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Doc#: 0832910024 Fee: \$56.00
Eugene "Gene" Moore RHSP Fee:\$10.00
Cook County Recorder of Deeds
Date: 11/24/2008 11:41 AM Pg: 1 of 11

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PREPARED BY AND WHEN RECORDED RETURN TO:

John D. Neumann
Jones Day
77 West Wacker Drive
Chicago, Illinois 60601

MEMORANDUM OF LEASE
AND
NOTICE OF USE RESTRICTIONS

This Memorandum of Lease is by and between Reliance Lane Investors I, LLC, an Illinois limited liability company, with offices at 3649 West Chase Street, Skokie, Illinois 60007 ("Landlord"), and National City Bank, a national banking association, with offices at One National City Parkway, Kalamazoo, Michigan 49009 ("Tenant"), pursuant to which Landlord has demised, and by these presents does demise, to Tenant, and Tenant has accepted, and by these presents does accept, such demise from Landlord, the Leased Premises (defined below) upon the following terms:

Date of Lease:	November 3, 2008
Legal Description of Shopping Center:	See attached Exhibit "A".
Depiction of Leased Premises:	See attached Exhibit "B". Tenant shall also have all rights, privileges and easements benefiting, belonging or pertaining thereto, as well as all rights and appurtenances required for the installation, maintenance, operation and service of utilities for the improvements to be constructed thereon by Tenant, and for access for vehicular and pedestrian ingress and egress to and from abutting driveways (whether now existing or hereafter constructed and whether located in the Shopping Center or otherwise) and public highways.
Commencement Date:	*
Expiration Date:	*
Term:	25 Years
Extensions:	10 successive renewal terms of 5 years each.

Tenant has the right of first refusal to purchase the Leased Premises as provided in the Lease.

DONE AT CUSTOMER'S REQUEST

Box 400-CTCC

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Financial Use Restriction Upon Shopping Center. So long as Tenant, any affiliate, subsidiary or parent thereof, or any successor or assignee thereof ("Tenant Related Parties") occupies the Leased Premises, is not in default of any of the terms and conditions of this Lease, and is utilizing the Demised Premises for the operation of a bank/financial services facility, no part of the Shopping Center shall be used or suffered or permitted to be used for any type of bank branching facility including "grocery in-store" type banking facility (with or without drive-through services), a savings and loan association, credit union, automated teller machine (ATM) operations (except for such operations within the X-sport and Garden Fresh stores), securities brokerage firm, mortgage brokerage, lending business or insurance business, except (i) any portion leased, owned or otherwise occupied by Tenant or Tenant Related Parties and (ii) the second floor of the property commonly known as 3649 West Chase Avenue, Skokie, Illinois may be used for insurance or securities brokerage services (provided, however, there shall be no exterior signage in connection with such securities brokerage services).

Other Restrictions Upon Shopping Center. As more particularly set forth in the Lease no part of the Restricted Property shall be used for any of the following purposes:

- Adult Entertainment - adult book store, video store, night club, tattoo or massage parlor (except massage therapy as permitted as part of the Xsport lease or its successors or assigns or as associated with an upscale spa or salon), or any other establishment which provides live adult entertainment or which sells, rents or exhibits pornographic or obscene materials or drug-related paraphernalia.
- Bar - bar, tavern, cocktail lounge or any establishment where beer, wine or liquor is served for on-premises consumption (except for a bar ancillary to a sit-down restaurant).
- Liquor Store - liquor store or any other establishment where beer, wine or liquor is sold for off-premises consumption (except for the existing grocery store within the Shopping Center and its successors or assigns as well as upscale liquor stores such as "Finny's" where additional items such as cheese, hors d'oeuvres and similar items are sold).
- Flea market or auction house (except upscale auction houses selling antiques and fine jewelry and silver and similar items).
- Pinball/Video Game - pinball, video game room (except ancillary to a restaurant or video rental establishment similar to Blockbuster Video) or any form of entertainment arcade not associated to a restaurant or family entertainment center.
- Pawn Shop / "Second Hand" Store - pawn shop, "second hand," "surplus," "salvage," "odd lot," or "closeout/liquidation" store (including retailers such as "Big Lots," "Amazing Savings," and "Goodwill/Salvation Army").
- Health Club - sports, health, fitness, exercise, spa, yoga or dance facility (except for Xsport and its successors and assigns).
- Vehicle Facility or Gas Station - gas station, car wash or an automobile, truck, trailer, RV or other vehicle sales, leasing display, service repair or storage facilities.
- Non-Retail / Non-Office - Any use which either is not office use or does not involve the on-site sale of goods or services directly to consumers including any operation primarily used as a storage warehouse operation (except on the second floor of building #8) and any assembling, manufacturing, distilling, refining, smelting, agricultural or mining operation, or any industrial use.
- Lodging - any living or sleeping quarters / apartments or any hotels / motels or lodging rooms (provided, however, a brand named hotel with sufficient self-contained parking is permitted to be built on building #8).

