

# UNOFFICIAL COPY



**THIS DOCUMENT WAS  
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AFTER RECORDING  
RETURN TO:**

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Suite 2400  
Chicago, IL 60603

**Doc#: 0735431075 Fee: \$34.00**  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 12/20/2007 02:37 PM Pg: 1 of 6

Above space for recorder's use

## MEMORANDUM OF AGREEMENT

**THIS MEMORANDUM OF AGREEMENT** (this "**Memorandum**") is made as of the 17th day of December, 2007

1. W/G Kristina LLC, a Delaware limited liability company, W/G SPI LLC, a Delaware limited liability company, and W/G LCD LLC, a Delaware limited liability company (collectively, "**Seller**"), are the current owners of fee simple title to a certain parcel of real estate commonly known as 4700 Arbor Drive, City of Rolling Meadows, County of Cook, State of Illinois, which is more particularly described in **Exhibit A** attached hereto and made a part hereof (the "**Property**").

2. Seller and Pine Tree Acquisitions LLC, a Delaware limited liability company ("**Purchaser**"), have entered into that certain Letter Agreement dated August 2, 2007, as amended by that certain Amendment To Letter Agreement dated as of September 5, 2007, and as reinstated and further amended by that certain Reinstatement and Second Amendment To Letter Agreement dated as of December 17, 2007 (collectively, the "**Agreement**").

3. This Memorandum is prepared for the purposes of recording and to give public notice of the rights and obligations of Seller and Purchaser pursuant to the Agreement, and in no way modifies the express and particular provisions of the Agreement. Purchaser's rights under the Agreement include the right to purchase the Property in accordance with the terms thereof and an additional option to purchase the Property if Seller defaults under the Agreement.

4. The rights granted to Purchaser pursuant to the Agreement shall inure to the benefit of Purchaser and its successors and assigns, and such rights shall be binding upon and shall burden the Property. Purchaser acknowledges, however, that the transaction contemplated by the Agreement cannot close until that certain first mortgage loan in the face amount of \$24,200,000.00 originally made by Morgan Guaranty Trust Company of New York to Woodfield Garden Associates and secured, in part, by that certain Mortgage dated June 18, 1999 and recorded with the Cook County, Illinois Recorder's Office on June 21, 1999 as Document Number 99593972, has been repaid or defeased or the holder of such mortgage loan otherwise consents or approves the assumption of the loan by Purchaser (or Purchaser's nominee, designee or assignee).

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IN WITNESS WHEREOF, this Memorandum has been executed as of the day and year first above written.

PINE TREE ACQUISITIONS, LLC, a Delaware  
limited liability company

By:

Name:

Title:

  
Peter Borzak  
Managing Member

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STATE OF ~~ILLINOIS~~ WISCONSIN

) SS

COUNTY OF KENOSHA

I, RANAE A. HANSEN, a Notary Public in and for said County, in the State  
 aforesaid, DO HEREBY CERTIFY that PETER BUREZAK, the MANAGING MEMBER  
 of PINE TREE ACQUISITIONS, LLC, a Delaware limited liability company, personally  
 known to me to be the same person whose name is subscribed to the foregoing instrument,  
 appeared before me this day in person and acknowledged that he/she signed, sealed and  
 delivered said instrument, on behalf of said limited liability company as his/her free and  
 voluntary act, and as the free and voluntary act of said limited liability company, for the uses and  
 purposes therein set forth.

Given under my hand and seal this 19<sup>th</sup> day of December, 2007.

Ranae A. Hansen  
 Notary Public

My commission expires: 08-14-11

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## EXHIBIT A

### Legal Description of Property

#### PARCEL 1:

LOT 1 OF RAMLIN ROSE ESTATES UNIT NO. 1, BEING A SUBDIVISION OF PART OF THE NORTHEAST 1/4 OF SECTION 12, TOWNSHIP 41 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 1, 1965 AS DOCUMENT 19394286, IN COOK COUNTY, ILLINOIS.

#### PARCEL 2:

LOT 2 (EXCEPT THAT PART OF SAID LOT 2, LYING EASTERLY OF A LINE WHICH BEGINS AT A POINT ON THE NORTHERNMOST LINE OF SAID LOT, WHICH IS 157.88 FEET EASTERLY FROM THE NORTHERNMOST CORNER OF SAID LOT AND RUNS THENCE SOUTH 00 DEGREE, 17 MINUTES, 18 SECONDS EAST, A DISTANCE OF 183.34 FEET TO A POINT ON THE SOUTHERLY BOUNDARY OF SAID LOT) OF RAMLIN ROSE ESTATE UNIT NO. 1, BEING A SUBDIVISION OF PART OF THE NORTHEAST 1/4 OF SECTION 12, TOWNSHIP 41 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 1, 1965 AS DOCUMENT 19394286, IN COOK COUNTY, ILLINOIS.

