

# UNOFFICIAL COPY



Doc#: 0629844039 Fee: \$36.50  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 10/25/2006 12:09 PM Pg: 1 of 7

WHEN RECORDED, RETURN TO:

Yum Brands Real Estate  
17901 Von Karman Avenue  
Irvine CA 92614  
Attention: ~~Law~~ Department-Real Estate  
Entity No. 285787, Oak Lawn, IL

## MEMORANDUM OF LEASE

THIS MEMORANDUM OF LEASE is dated this 12<sup>th</sup> day of APRIL, 2006, by and between Robin Realty & Management as agent for the beneficiaries of LaSalle National Bank as Trustee under Trust No. 52842 ("Landlord"), whose mailing address is: 1333 North Wells Street, Chicago, IL 60610, and Long John Silver's Inc., a Delaware corporation ("Tenant"), whose mailing address is: Attn: Property Management, 1900 Colonel Sanders Lane, Louisville, KY 40213.

Landlord hereby grants, demises and leases the premises ("Premises") described below to Tenant upon the following terms:

1. **Date of Lease:** April 4, 2005;
2. **Description of Premises:** See Exhibit "A" attached;
3. **Date of Term commencement:** The date upon which Tenant opens for business;
4. **Term:** Ten (10) years;
5. **Renewal Options:** Provided that Tenant is not in default of its obligations under the Lease, Tenant shall have the option to extend the Term of the Lease for two (2) additional periods of five (5) years each;

The purpose of this Memorandum of Lease is to give notice of the Lease and of the rights created thereby, all of which are hereby confirmed.

8247375 M. Drummer 01

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IN WITNESS WHEREOF the parties have executed this Memorandum of Lease as of the dates set forth in their respective acknowledgments.

**LANDLORD**

**TENANT**

Robin Realty & Management as Agent for  
the Beneficiaries of the Trust

Long John Silver's Inc.,  
a Delaware corporation

By:  \_\_\_\_\_

By: Mary C. Shipma

Name: STEPHEN KANT

Name: Mary C. Shipma

Title: V.P.

Title: Attorney - IN-FACT

Date: 5/19/05

Date: 4/5/06

REVIEWED BY:  
JACQUIE HARVEY  
DATE: \_\_\_\_\_

ALL SIGNATURES MUST BE NOTARIZED

Property of Cook County Clerk's Office

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## EXCULPATORY CLAUSE FOR CHICAGO TITLE LAND TRUST COMPANY, AS SUCCESSOR TRUSTEE TO LA SALLE NATIONAL BANK, AS TRUSTEE UNDER TRUST #52842 ATTACHED TO AND MADE A PART OF THAT MEMORANDUM OF LEASE DATED APRIL 4, 2005, WITH LONG JOHN SILVER'S INC .,

It is expressly understood and agreed by and between the parties hereto, anything to the contrary notwithstanding, that each and all of the warranties, indemnities, representations, covenants, undertakings and agreements herein made on the part of the Trustee while in form purporting to be the warranties, indemnities, representations, covenants, undertakings and agreements of said Trustee are nevertheless each and every one of them, made and intended not as personal warranties, indemnities, representations, covenants, undertakings and agreements by the Trustee or for the purpose or with the intention of binding said Trustee personally but are made and intended for the purpose of binding only that portion of the trust property specifically described herein, and this instrument is executed and delivered by said Trustee not in its own right, but solely in the exercise of the powers conferred upon it as such Trustee; and that no personal liability or personal responsibility is assumed by nor shall at any time be asserted or enforceable against CHICAGO TITLE LAND TRUST COMPANY, on account of this instrument or on account of any warranty, indemnity, representation, covenant or agreement of the said Trustee in this instrument contained, either expressed or implied, all such personal liability, if any, being expressly waived and released.

CHICAGO TITLE LAND TRUST COMPANY, as Trustee  
Under Trust No 52842

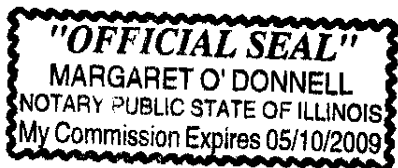
By: *Carolyn Ingle*  
Assistant Vice President



State of Illinois  
County of Cook                      SS.

I, the undersigned, a Notary Public in and for the County and State aforesaid, do hereby certify that the above named Assistant Vice President of **CHICAGO TITLE LAND TRUST COMPANY**, personally known to me to be the same persons whose name is subscribed to the foregoing instrument as such Assistant Vice President appeared before me this day in person and acknowledged that he/she signed and delivered the said instrument as his/her own free and voluntary act and as the free and voluntary act of the Company; and the said Assistant Vice President then and there caused the corporate seal of said Company to be affixed to said instrument as his/her own free and voluntary act and as the free and voluntary act of the Company.

Given under my hand and Notarial Seal this 12th day of May, 2006.