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- Dry Cleaning – a laundromat or any central laundry that performs on-site dry cleaning (except for (i) a dry cleaning “pick-up/drop-off” facility of less than 2,500 square feet with no on-site cleaning of any form and (ii) a “Green Dry Cleaner Plant”).
- Miscellaneous – Within Buildings 1, 2, 3, 6, 7, 8 and 10 a “pay day check cashing loan business” and circus, carnival, funeral parlor, mortuary, skating rink, billiard or pool hall or other recreational facility, unemployment office is prohibited; within Buildings 8, 9 and 10 any type of educational or vocational institution, school or place of instruction, theater or cinema or live performance theater is prohibited; and within the entire Shopping Center, a firearm shooting range or any other use which creates excessive noise, a bingo parlor, casino, off track or sports betting facility or any gambling or betting establishments (except that the sale of state lottery tickets is not prohibited or restricted).

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

* The Commencement Date is determined by occurrence of certain events as set forth in the Lease. This Memorandum may be amended after the exact Commencement Date has been determined.

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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.

TENANT:

National City Bank *

By: _____

Its: _____

LANDLORD:

Reliance Lane Investors I, LLC

By: Touhy Center, LLC, its manager

By: _____

Its: _____

Jerrold L. Seberg
Managing Partner

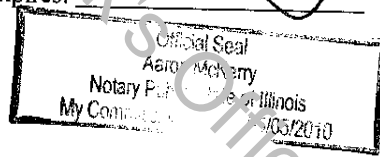
STATE OF ILLINOIS)
COUNTY OF COOK) SS

I, AARON MCKERRY, a Notary Public in and for the County and State aforesaid, do hereby certify that JERROLD SEBERG, as MANAGING PARTNER of Reliance Lane Investors I, LLC, an Illinois limited liability company, being 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 (s)he signed and delivered this said instrument as his/her own 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 notarial seal this 13 day of NOVEMBER, 2008.

Aaron McKerry
Notary Public

My Commission Expires: _____



STATE OF _____)
COUNTY OF _____) SS

I, _____, a Notary Public in and for the County and State aforesaid, do hereby certify that _____, as _____ of National City Bank, a national banking association, being 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 (s)he signed and delivered this said instrument as his/her own free and voluntary act, and as the free and voluntary act of said corporation, for the uses and purposes therein set forth.

Given under my hand and notarial seal this _____ day of _____, 2008.

