



Doc#: 1006317003 Fee: \$44.25
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 03/04/2010 09:26 AM Pg: 1 of 4

MEMORANDUM OF LEASE

This is a Memorandum of Lease for the Lease executed on July 09, 2009, between Subway Real Estate Corp. (Grantee) a corporation organized under the laws of the State of Delaware, having its principal office at 325 Bic Drive, Milford, CT 06461, hereinafter called "the Tenant", and Evanston Plaza, L.L.C. , (Grantor) having its principal office at: 33 South State St., Suite 400, Chicago, IL 60603 hereinafter called "the Landlord".

For the purpose of this document and/or the Lease, as well as any exhibits/schedules executed by the Landlord and Tenant, if applicable, the terms "Landlord", "Grantor", and "Lessor" or "Tenant", "Grantee", and "Lessee" as used shall be deemed synonymous.

The Landlord leases to the Tenant the premises as described in the Lease:

1. Premises:

SUBWAY® store number: 46751

Located at: 1900 W Dempster St, Evanston, IL 60202

State of: Illinois

County of: COOK

2. Term

The Lease is for a term of 5 Year(s) ~~0 Month(s) 0 Day(s)~~ commencing September 25, 2009 through and including September 30, 2014.

3. Renewal (Option) Periods:

The Tenant shall have the right to renew this lease for: 2 5-Year options

LEGAL DESCRIPTION ATTACHED AS EXHIBIT A

Prepared by, and return to:

Attn: Janice Trowbridge

Subway Real Estate Corp.

325 Bic Drive ~ Milford, CT 06461

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Acknowledgement - Memorandum of Lease

In Witness whereof the "Landlord" has hereunto executed this document this 12th day of

January, 2010

SUBWAY® store number: 46751

Located at: 1900 W Dempster St, Evanston, IL, 60202

Landlord: Evanston Plaza, LLC, an Illinois limited liability company

By: [Signature]

Signature

Laurance H. Freed

Printed Name

Manager

Title

[Signature]

Witness

Maria Black

Printed Witness Name

[Signature]

Witness

Katya R. Lewandowska

Printed Witness Name

STATE OF Illinois

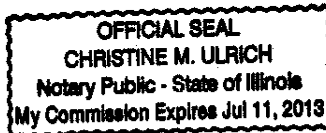
COUNTY OF Cook

On this the 12th day of January, in the Year 2010, before me, the undersigned, a Notary Public in and for said State, personally appeared Laurance H. Freed

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledge to me that he/she/they executed the same in his/her, their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

[Signature]

Notary Public



(Notary Seal)

My Commission Expires: 7/11/13

Prepared by, and return to:

Attn: Janice Trowbridge

Subway Real Estate Corp.

325 Bic Drive - Milford, CT 06461

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EXHIBIT A

PARCEL 1:

LOT 1 IN BANBURY THIRD CONSOLIDATION, RECORDED MARCH 27, 1987 AS DOCUMENT 87162463 BEING A CONSOLIDATION OF PART OF LOT 1 IN BANBURY SECOND CONSOLIDATION AND PART OF LOT "A" IN CALHOUN NORTON CONSOLIDATION, BOTH IN THE NORTH WEST 1/4 OF SECTION 24, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN,

EXCEPTING THEREFROM THAT PART OF BANBURY THIRD CONSOLIDATION, BEING A CONSOLIDATION PLAT RECORDED AS DOCUMENT NUMBER 87162463, LEGALLY DESCRIBED AS FOLLOWS:

THAT PART OF LOTS 8, 9, 10, 11 AND 12 IN BLOCK 2 IN GROVER AND PITNER'S ADDITION TO EVANSTON, A SUBDIVISION OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 24, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF SAID LOT 12 AT ITS INTERSECTION WITH A LINE DRAWN 45.00 FEET NORTH WESTERLY OF AND PARALLEL WITH THE CENTERLINE BETWEEN THE TWO (2) MAIN TRACKS (THE NORTHWESTERLY OF TWO (S) MAIN TRACKS HAVING BEEN REMOVED) OF THE CHICAGO AND NORTHWESTERN TRANSPORTATION COMPANY, AS SAID CENTERLINE WAS ORIGINALLY LOCATED AND ESTABLISHED; THENCE NORTHEASTERLY PARALLEL WITH SAID ORIGINAL CENTERLINE, A DISTANCE OF 241.64 FEET; THENCE SOUTHEASTERLY AT RIGHT ANGLES TO THE LAST DESCRIBED LINE, A DISTANCE OF 5.00 FEET; THENCE SOUTHWESTERLY ALONG A LINE DRAWN 40.00 FEET NORTHWESTERLY OF AND PARALLEL WITH THE AFORESAID ORIGINAL CENTERLINE, A DISTANCE OF 239.38 FEET TO THE POINT OF INTERSECTION WITH THE SOUTH LINE OF LOT 12 AFORESAID; THENCE WEST ALONG SAID SOUTH LINE, A DISTANCE OF 5.49 FEET TO THE HEREINBEFORE DESCRIBED POINT OF BEGINNING IN COOK COUNTY, ILLINOIS

