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RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:



Doc#: 0534203061 Fee: \$34.50
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 12/08/2005 12:59 PM Pg: 1 of 6

Ralphs Grocery Company
1100 West Artesia Boulevard
Compton, California 90220
Attention: Legal Department (MMK)
Food 4 Less #558/Main Street Commons
Evanston, Illinois



(Space Above For Recorder's Use Only)

CONFIRMATION OF LEASE COMMENCEMENT DATE

This Confirmation of Lease Commencement Date is dated as of DECEMBER 1, 2005, by and between KAP SUM PROPERTIES, L.L.C., an Illinois limited liability company ("Landlord") and RALPHS GROCERY COMPANY, an Ohio corporation ("Tenant").

W I T N E S S E T H

WHEREAS, Landlord and Tenant have heretofore entered into a certain written lease dated as of February 12, 2004 (the "Lease"), covering that certain land and the improvements thereon (the "Premises"), which is located in a shopping center in the County of Cook, State of Illinois, which shopping center is more particularly described in Exhibit "A" attached hereto. All capitalized terms not otherwise defined herein shall have the meanings assigned to them in the Lease; and

WHEREAS, the Lease provides that when the Commencement Date of the Term thereof has been determined, the parties shall execute, acknowledge, deliver, and cause to be recorded an agreement confirming the Commencement Date; and

WHEREAS, the undersigned, being Landlord and Tenant under the Lease, do hereby desire to confirm the Commencement Date thereof.

NOW THEREFORE, in consideration of the foregoing, the parties hereto agree as follows:

The parties hereby confirm the Commencement Date of the Term of the Lease as September 8, 2004. Accordingly, the initial Term of the Lease will expire (subject to any options to renew granted to Tenant therein) on September 30, 2024.

This Agreement may be executed in counterparts, each of which shall be an original agreement, and all of which taken together shall constitute one agreement.

[BALANCE OF PAGE INTENTIONALLY LEFT BLANK. SIGNATURE PAGE FOLLOWS]

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[SIGNATURE PAGE FOR CONFIRMATION OF LEASE COMMENCEMENT DATE]

IN WITNESS WHEREOF, the parties hereto have executed this Confirmation of Lease Commencement Date as of the date first set forth above.

LANDLORD: KAP-SUM PROPERTIES, L.L.C.,
an Illinois limited liability company

By: 

Print Name: Robert J. Bond

Print Title: Authorized Signatory

TENANT: RALPHS GROCERY COMPANY,
an Ohio corporation

By: _____

Print Name: _____

Its: _____

Property of Cook County Clerk's Office

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[SIGNATURE PAGE FOR CONFIRMATION OF LEASE COMMENCEMENT DATE]

IN WITNESS WHEREOF, the parties hereto have executed this Confirmation of Lease Commencement Date as of the date first set forth above.

LANDLORD:

KAP-SUM PROPERTIES, L.L.C.,
an Illinois limited liability company

By: _____

Print Name: _____

Print Title: _____

TENANT:

RALPHS GROCERY COMPANY,
an Ohio corporation

By: M. L. Kasper

Print Name: Mary L. Kasper

Its: Vice President and Assistant Secretary

Property of Cook County Clerk's Office

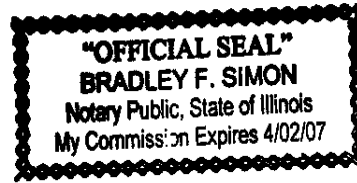
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STATE OF ILLINOIS)
) ss.
COUNTY OF COOK)

On 12/1/05 before me, Bradley F. Simon, Notary Public, personally appeared Robert J. Bond, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Bur



~~STATE OF _____)
) ss.
COUNTY OF _____)~~

~~On _____ before me, _____, Notary Public, personally appeared _____, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.~~

~~WITNESS my hand and official seal.~~

UNOFFICIAL COPY

STATE OF _____)
) ss.
 COUNTY OF _____)

On _____ before me, _____, Notary Public, personally appeared _____, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

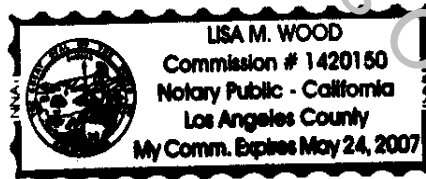
WITNESS my hand and official seal.

