, and personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that as such duly authorized agent, he signed and delivered the said instrument, pursuant to authority given by the aforesaid Trustee, as his free and voluntary act, and as the free and voluntary act and deed of said Trustee, for the uses and purposes therein set forth.

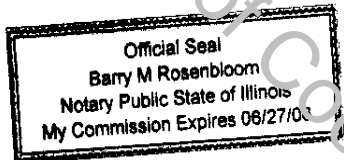
GIVEN under my hand and official seal this 3<sup>rd</sup> day of May, 2005.

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

Printed Name: Barry M. Rosenbloom

Resident of: Illinois

Commission Expires: 6-27-06



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## Exhibit A to Memorandum of Lease -- Legal Description of Property

Parcel 1:

Lots 1, 5 and 6 in the Resubdivision of Lots 10 to 14 in Block 20 North Evanston, being a subdivision of Lots 11 to 16 both inclusive and the West 4.3 acres of Lot 17 in George Smith's Subdivision of the South part of Ouilmette Reserve in Township 42 North, Range 13 East of the Third Principal Meridian, and also Lots 1, 3 and that part of Lot 2 lying between the Chicago and Milwaukee Row of Lot 3 produced to the North line of Section 12, Township 41 North, Range 13 East of the Third Principal Meridian

Parcel 2:

Lot 9 in Block 20, in North Evanston, in Township 42 North, Range 13 East of the Third Principal Meridian, in Cook County, Illinois

PIN: 05-34-42-3010-0000  
05-34-42-3011-0000  
05-34-42-3020-0000  
05-34-42-3021-0000