



Doc#: 0722122049 Fee: \$38.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 08/09/2007 11:52 AM Pg: 1 of 8

**RECORDING REQUESTED BY,
AND WHEN RECORDED MAIL TO:**

Glenn T. Sherman, Esq.
Freeman, Freeman & Smiley, LLP
3415 Sepulveda Boulevard, Suite 1400
Los Angeles, CA 91316

(Space Above for Recorder's Use Only)

MEMORANDUM OF TENANCY-IN-COMMON AGREEMENT

This Memorandum of Tenancy in Common Agreement (this "Memorandum") is made as of August 8th, 2007, by and among NMC MELROSE PARK, LLC, a California limited liability company, NMC GROVE MELROSE, LLC, a Delaware limited liability company, MELROSE PARK EQUITY, LLC, a Delaware limited liability company, MELROSE PARK INVESTMENTS, L.P., a California limited partnership, and MELROSE PARK ASSOCIATES, LLC, a Delaware limited liability company (collectively, the "Owners"). Concurrently herewith, the Owners have entered into that certain unrecorded Tenancy-in-Common Agreement (the "Agreement"), in which the Owners have evidenced their respective interests and defined their rights and duties to each other with respect to the real property described on Exhibit A attached hereto.

All the terms, conditions and provisions of the Agreement are incorporated into this Memorandum as though fully set forth herein.

This Memorandum may be executed and acknowledged in counterparts, all of which executed and acknowledged counterparts shall together constitute a single document. Signature and acknowledgement pages may be detached from the counterparts and attached to a single copy of this document to physically form one document, which may be recorded.

[Signatures on Following Page]

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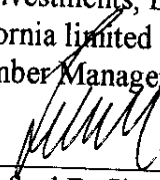
IN WITNESS WHEREOF, the Owners have executed this Memorandum as of the date first written above.

NMC MELROSE PARK, LLC,
a California limited liability company

By: NMC Melrose Park Manager, LLC,
a Delaware limited liability company,
its Member Manager

By: NewMark Merrill Companies, LLC,
a California limited liability company,
its Manager

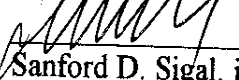
By: Sigal Investments, LLC,
a California limited liability company,
its Member Manager

By: 
Sanford D. Sigal, its Manager

NMC GROVE MELROSE, LLC,
a Delaware limited liability company

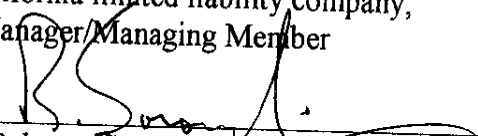
By: NewMark Merrill Companies, LLC,
a California limited liability company,
its Manager

By: Sigal Investments, LLC,
a California limited liability company,
its Member Manager

By: 
Sanford D. Sigal, its Manager

MELROSE PARK EQUITY, LLC,
a Delaware limited liability company

By: Maxxam Enterprises, LLC,
a California limited liability company,
its Manager/Managing Member

By: 
Behrouz Soroudi, its Co-Manager

[signatures continue on next page]

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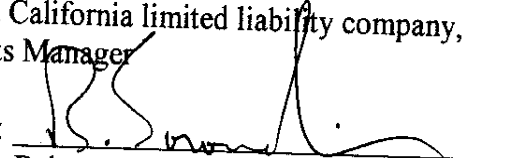
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[signatures continued from prior page]

MELROSE PARK INVESTMENTS, L.P.,
a California limited partnership

By: Winston Investment Group, LLC,
a Delaware limited liability company,
its General Partner

By: Summit View Holdings, LLC,
a California limited liability company,
its Manager

By: 
Behrouz Soroudi, its Co-Manager

MELROSE PARK ASSOCIATES, LLC,
a Delaware limited liability company

By: Summit View Holdings, LLC,
a California limited liability company,
its Manager

By: 
Behrouz Soroudi, its Co-Manager

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ACKNOWLEDGMENT

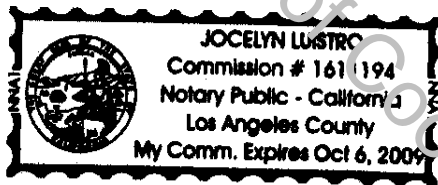
STATE OF CALIFORNIA

COUNTY OF Los Angeles

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)
) ss.
)

On August 2, 2007, before me, Jocelyn Luistro,
Notary Public, personally appeared Behruz Sarrafi, personally known
to me 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.



Jocelyn Luistro
Notary Public

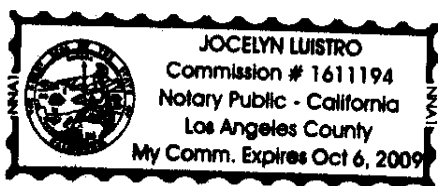
STATE OF CALIFORNIA

COUNTY OF Los Angeles

)
)
) ss.
)

On August 2, 2007, before me, Jocelyn Luistro,
Notary Public, personally appeared Behruz Sarrafi, personally known
to me 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.