Notary Public

My Commission Expires: _____

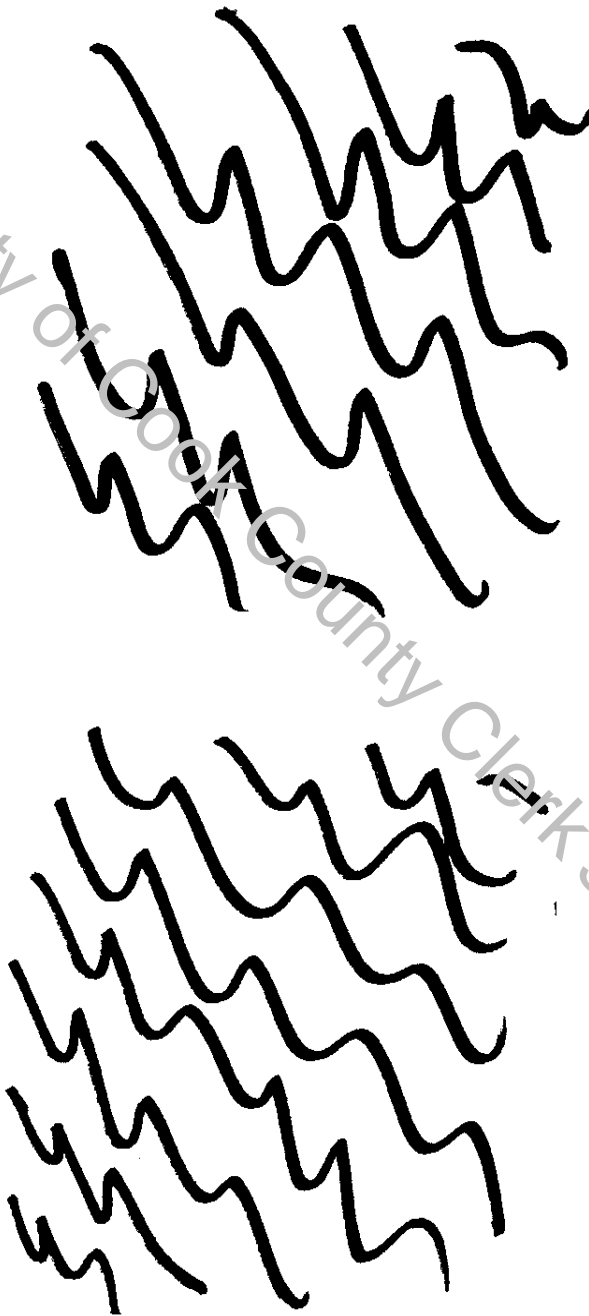
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Exhibit A

Legal Description

[See Attached]

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EXHIBIT A

THE PROPERTY

PARCEL 1 3600 W. Touhy, Skokie, Illinois

PINS: 10 26 402 019 0000; 10 26 402 032 0000; 10 26 402 034 0000; 10 26 402 035 0000

PARCEL 1A: TRACT D-8;

THAT PART OF THE EAST 218.00 FEET OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 26, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING SOUTH OF THE LINE WHICH IS 917.48 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF SAID WEST 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION, AND ALSO LYING WESTERLY OF THE WEST RIGHT OF WAY LINE OF THE CHICAGO AND NORTHWESTERN RAILROAD, (EXCEPTING THEREFROM THAT PART DEDICATED FOR ST. LOUIS AVENUE), IN COOK COUNTY, ILLINOIS.

PARCEL 1B: TRACT D-1;

THAT PART OF THE SOUTH 248.07 FEET OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 26, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, (AS MEASURED AT RIGHT ANGLES TO THE SOUTH LINE OF SAID SOUTHWEST 1/4 OF SAID SECTION 26), LYING NORTH OF A LINE 38.0 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 26, AND LYING NORTHEASTERLY OF THE NORTHEASTERLY LINE OF THE CHICAGO AND NORTHWESTERN RAILROAD AND LYING WEST OF A LINE 218.00 FEET WEST AND PARALLEL WITH THE EAST LINE OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 26 (EXCEPTING THEREFROM THAT PART DEDICATED FOR ST. LOUIS AVENUE), IN COOK COUNTY, ILLINOIS.

PARCEL 1C: TRACT D-2;

THAT PART OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 26, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 26, 448.18 FEET NORTH OF THE SOUTHWEST CORNER THEREOF; THENCE EAST ALONG A LINE PARALLEL TO THE SOUTH LINE OF SAID SOUTHWEST 1/4, 200 FEET FOR A POINT BEGINNING OF A TRACT OF LAND HEREIN TO BE DESCRIBED, CONTINUING THENCE EAST ALONG SAID PARALLEL LINE, 218.87 FEET TO A POINT THAT IS 248 FEET WEST OF THE WEST LINE OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTH EAST 1/4 OF SAID SECTION 26, AS MEASURED ALONG SAID PARALLEL LINE; THENCE SOUTH ALONG A LINE PARALLEL TO THE EAST LINE OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTH EAST 1/4 OF SAID SECTION 26, A DISTANCE OF 100 FEET; THENCE WEST PARALLEL TO THE SOUTH LINE OF THE SOUTH EAST 1/4 OF SECTION 26, 218.89 FEET TO A POINT THAT IS 200 FEET EAST OF THE WEST LINE OF THE SOUTH EAST 1/4 AS MEASURED ALONG THE AFORESAID PARALLEL LINE, THENCE NORTH PARALLEL TO THE WEST LINE OF SAID QUARTER SECTION 100 FEET TO POINT OF BEGINNING, (EXCEPT THEREFROM THAT PART DEDICATED FOR ST. LOUIS AVENUE), IN COOK COUNTY, ILLINOIS.