STATE OF CALIFORNIA)
) ss.
 COUNTY OF LOS ANGELES)

On DECEMBER 1, 2005 before me, LISA M. WOOD, Notary Public, personally appeared MARY L. KASPER, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Lisa M. Wood



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EXHIBIT "A"

LEGAL DESCRIPTION OF THE SHOPPING CENTER

PARCEL 1:

LOT 2 AND THE EAST 15.50 FEET OF THE NORTH 78.27 FEET OF LOT 3 IN MAIN STREET COMMONS SUBDIVISION, BEING A SUBDIVISION IN THE SOUTHWEST 1/4 OF SECTION 24, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID MAIN STREET COMMONS SUBDIVISION RECORDED MARCH 15, 1983 AS DOCUMENT NUMBER 93193388, IN COOK COUNTY, ILLINOIS.

PARCEL 2:

THAT PART OF LOT 2 IN GENERAL DYNAMICS-EVANSTON INDUSTRIAL PARK (RECORDED MAY 16, 1969 IN BOOK 791 ON PAGES 47 AND 48 AS DOCUMENT 20843500) DESCRIBED AS FOLLOWS::

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 2; THENCE DUE WEST, 622.56 FEET ON THE NORTH LINE OF SAID LOT 2 TO A POINT 14.02 FEET DUE EAST OF THE NORTHWEST CORNER OF SAID LOT 2; THENCE SOUTH 02 DEGREES, 31 MINUTES, 35 SECONDS WEST, 655.00 FEET ON A LINE PARALLEL WITH THE WEST LINE OF SAID LOT 2; THENCE SOUTH 87 DEGREES, 28 MINUTES, 35 SECONDS EAST AT RIGHT ANGLES TO THE WEST LINE OF SAID LOT 2, A DISTANCE OF 255.00 FEET; THENCE NORTH 02 DEGREES, 31 MINUTES, 25 SECONDS EAST PARALLEL WITH THE WEST LINE OF SAID LOT 2, A DISTANCE OF 153.87 FEET; THENCE SOUTH 87 DEGREES, 28 MINUTES, 35 SECONDS EAST AT RIGHT ANGLES TO THE LAST DESCRIBED LINE, 318.96 FEET, MORE OR LESS, TO A POINT ON THE SOUTHEASTERLY LINE OF SAID LOT 2, SAID POINT BEING 887.96 FEET NORTHERLY OF THE SOUTHEAST CORNER OF SAID LOT 2 AS MEASURED ON SAID SOUTHEASTERLY LINE OF SAID LOT 2; THENCE NORTH 24 DEGREES, 30 MINUTES, 23 SECONDS EAST MEASURED (NORTH 24 DEGREES, 29 MINUTES, 53 SECONDS EAST RECORD), 112.61 FEET ON THE SOUTHEASTERLY LINE OF SAID LOT 2; THENCE NORTH 39 DEGREES, 06 MINUTES, 38 SECONDS EAST, 38.83 FEET MEASURED (NORTH 39 DEGREES, 03 MINUTES, 08 SECONDS EAST, 38.92 FEET RECORD), ON THE SOUTHEASTERLY LINE OF LOT 2 TO THE EAST LINE OF LOT 2; THENCE DUE NORTH 393.29 FEET MEASURED (393.39 FEET RECORD) ON THE EAST LINE OF SAID LOT 2 TO THE POINT OF BEGINNING, AND ALL BEING SITUATED IN THE SOUTHWEST 1/4 OF SECTION 24, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

PARCEL 3:

EASEMENT FOR INGRESS AND EGRESS FOR THE BENEFIT OF PARCELS 1 AND 2 PURSUANT TO DEED OF DECLARATION DATED MAY 25, 1978 AND RECORDED JUNE 23, 1978 AS DOCUMENT 24504249 OVER THAT PART OF THE PROPERTY DESCRIBED IN EXHIBITS 'A' AND 'A-1' ATTACHED THERETO.