

Doc#: 1305029131 Fee: \$68.00 Karen A. Yarbrough RHSP Fee: \$10.00 Cook County Recorder of Deeds Date: 02/19/2013 04:07 PM Pg: 1 of 4

# SECOND AMENDMENT TO RESTAURANT LEASE

Reference is made to a certain Restaurant Lease dated May 21, 1993 by and between Western Springs National Bank and Trust, as Trustee under Trust Agreement dated January 14, 2003 and known as Trust No. 3985, Successor in Interest to Western Springs National Bank, as Trustee under Trust Agreement dated May 4, 1993 and known as Trust No. 3421, therein referred to as "Lessor", and 212 Halsted Corp., an Illinois corporation, therein referred to as "Lessee" for the premises commonly known as 212 S. Halsted Street, Chicago, Illinois (the "Restaurant Lease"). The capitalized terms used in this Second Amendment to Restaurant Lease shall have the meaning ascribed in the Restaurant Lease unless their context shall clearly require otherwise.

# WITNESSETH:

WHEREAS, the parties desire to amend the Restaurant Lease by specifically excluding the parking lot from the premises leased under the Restaurant Lease, which parking lot is located across the street from the Leased Premises, and commonly known as 765 W. Adams, Chicago, Illinois, and by deleting the Option to Purchase Section, and wish to place the same in writing;

NOW, THEREFORE, for and in consideration of the mutual covenants and promises herein set forth, and for other good and valuable consideration, the receipt and sufficiency of which are herewith acknowledged, to parties agree as follows:

1. <u>PREAMBLE</u>: The recitals set forth in the pream ole hereof are incorporated herein by this reference.

## 2. AMENDMENT:

- A. Section 1 of the Restaurant Lease shall be amended to lead as follows:
- "I. <u>LEASED PREMISES</u>: The premises leased hereunder (the "Leased Premises") shall be deemed to include the building owned by Lessor and commonly known as Athena's Restaurant, 212 S. Halsted, Chicago, Illinois, and all other appurtenant real estate owned by Lessor (as legally described in <u>Exhibit A</u> attached hereto). The parking lot owned by Lessor located across the street from the Leased Premises, commonly known as 765 West Adams, Chicago, Illinois, and legally described in <u>Exhibit B</u> attached hereto, is specifically excluded."
- B. Section 34 of the Restaurant Lease, entitled Option to Purchase Real Estate, is hereby deleted in its entirety.
- 3. <u>CONTINUING EFFECT</u>: Except as expressly amended by this Second Amendment to Restaurant Lease, all of the terms, covenants and conditions set forth in the Restaurant Lease

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shall continue in full force and effect to the same extent as existed prior to execution of this Second Amendment to Restaurant Lease.

- 4. <u>HEADINGS</u>: The headings set forth herein are for convenience of reference only and shall not be deemed to impair, enlarge or otherwise affect the substantive meaning of any provision to which such heading may relate.
- 5. <u>COUNTERPARTS</u>: This Second Amendment to Restaurant Lease may be executed in multiple counterparts, each one of which shall be deemed an original but all of which, taken collectively, shall be deemed a single instrument; provided, that this Second Amendment to Restaurant Lease shall not be enforceable against any party hereto unless all parties hereto have executed Aleast one (I) counterpart.

WITNESS WHEREOF, this Second Amendment to Restaurant Lease is executed by the parties hereto as their respective free, voluntary and duly authorized acts for the purposes set forth herein effective as of this <u>171</u> day of January, 2012.

LESSOR:

WESTERN SPRINGS NATIONAL BANK AND TRUST COMPANY, Trustee as Aforesaid

BY: 212 Halsted Corp., an Illinois corporation, sole Beneficiary

James P Verros President

Andrivous P. Youkhana, Secretary

LESSEE:

212 HALSTED CORP., an Illinoi: corporation

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mes B. Verros, President

Andriyous P. Youkhana, Secretary

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## **EXHIBIT A**

#### PARCEL 1:

THE EAST 95.85 FEET OF THE NORTH HALF OF LOT 3 AND THE SOUTH HALF OF LOT 3 AND ALL OF LOT 4 IN BLOCK 11 IN DUNCAN'S ADDITION TO CHICAGO, BEING A SUBDIVISION OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

PARCEL 2.