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Parcel 1D: Tract D-3

THAT PART OF THE SOUTHWESTELY 1/4 OF THE SOUTHEASTELY 1/4 OF SECTION 26, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE OF THE SOUTHWEST 1/4 OF SECTION 26, 500.18 FEET NORTH OF THE SOUTH LINE OF THE SOUTHWEST 1/4; THENCE EAST, PARALLEL TO THE SOUTH LINE OF THE SOUTHWEST 1/4, 200.0 FEET; THENCE SOUTH, PARALLEL TO THE WEST LINE OF THE SOUTHWEST 1/4, 160.0 FEET; THENCE PARALLEL TO THE SOUTH LINE OF SAID SOUTH LINE OF THE SOUTHWEST 1/4, 200.0 FEET TO THE WEST LINE OF SAID 1/4 SECTION; THENCE NORTH ALONG THE WEST LINE OF SAID 1/4 SECTION, 160.0 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCEL 1E: TRACT D-4;

THAT PART OF THE SOUTHWESTELY 1/4 OF THE SOUTHEASTELY 1/4 OF SECTION 26, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 26, 500.18 FEET NORTH OF THE SOUTH LINE OF THE SOUTHWEST 1/4; THENCE NORTH ALONG THE WEST LINE, 141.33 FEET TO THE SOUTH LINE OF THE EASEMENT CREATED BY DOCUMENT NO. 18716523; THENCE EAST ALONG A LINE PARALLEL TO THE SOUTH LINE OF THE SOUTHWEST 1/4, BEING ALSO THE SOUTH LINE OF SAID EASEMENT, 192.76 FEET TO A POINT OF CURVE; THENCE SOUTHEAST ALONG A CURVED LINE, BEING TO THE NORTHEAST, HAVING A RADIUS OF 189.79 FEET, A DISTANCE OF 7.24 FEET; THENCE SOUTH ALONG A LINE PARALLEL TO THE WEST LINE OF THE SOUTHWEST 1/4, 141.38 FEET; THENCE WEST, PARALLEL TO THE SOUTH LINE OF THE SOUTHWEST 1/4, 200.00 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCEL 2: 3650 W. Touhy, Skokie, Illinois
PIN: 10 26 318 034 0000

LOT 1 IN NATIONAL WAX SUBDIVISION OF THE SOUTH 1/2 (EXCEPT THE EAST 400 FEET AND THE WEST 10 1/2 ACRES) OF THE SOUTHWEST 1/4 OF SECTION 26, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

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PARCEL 3: 3710 W. Touhy, Skokie, Illinois
 PINS: 10 26 318 032 0000; 10 26 318 033 0000

WEST PART OF THE WEST 10.8 ACRES OF THE SOUTH 1/4 OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 26, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST LINE OF SAID WEST 10.8 ACRES, 208.78 FEET SOUTH OF THE INTERSECTION OF SAID EAST LINE WITH THE NORTH LINE OF THE SOUTH 1/4 OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 26, AFORESAID; THENCE WEST AT RIGHT ANGLES TO SAID EAST LINE, 188.81 FEET TO THE WEST LINE OF THE EAST 1/2 OF THAT EAST OF SAID WEST 10.8 ACRES WHICH LINE EAST OF A LINE WHICH IS 326.88 FEET EAST OF AND PARALLEL WITH THE CENTER LINE OF HANLIN AVENUE, SAID CENTER LINE OF HANLIN AVENUE BEING IDENTICAL WITH THE WEST LINE OF THE SAID SOUTH 1/4; THENCE SOUTH ALONG SAID WEST DESCRIBED WEST LINE (BEING HEREAFTER REFERRED TO AS LINE 'A') 427.43 FEET TO THE NORTH LINE OF TONY AVENUE, MAKING A LINE 33.8 FEET, MEASURED AT RIGHT ANGLES, NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SOUTHWEST 1/4; THENCE EASTWARD ALONG SAID NORTH LINE OF TONY AVENUE, 47.818 FEET TO AN INTERSECTION WITH A LINE 47.88 FEET, MEASURED AT RIGHT ANGLES, N.E.C. OF AND PARALLEL WITH THE AFORESAID LINE 'A';