PARCEL 2:

NON EXCLUSIVE PERPETUAL UTILITY EASEMENT FOR THE BENEFIT OF PART OF PARCEL 1 ON, OVER, UNDER, THROUGH AND ACROSS:

THE WESTERLY 15.00 FEET, AS MEASURED AT RIGHT ANGLES TO THE WEST LINE THEREOF, OF THE FOLLOWING DESCRIBED PROPERTY:

THAT PART OF LOT 1 IN BANBURY CONSOLIDATION IN THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 24, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 19, 1986 AS DOCUMENT 86107329, DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST SOUTHWESTERLY CORNER OF SAID LOT 1; THENCE NORTH 87 DEGREES, 29 MINUTES, 24 SECONDS EAST ALONG THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 32.93 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 87 DEGREES, 29 MINUTES, 24 SECONDS EAST ALONG SAID SOUTH LINE, A DISTANCE OF 71.36 FEET TO A CORNER OF LOT 1, BEING ALSO THE SOUTHWEST CORNER OF LOT "A" IN CALHOUN NORTON CONSOLIDATION IN THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 24, RECORDED MARCH 3, 1965 AS DOCUMENT 19396701; THENCE NORTH 21 DEGREES, 51 MINUTES, 29 SECONDS EAST ALONG THE SOUTH LINE OF SAID LOT 1, BEING ALSO THE WEST LINE OF SAID LOT "A" IN CALHOUN NORTON CONSOLIDATION, A DISTANCE OF 326.30 FEET TO A CORNER OF LOT 1; THENCE NORTH 87 DEGREES, 29

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MINUTES, 24 SECONDS EAST ALONG THE SOUTH LINE OF SAID LOT 1, BEING ALSO THE WEST LINE OF SAID LOT "A" IN CALHOUN NORTON CONSOLIDATION, A DISTANCE OF 16.47 FEET TO A CORNER OF LOT 1; THENCE NORTH 21 DEGREES, 51 MINUTES, 29 SECONDS EAST ALONG THE SOUTH LINE OF SAID LOT 1, BEING ALSO THE WEST LINE OF SAID LOT "A" IN CALHOUN NORTON CONSOLIDATION, A DISTANCE OF 34.53 FEET; THENCE SOUTH 87 DEGREES, 29 MINUTES, 24 SECONDS WEST, A DISTANCE OF 87.83 FEET; THENCE SOUTH 21 DEGREES, 51 MINUTES, 29 SECONDS WEST, A DISTANCE OF 360.84 FEET TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS.

AS CONTAINED IN EASEMENT AGREEMENT MADE BY NORTH WEST NATIONAL BANK OF CHICAGO, TRUSTEE UNDER TRUST AGREEMENT DATED AUGUST 14, 1979 AND KNOWN AS TRUST NUMBER 5502; NORTHERN TRUST BANK OF PALM BEACH, FLORIDA N. A.; NAN P. NORTON DELA CUSH (FORMERLY KNOWN AS NAN P. NORTON) AND MICHAEL C. NORTON AS TRUSTEES UNDER THAT CERTAIN CALHOUN-NORTON MARITAL TRUST CREATED BY A TRUST AGREEMENT DATED DECEMBER 6, 1979 (COLLECTIVELY THE NORTON TRUSTEES); ARENS CONTROLS, INC., CORPORATION OF ILLINOIS; LA SALLE NATIONAL BANK, TRUSTEE UNDER TRUST AGREEMENT DATED JUNE 9, 1986 AND KNOWN AS TRUST NUMBER 111203 (THE LA SALLE TRUST) AND BANBURY/EVANSTON LIMITED PARTNERSHIP, AN ILLINOIS LIMITED PARTNERSHIP DATED OCTOBER 1, 1986 RECORDED NOVEMBER 16, 1986 AS DOCUMENT 86522197, IN COOK COUNTY, ILLINOIS.

PERM TAX # 10-24-108-038-0000

Cook County Clerk's Office