#### PARCEL 3:

THAT PART OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 AND OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 12, TOWNSHIP 41 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN AND THAT PART OF FRACTIONAL SECTION 7, TOWNSHIP 41 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHERNMOST CORNER OF LOT 2 OF RAMLIN ROSE ESTATES, UNIT NO. 1 RECORDED MARCH 1, 1965 AS DOCUMENT 19394286; THENCE EASTWARD ALONG THE NORTHERNMOST LINE OF SAID LOT 2, SOUTH 84 DEGREES, 18 MINUTES, 00 SECOND EAST, A DISTANCE OF 157.88 FEET; THENCE SOUTH 00 DEGREE, 17 MINUTES, 18 SECONDS EAST, A DISTANCE OF 183.34 FEET; THENCE SOUTH 74 DEGREES, 23 MINUTES, 00 SECOND WEST, A DISTANCE OF 372.19 FEET; THENCE SOUTH 05 DEGREES, 57 MINUTES, 00 SECOND EAST, A DISTANCE OF 28.00 FEET; THENCE SOUTH 84 DEGREES, 53 MINUTES, 50 SECONDS WEST, A DISTANCE OF 566.67 FEET; THENCE NORTH 08 DEGREES, 35 MINUTES, 00 SECOND WEST, A DISTANCE OF 66.00 FEET; THENCE SOUTH 81 DEGREES, 25 MINUTES, 00 SECOND WEST, A DISTANCE OF 95.00 FEET; THENCE SOUTH 12 DEGREES, 55 MINUTES, 41 SECONDS WEST, A DISTANCE OF 422.02 FEET; THENCE SOUTH 84 DEGREES, 31 MINUTES, 25 SECONDS EAST, A DISTANCE OF 884.92 FEET; THENCE NORTH 48 DEGREES, 17 MINUTES, 22 SECONDS EAST, A DISTANCE OF 166.73 FEET; THENCE NORTH EASTWARD ALONG A CURVED LINE, CONVEXED TO THE SOUTHEAST OF 492.50 FEET IN RADIUS, HAVING A CHORD LENGTH OF 78.51

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FEET ON A BEARING OF NORTH 35 DEGREES, 08 MINUTES, 48 SECONDS EAST, FOR AN ARC LENGTH OF 78.59 FEET TO A POINT OF TANGENCY; THENCE NORTH 30 DEGREES, 34 MINUTES, 31 SECONDS EAST, A DISTANCE OF 66.17 FEET TO A POINT OF CURVATURE; THENCE NORTH EASTWARD ALONG A CURVED LINE, CONVEXED TO THE NORTHWEST OF 420.50 FEET IN RADIUS, FOR AN ARC LENGTH OF 93.14 TO A POINT OF COMPOUND CURVATURE; THENCE NORTH EASTWARD ALONG A CURVED LINE, CONVEXED TO THE NORTHWEST OF 320.50 FEET IN RADIUS, FOR AN ARC LENGTH OF 132.96 FEET TO A POINT OF TANGENCY; THENCE NORTH 67 DEGREES, 02 MINUTES, 11 SECONDS EAST, A DISTANCE OF 89.20 FEET TO A POINT OF CURVATURE; THENCE NORTH EASTWARD ALONG A CURVED LINE, CONVEXED TO THE SOUTHEAST OF 120.39 FEET IN RADIUS, FOR AN ARC LENGTH OF 133.63 FEET TO A POINT OF TANGENCY; THENCE NORTH 03 DEGREES, 26 MINUTES, 34 SECONDS EAST, A DISTANCE OF 721.27 FEET; THENCE NORTH 89 DEGREES, 06 MINUTES, 47 SECONDS WEST, A DISTANCE OF 310.03 FEET; THENCE SOUTH 00 DEGREE, 17 MINUTES, 18 SECONDS EAST, A DISTANCE OF 120.76 FEET; THENCE NORTH 68 DEGREES, 30 MINUTES, 23 SECONDS WEST, A DISTANCE OF 230.74 FEET; THENCE SOUTH 05 DEGREES, 29 MINUTES, 38 SECONDS EAST, A DISTANCE OF 388.44 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

## PARCEL 4:

EASEMENT FOR THE BENEFIT OF PARCEL 3, AS CREATED BY THE GRANT OF EASEMENT RECORDED SEPTEMBER 20, 1967 AS DOCUMENT 20272667 FOR PARKING, INGRESS AND EGRESS BY MOTOR VEHICLES AND PEDESTRIANS OVER THE EAST 15.00 FEET OF THE FOLLOWING DESCRIBED REAL ESTATE:

THAT PART OF THE NORTHEAST 1/4 OF SECTION 12 AFORESAID, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 12; THENCE NORTHWARD ALONG THE EAST LINE OF SAID NORTHEAST 1/4 OF THE NORTHEAST 1/4, NORTH 00 DEGREE, 17 MINUTES, 18 SECONDS WEST, A DISTANCE OF 140.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTHWARD ALONG THE SAID EAST LINE OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4, NORTH 00 DEGREE, 17 MINUTES, 18 SECONDS WEST, A DISTANCE OF 337.76 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY OF ALGONQUIN ROAD; THENCE NORTHWESTWARD ALONG SAID RIGHT OF WAY, BEING A CURVED LINE CONVEXED TO THE SOUTHWEST OF 5854.65 FEET IN RADIUS, HAVING A CHORD OF 556.32 FEET ON A BEARING OF NORTH 71 DEGREES, 22 MINUTES, 23 SECONDS WEST, FOR AN ARC LENGTH OF 556.53 FEET; THENCE SOUTH 83 DEGREES, 10 MINUTES, 24 SECONDS WEST, A DISTANCE OF 68.15 FEET TO THE NORTHEAST CORNER OF ARBOR DRIVE; THENCE SOUTHWARD ALONG THE EASTERLY LINE OF AFORESAID ARBOR DRIVE, SOUTH 00 DEGREE, 17 MINUTES, 18 SECONDS EAST, A DISTANCE OF 272.98 FEET TO THE NORTHERLY CORNER OF LOT 1 IN RAMLIN ROSE ESTATES UNIT 1; THENCE

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SOUTHEASTWARD ALONG THE NORTHERLY LINE OF SAID LOT 1, AND AN EXTENSION OF SAID LINE, SOUTH 68 DEGREES, 30 MINUTES, 23 SECONDS EAST, A DISTANCE OF 639.67 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

COMMON ADDRESS: 4700 ARBOR DRIVE, ROLLING MEADOWS,  
ILLINOIS

TAX PARCEL NUMBERS: 07-12-203-007-0000  
07-12-203-008-0000  
07-12-203-011-0000  
08-07-203-012-0000