THENCE NORTH ALONG SAID LAST DESCRIBED PARALLEL LINE, 248.47 FEET TO AN INTERSECTION WITH A LINE DRAWN AT RIGHT ANGLES TO THE EAST LINE OF SAID WEST 10.8 ACRES FROM A POINT ON SAID EAST LINE, 183.49 FEET SOUTH OF THE INTERSECTION OF SAID EAST LINE WITH THE NORTH LINE OF THE SOUTH 1/4 OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 26, AFORESAID; THENCE EAST ALONG SAID LAST DESCRIBED RIGHT ANGLE LINE, 133.81 FEET TO THE EAST LINE OF SAID WEST 10.8 ACRES; THENCE WEST ALONG SAID LAST DESCRIBED EAST LINE, 177.74 FEET TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCEL 4: 3610 W. Touhy, Skokie, Illinois
 PIN: 10-26-318-020

Parcel 4: Tract C

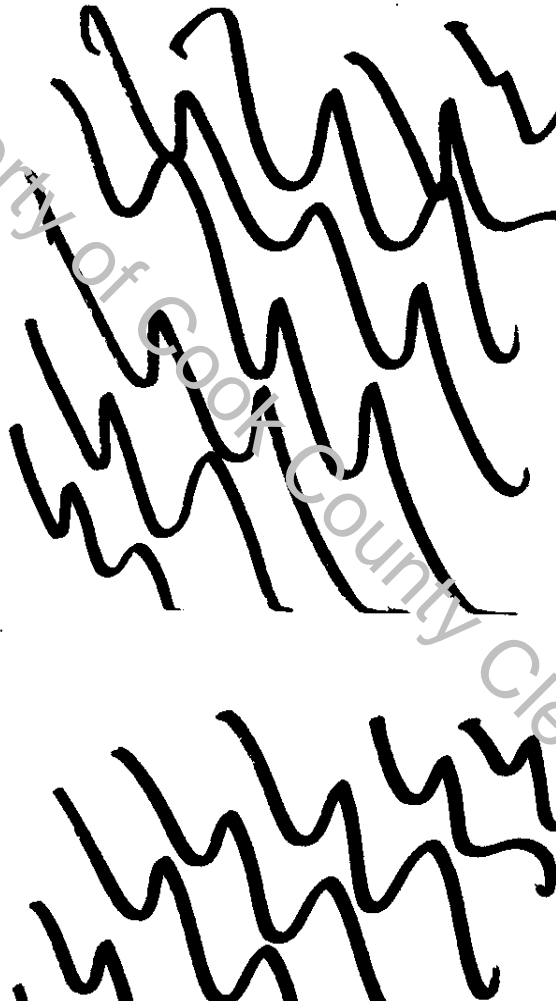
THE EAST 400 FEET OF THAT PARCEL OF LAND DESCRIBED AS THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 IN SECTION 26, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, EXCEPT CERTAIN PARCEL OF LAND TAKEN BY CONDEMNATION DESCRIBED AS FOLLOWS: THE NORTH 221 FEET OF THE EAST 400 FEET OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 26, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, EXCEPT THAT PART LYING SOUTHEASTERLY OF THE FOLLOWING DESCRIBED LINE: COMMENCING ON A POINT ON THE NORTH LINE OF SAID PROPERTY AT A POINT 75 FEET EAST OF THE EAST LINE OF MONTICELLO AVENUE, AS EXTENDED SOUTH; THENCE SOUTHWESTERLY ALONG A LINE FORMING AN INTERIOR ANGLE OF 6 DEGREES 36 MINUTES, A DISTANCE OF 182.71 FEET TO A POINT, SAID POINT BEING THE EXISTING SOUTH LINE OF CHASE AVENUE, IN COOK COUNTY, ILLINOIS.

