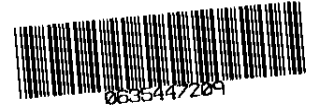


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Doc#: 0635447209 Fee: \$28.50  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 12/20/2006 02:17 PM Pg: 1 of 3

## MEMORANDUM OF LEASE

This Memorandum of Lease dated this 21st day of September, 2006, by and between Landquest XXXII, LLC having offices at c/o Landmark Investments, 6 West Hubbard Street, Sixth Floor, Chicago, Illinois 60610 (hereinafter referred to as "Landlord"), and ALDI INC. a corporation organized and existing under the laws of the State of Illinois with offices at Post Office Box 1398, 197 E. Division Road, Valparaiso, Indiana 46384 (hereinafter referred to as "Tenant"). The parties hereto have entered into a certain Ground Lease Agreement dated June 2, 2005, and amended by an undated Amendment to Ground Lease Agreement which provides for the following general terms:

1. Name and address of Landlord: Landquest XXXII, LLC  
c/o Landmark Investments  
6 West Hubbard Street, Sixth Floor  
Chicago, Illinois 60610
2. Name and address of Tenant: Aldi, Inc.  
P.O. Box 1398  
Valparaiso, Indiana 46384
3. Description of Premises: PIN# 26-08-408-001-0000, 26-08-408-003-0000, 26-08-408-004-0000, 26-08-408-012-0000, 26-08-408-013-0000, 26-08-408-014-0000, 26-08-408-023-0000, 26-08-408-024-0000.  
LOTS 1 THROUGH 15, INCLUSIVE, IN BLOCK 43 IN IRONWORKER'S ADDITION TO SOUTH CHICAGO, BEING A SUBDIVISION OF THE SOUTH FRACTIONAL 1/2 OF FRACTIONAL SECTION 8, TOWNSHIP 37 NORTH, RANGE 15 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND ALSO:

BEGINNING AT THE NORTHERNMOST CORNER OF LOT 35 IN AFORESAID BLOCK; THENCE ON AN ASSUMED BEARING OF SOUTH 39 DEGREES 06 MINUTES 41 SECONDS EAST ALONG THE NORTHEAST LINE OF A VACATED ALLEY, A DISTANCE OF 224.81 FEET; THENCE NORTH 89 DEGREES 45 MINUTES 08 SECONDS WEST, A DISTANCE OF 141.88 FEET TO THE EAST RIGHT-OF-WAY

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LINE OF SOUTH AVENUE "B"; THENCE NORTH 00 DEGREES 01 MINUTES 12 SECONDS EAST ALONG SAID EAST LINE, A DISTANCE OF 70.00 FEET; THENCE SOUTH 89 DEGREES 45 MINUTES 08 SECONDS EAST, A DISTANCE OF 58.88 FEET TO THE WESTERLY LINE OF A VACATED ALLEY; THENCE NORTH 39 DEGREES 06 MINUTES 41 SECONDS WEST ALONG SAID WESTERLY LINE, A DISTANCE OF 68.80 FEET; THENCE SOUTH 50 DEGREES 54 MINUTES 15 SECONDS WEST, A DISTANCE OF 19.92 FEET TO THE EAST RIGHT-OF-WAY LINE OF SOUTH AVENUE "B"; THENCE NORTH 00 DEGREES 01 MINUTES 12 SECONDS EAST ALONG SAID EAST LINE, A DISTANCE OF 63.25 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS, AND ALSO:

EXCEPTING THEREFROM THAT PART OF LOT 1 TAKEN BY THE CITY OF CHICAGO, DEPARTMENT OF TRANSPORTATION FOR RIGHT OF WAY PURPOSES, AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHERLY CORNER OF SAID LOT 1, BEING ALSO THE INTERSECTION OF THE SOUTHWESTERLY LINE OF SOUTH INDIANAPOLIS AVENUE AND THE EAST LINE OF SOUTH AVENUE "B"; THENCE SOUTH 39 DEGREES 19 MINUTES 31 SECONDS (39 DEGREES 05 MINUTES 45 SECONDS AS MEASURED) EAST, A DISTANCE OF 31.00 FEET ALONG THE NORTHEASTERLY LINE OF SAID LOT 1; THENCE SOUTH 50 DEGREES 40 MINUTES 29 SECONDS (50 DEGREES 50 MINUTES 02 SECONDS AS MEASURED) WEST, A DISTANCE OF 18.82 (18.78 AS MEASURED) FEET TO A POINT, SAID POINT BEING 35.92 FEET SOUTH OF THE NORTHERLY CORNER OF SAID LOT 1, AS MEASURED ALONG THE WEST LINE OF SAID LOT 1 AND 5.00 FEET EAST OF THE WEST LINE OF SAID LOT 1, AS MEASURED AT RIGHT ANGLES THERETO; THENCE SOUTH 03 DEGREES 56 MINUTES 46 SECONDS (04 DEGREES 06 MINUTES 19 SECONDS AS MEASURED) WEST, A DISTANCE OF 70.18 FEET TO A POINT ON THE WEST LINE OF SAID LOT 1, SAID POINT BEING 105.92 FEET SOUTH OF THE NORTHERLY CORNER OF SAID LOT 1; THENCE NORTH 00 DEGREES 01 MINUTES 22 SECONDS WEST (NORTH 00 DEGREES 01 MINUTES 12 SECONDS EAST AS MEASURED), A DISTANCE OF 105.92 FEET ALONG THE WEST LINE OF SAID LOT 1 TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

4. Term of Lease:  
Lease for a term of fifteen (15) years to commence on June 2, 2005 and terminate fifteen (15) years following the Occupancy Date, as defined in the Ground Lease Agreement.
5. Option to renew:  
Tenant retains the option to extend the Ground Lease Agreement for nine (9) additional periods of five (5) years each ~~and~~.

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- 6. Tenant has been granted a right of first refusal to purchase the Premises during the lease term or any extensions therefrom on terms and conditions set forth in the Ground Lease Agreement.

IN WITNESS WHEREOF, the parties have hereunto executed this Memorandum of Lease  
 this 21st day of September, 2006.

Tenant:

ALDI INC.

By: Michael J. Jessen  
 Michael J. Jessen, Vice President

Landlord:

LANDQUEST XXXII, LLC

By: Randall H. Langer  
 Randall H. Langer, Managing Member

This Instrument Prepared By:

Todd A. Leeth  
 HOEPPNER WAGNER & EVANS LLP  
 103 E. Lincolnway  
 P.O. Box 2357  
 Valparaiso, IN 46384  
 (219) 464-4961

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