



Doc#: 0707441053 Fee: \$34.00  
Eugene "Gene" Moore RHSP Fee:\$10.00  
Cook County Recorder of Deeds  
Date: 03/15/2007 10:51 AM Pg: 1 of 6

THIS INSTRUMENT PREPARED BY AND  
AFTER RECORDING RETURN TO:  
Liechty & McGinnis, P.C.  
7502 Greenville Avenue, Suite 750  
Dallas, Texas 75231  
Attn: Douglas C. Peter, Esq.

STATE OF ILLINOIS                   §  
  §       ss.  
COUNTY OF COOK                   §

**MEMORANDUM OF RIGHT OF FIRST REFUSAL**

THIS IS MEMORANDUM OF RIGHT OF FIRST REFUSAL AGREEMENT (this "Memorandum") by and among SCP 2006-C23-029 LLC, a Delaware limited liability company, having an office at 4208 18th Avenue, Brooklyn, New York 11230 ("Owner"), NOSTRAND PARTNERS LLC, a New York limited liability company, having an address at 4208 18th Avenue, Brooklyn, New York 11230 (the, "Beneficial Owner") (Owner and Beneficial Owner, collectively and individually, "Optionor") and SCP CAPITAL, INC., a Texas corporation, having an office at 2525 Fairmount Street, Suite 200, Dallas, Texas 75201 ("SCI"). For good and valuable consideration Optionor has granted to SCI, an option to purchase Owner's interest in the real property herein described (the "Property") or one hundred percent (100%) of the limited liability company interest in Owner, for the price and upon the terms and conditions of that certain Right of First Refusal, by and among Owner, Beneficial Owner and SCI of even date herewith (as the same may hereafter be amended, modified, supplemented or restated, the "Agreement") upon the following terms:

- Optionor:                   Owner and Beneficial Owner
- Optionee:                 SCI
- Date of Agreement:    As of October 3, 2006
- Property Description: See Exhibit A attached hereto
- Date of Expiration:    January 31, 2031

The purpose of this Memorandum is to give record notice of the Agreement and the rights created thereby, all of which are hereby confirmed and this shall not have the effect of in any way modifying, supplementing or abridging the Agreement or any of its provisions as the same are now or may hereafter be in force and effect. All provisions set forth in the Agreement are incorporated into and made part of this Memorandum by reference. In the event of any conflict between the provisions of the Agreement and this Memorandum, the provisions of the Agreement shall prevail.

8336004 01 Jagan

Box 400







# UNOFFICIAL COPY

## EXHIBIT A

CVS Store No. 8741  
Chicago, Illinois

Lots 30 to 47, both inclusive in Block 1 in McMillan and Wetmore's Subdivision of the North quarter of the East half of the Southeast quarter of Section 27, Township 39 North, Range 13 East of the Third Principal Meridian, in Cook County, Illinois.

APN: 16-27-407-040

Property of Cook County Clerk's Office

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