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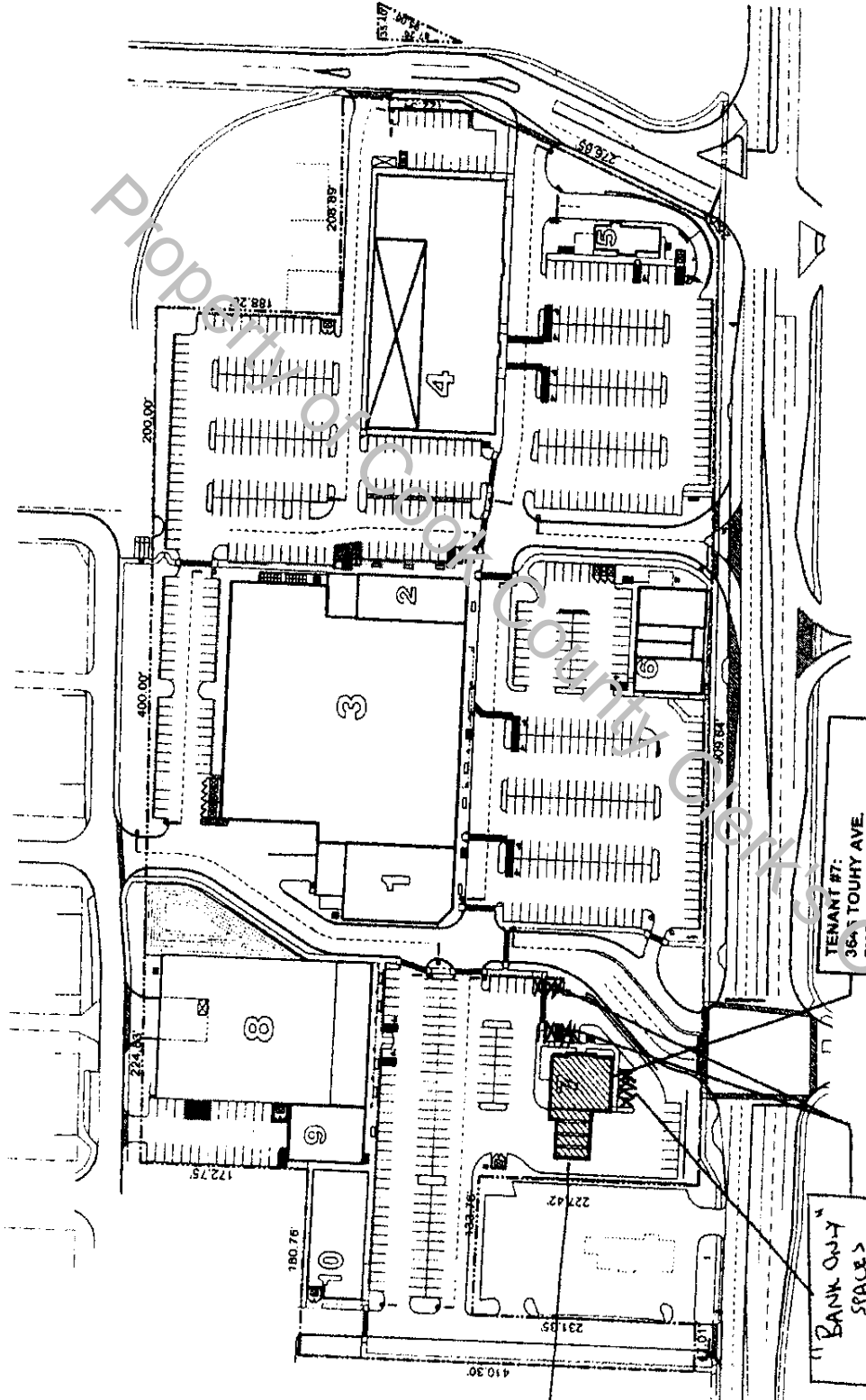
PARCEL 5: 3649 W. Chase Ave., Skokie, Illinois
PIN: 10 26 318 035 0000

LOT 2 IN NATIONAL WAX SUBDIVISION OF THE SOUTH ½ (EXCEPT THE EAST 400 FEET AND THE WEST 10 ¼ ACRES) OF THE SOUTHWEST ¼ OF SECTION 26, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

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SITE PLAN Z20
SCALE: 1" = 150'-0"

TENANT #7:
3641 TOUHY AVE.
SKOKIE, IL
TOTAL AREA: 3,216 SF

THE TOUHY CENTRE
TENANT #7
SKOKIE, ILLINOIS

PHILIP R. COHEN + ASSOCIATES
ARCHITECTS PLANNERS

2525 N. Elston Ave. Suite D230 Chicago, IL 60647
(773) 252-5141 Voice (773) 394-7421 Fax

No.	Date	Description
1	10/23/08	EXHIBIT 6

LEASED PREMISES