*Margaret O'Donnell*  
NOTARY PUBLIC

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### ALL-PURPOSE ACKNOWLEDGMENT

State of ILLINOIS

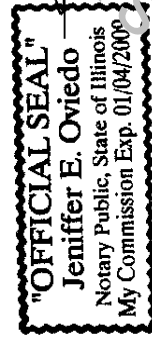
County of COOK

On 5/19/05 before me, JENIFFER E. OVIEDO  
Date Name, Title of Officer - E.G., "Jane Doe, Notary Public"

Personally appeared STEPHEN KANT  
Name(s) of signer(s)

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 acted, executed the instrument.

Witness my hand and official seal



*Jeniffer E. Oviedo*  
SIGNATURE OF NOTARY

### CAPACITY CLAIMED BY SIGNER

INDIVIDUAL(S)  
 CORPORATE OFFICER(S) VICE-PRES.  
TITLE(S)

- PARTNER(S)
- ATTORNEY-IN-FACT
- TRUSTEE(S)
- SUBSCRIBING WITNESS
- GUARDIAN/CONSERVATOR
- OTHER

### SIGNER IS REPRESENTING:

NAME OF PERSON(S) OR ENTITY(IES)  
ROBIN REALTY & MANAGEMENT COMPANY

# UNOFFICIAL COPY

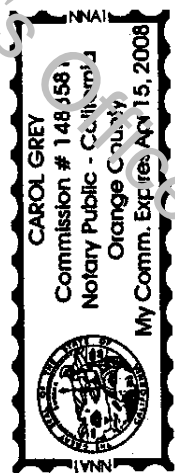
### ALL-PURPOSE ACKNOWLEDGMENT

State of California  
 County of Orange  
 On 4/5/06 before me, Carol Grey  
Date  
 Personally appeared Mary C. Shipina  
Name(s) of signer(s)

I personally know 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

Carol Grey  
 SIGNATURE OF NOTARY



**CAPACITY CLAIMED BY SIGNER**  
 INDIVIDUAL(S)  
 CORPORATE OFFICER(S) \_\_\_\_\_ TITLE(S) \_\_\_\_\_  
 PARTNER(S)  
 ATTORNEY-IN-FACT  
 TRUSTEE(S)  
 SUBSCRIBING WITNESS  
 GUARDIAN/CONSERVATOR  
 OTHER \_\_\_\_\_

**SIGNER IS REPRESENTING:**  
 NAME OF PERSON(S) OR ENTITY(IES)  
LONG JOHN SILBERS INC. a Delaware corporation

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## EXHIBIT "A"

### Legal Description of Premises

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## EXHIBIT "A"

THAT PART OF LOT "A" IN ARLEN'S SUBDIVISION, BEING A CONSOLIDATION IN THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 4, TOWNSHIP 37 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN; COMMENCING AT THE NORTHEAST CORNER OF LOT "A"; THENCE SOUTH ALONG THE EAST LINE OF SAID LOT "A", A DISTANCE OF 288.0 FEET; THENCE WEST ALONG A LINE PARALLEL TO THE NORTH LINE OF SAID LOT "A", A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL OF LAND; THENCE CONTINUING WEST ALONG SAID PARALLEL LINE, A DISTANCE OF 100.00 FEET; THENCE SOUTH ALONG A LINE DRAWN PERPENDICULARLY TO THE LAST DESCRIBED COURSE, A DISTANCE OF 140.0 FEET; THENCE EAST PERPENDICULAR TO THE LAST DESCRIBED COURSE, A DISTANCE OF 100.0 FEET; THENCE NORTH PERPENDICULAR TO THE LAST DESCRIBED COURSE, A DISTANCE OF 140.00 FEET TO THE HEREINABOVE DESIGNATED POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

METES AND BONDS LEGAL DESCRIPTION:

THAT PART OF LOT "A" IN ARLEN'S SUBDIVISION, BEING A CONSOLIDATION IN THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 4, TOWNSHIP 37 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN; COMMENCING AT THE NORTHEAST CORNER OF LOT "A"; THENCE SOUTH 00 DEGREES 28 MINUTES 41 SECONDS EAST ALONG THE EAST LINE OF SAID LOT "A", 288.00 FEET, THENCE SOUTH 89 DEGREES 39 MINUTES 49 SECONDS WEST ALONG A LINE PARALLEL TO THE NORTH LINE OF SAID LOT "A", 100.00 FEET TO A POINT OF BEGINNING; THENCE SOUTH 00 DEGREES 20 MINUTES 11 SECONDS EAST, 140.00 FEET; THENCE SOUTH 89 DEGREES 39 MINUTES 49 SECONDS WEST A DISTANCE OF 100.00 FEET; THENCE NORTH 00 DEGREES 20 MINUTES 11 SECONDS WEST, 140.00 FEET; THENCE NORTH 89 DEGREES 39 MINUTES 49 SECONDS WEST ALONG SAID LINE PARALLEL TO THE NORTH LINE OF SAID LOT "A", 100.00 FEET, TO THE POINT OF BEGINNING. IN COOK COUNTY, ILLINOIS.

CONTAINING: 14,000.00 sq. ft. (0.32 acres)

INDEX NO 24-04-206-002

Address: 8712 S. Cicero.  
Oak Lawn, IL