EASEMENT FOR ENGRESS AND FGRESS FOR TRUCK USE ONLY (NO PARKING EXCEPT FOR LOADING AND UNLOADING) FOR THE BENEFIT OF PARCEL 1, OVER, UPON AND ACROSS THE FOLLOWING DESCRIBED LAND:

THE SOUTH 12 FEET OF CLE NORTH 25.09 FEET OF THE NORTH HALF OF LOT 14 AND THE WEST 12 FEET OF THE NORTH 25.13 FEET OF THE NORTH HALF OF LOT 3 (EXCEPT THE EAST 95.85 FEET THERE OF) AND THE NORTH 13.13 FEET OF THE NORTH 425.13 FEET OF THE NORTH HALF OF LOT 3 (EXCEPT THE EAST 95.85 FEET THEREOF) IN BLOCK 11 IN DUNCAN'S ADDITION FO CHICAGO AFORESAID;

### **ALSO**

EASEMENT FOR INGRESS AND EGRESS FOR TRUCK USE ONLY (NO PARKING EXCEPT FOR LOADING AND UNLOADING) FOR THE BENTFIT OF PARCEL 1, OVER, UPON AND ACROSS THE NORTH 13.09 FEET OF THE NORTH 25.09 FEET OF THE NORTH HALF OF LOT 14 IN BLOCK 11 IN DUNCAN'S ADDITION TO CHICAGO AFORESAID, AS CREATED BY EASEMENT AGREEMENT MADE BY AND BETWEEN A MERICAN NATIONAL BANK OF CHICAGO, AS TRUSTEE UNDER TRUST AGREEMENT DATED JANUARY 1, 1977 AND KNOWN AS TRUST NUMBER 39982, AND PETROS N. KOCIONES, DATED NOVEMBER 15, 1978 AND RECORDED DECEMBER 20, 1978 AS DOCUMENT 24772832, IN COOK COUNTY, ILLINOIS.

PIN: 17-17-222-008, 17-17-222-009, 17-17-222-022

COMMONLY KNOWN AS: 212 HALSTED STREET, CHICAGO, IL 6065

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#### EXHIBIT B

#### LEGAL DESCRIPTION OF EXCLUDED PROPERTY

## PARCEL 1:

LOTS 1 TO 8 (EXCEPT THE SOUTH 12 FEET OF LOT 8) IN WILSEY'S SUBDIVISION OF LOT 1 IN G. A. BLANCHARD'S SUBDIVISION OF BLOCK 3 IN SCHOOL TRUSTEES' SUBDIVISION OF CHICAGO IN SECTION 16, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

## PARCEL 2:

LOT 2 IN BLANCHARD SUBDIVISION OF BLOCK 3 OF SCHOOL SECTION ADDITION TO CHICAGO (EXCEPT THAT PART TAKEN FOR QUINCY STREET) IN THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

#### PARCEL 3:

ALL OF THE NORTH/SOUTH 1/JF OOT WIDE VACATED ALLEY, LYING EAST OF AND ADJOINING PARCEL 1 AFORESAID, AS VACATED BY ORDINANCE PRINTED IN THE CITY OF CHICAGO JOURNAL FOR JULY 31, 2002 ON PAGES 91628-91630, A COPY OF WHICH WAS RECORDED JANUAR Y 24, 2003 AS DOCUMENT 0030130061

765 W. ADAMS, CHICAGO, ILLINOIS COMMONLY KNOWN AS:

7-10 Clarks Office 17-16-109-001; 17-16-109-002; 17-16-109-013, 17-16-109-004; 17-16-109-005; 17-16-109-PIN:

006: 17-16-109-007 and 17-16-109-008