Jocelyn Luistro
Notary Public

UNOFFICIAL COPY

ACKNOWLEDGMENT

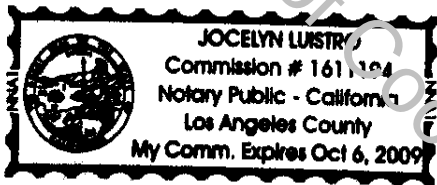
STATE OF CALIFORNIA

COUNTY OF Los Angeles

)
) ss.
)

On August 2, 2007, before me, Jocelyn Luistro
Notary Public, personally appeared Behrouz Saroufi, personally known
to me 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.



Jocelyn Luistro

Notary Public

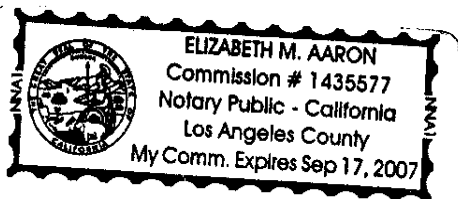
STATE OF CALIFORNIA

COUNTY OF Los Angeles

)
) ss.
)

On August 6, 2007, before me, Elizabeth M. Aaron
Notary Public, personally appeared Stanford D. Dyal, personally known
to me 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.



Elizabeth M. Aaron

Notary Public

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ACKNOWLEDGMENT

STATE OF CALIFORNIA

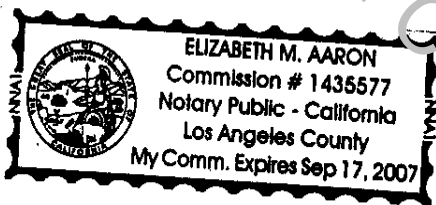
COUNTY OF

Los Angeles

)
)
) SS.

On August 6, 2007, before me, Elizabeth M Aaron
Notary Public, personally appeared David D. Sigal, personally known
to me 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.



Elizabeth M Aaron
Notary Public

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EXHIBIT A
Legal Description

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UNOFFICIAL COPY**EXHIBIT A****LEGAL DESCRIPTION**

A PARCEL OF LAND IN THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 39 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT 94.82 FEET SOUTH OF THE NORTH LINE OF AFORESAID SECTION 3 AND 33.0 FEET WEST OF THE EAST LINE OF AFORESAID SECTION 3, BEING THE INTERSECTION OF WEST LINE OF 9TH AVENUE AND THE SOUTH LINE OF NORTH AVENUE; THENCE NORTH 89 DEGREES 42 MINUTES 10 SECONDS WEST IN THE SOUTH LINE OF AFORESAID NORTH AVENUE, TO A POINT 95.68 FEET SOUTH OF AFORESAID NORTH LINE OF SECTION 3, A DISTANCE OF 1628.12 FEET, TO A POINT IN THE EAST LINE OF 14TH AVENUE AS SHOWN IN THE PLAT OF SUBDIVISION OF WINSTON PARK UNIT NUMBER 1 RECORDED JULY 6, 1955 AS DOCUMENT 16291419 IN PLAT BOOK 448 ON PAGES 22 AND 23; THENCE SOUTH 0 DEGREES 30 MINUTES WEST IN THE EAST LINE OF AFORESAID 14TH AVENUE A DISTANCE OF 855.28 FEET TO THE NORTHWEST CORNER OF LOT 1 IN AFORESAID WINSTON PARK UNIT NUMBER 1; THENCE SOUTHEASTERLY IN A NORTHLY LINE OF AFORESAID WINSTON PARK UNIT NUMBER 1, BEING A CURVED LINE, CONVEX SOUTHWESTERLY, HAVING A RADIUS OF 1130.0 FEET, AN ARC DISTANCE OF 528.87 FEET TO A POINT OF TANGENCY WITH A LINE PARALLEL TO AND 1643.0 FEET NORTH OF THE SOUTH LINE OF THE AFORESAID NORTHEAST 1/4, AND BEING THE NORTH LINE OF AFORESAID WINSTON PARK UNIT NUMBER 1; THENCE EAST IN AFORESAID NORTH LINE OF UNIT NUMBER 1 A DISTANCE OF 700.01 FEET TO A POINT OF CURVE; THENCE SOUTHEASTERLY IN A NORTHEASTERLY CURVED LINE OF AFORESAID UNIT NUMBER 1, CONVEX NORTHEASTERLY HAVING A RADIUS OF 520.0 FEET, AN ARC DISTANCE OF 493.51 FEET, TO THE NORTHEASTERLY CORNER OF LOT 26 IN AFORESAID WINSTON PARK UNIT NUMBER 1; THENCE NORTH 0 DEGREES 09 MINUTES EAST IN THE WEST LINE OF AFORESAID 9TH AVENUE A DISTANCE OF 1185.44 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

Permanent Index Numbers: 15-03-211-004-0000, 15-03-211-006-0000, 15-03-211-007-0000,
15-03-211-008-0000 and 15-03-211-009-0000

Common Address: Southwest Corner of North Avenue and 9th Avenue
Melrose Park, Illinois