

Doc#: 1401544097 Fee: \$48.00 RHSP Fee:\$9.00 RPRF Fee: \$1.00 Karen A.Yarbrough Cook County Recorder of Deeds Date: 01/15/2014 04:38 PM Pg: 1 of 6

Prepared by and Return to: Allison Nelson 1515 Wynkoop St., Suite 600 Denver, CO 80202

MEMORANDUM OF LEASE

This Memorandum of Lease (this "Memorandum") is made and entered into this 9th day of December 2013, by and between EVERBURY PARTNERS, L.P., an Illinois limited partnership ("Landlord") and TOTAL RENAL CARE, INC., a California corporation ("Tenant"). Tenant and Landlord agree to and acknowledge the following matters:

- 1. Landlord and Tenant entered into those certain Lease Agreements each dated as of December 9, 2013 (collectively, the "Lease"), wherein Landlord leases to Tenant, and Tenant leases from Landlord, subject to the terms, covenants and conditions contained therein, space consisting of approximately 1,578 rentable square feet (the "Premises"), located at 1333 North Kingsbury Street, Suite 305 in Chicago, Illinois, as legally described on Exhibit A, attached and incorporated herein by reference (the "Property").
- 2. The term of the Lease is for an initial period of 60 months commencing upon the Commencement Date, as defined in the Lease, (the "Lease Term"), subject to a right to extend and renew the Lease for 3 successive additional periods of 5 years each.
- 3. Pursuant to the Lease, Tenant has the right of first option to lease adjacent premises located on the Property.

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- 4. The address of Landlord is c/o Structured Development, LLC, 211 North Clinton, Suite 3 South, Chicago, IL 60661.
- 5. The address of Tenant is c/o DaVita HealthCare Partners Inc., Attn: Real Estate Legal, 2000 16th Street, Denver, CO 80202 with a copy to: relegal@davita.com Subject: Chicago, IL (Facility #5593) Corporate.
- 6. The purpose of this Memorandum is to give record notice to all persons that Tenant has a leasehold interest in the Premises with related use exclusivity rights, and a right of first option pursuant to the Lease, in addition to other rights and obligations created therein, all of which are confirmed.
- 7. Any capitalized terms utilized herein that are not otherwise defined shall be deemed to have the same meaning as set forth in the Lease.
- 8. In the event of a conflict between the terms of the Lease and the terms of this Memorandum, the terms of the Lease shall control.
- 9. This Memorandum may be executed in any number of counterparts, each of which shall be deemed an o iginal and all of which together shall constitute one and the same instrument.

[Signature pages follow]

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UNOFFICIAL COPY

IN WITNESS WHEREOF, the parties hereto have executed this Memorandum as of the day and year first above written.

LANDLORD:

EVERBURY PARTNERS, L.P.,

an Illinois limited partnership

By: / / // Name: ... Wichael Drew

Title: Man ging Partner

Date: December 3, 2013

STATE OF ILLINOIS

SS

COUNTY OF COUNTY

I, Daniel M. Morisette, a Notary Public in and for the County and State aforesaid, do hereby certify that J. Michael Drew the Managing Partner of Everbury Partners, L.P., an Illinois limited partnership, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me in person and acknowledged that he/she signed, sealed and delivered the said instrument as his/her own free and voluntary act and as the free and voluntary act of said limited partnership, for the uses and purposes therein set forth.

Given under my hand and notarial seal this 10th day of December, 2013.

Notary Public

My Commission Expires:

DANIEL R M ORISETTE
OFFICIAL S LAL
Notary Public, State of Il nois
My Commission Expirer
March 05, 2016

TENANT:	
TOTAL RENAL CARE, INC., a California corporation	
By: Jenny Danis Name: PENNY DAVIS Title: DVP	
Date:	
STATE OF <u>JUNOIS</u>) SS	
COUNTY OF Cook)	
aforesaid, do hereby certify Divisional Via resident or who is personally known to me to be the foregoing instrument, appeared being	Notary Public in and for the County and State that Penny Davis the Total Renal Care, Inc., a California corporation, a same person whose name is subscribed to the me in person and acknowledged that he/she recrument as his/her own free and voluntary act a corporation, for the uses and purposes therein
Given under my hand and notarial seal the	nis 6th day of <u>Docember</u> , 2013.
Moranet Z. Engrano Notary Public	
My Commission Expires: 9-18-201	"OFFICIAL SEAL"
FOR TENANT'S INTERNAL PURPOSE ONLY:	S MARGARET L. ENGER Notary Public, State of Illinois My Commission Expires C9-18-2017
APPROVED BY TENANT'S GROUP GENERAL COUNSEL AS TO FORM O	NLY:
By: Domisch	-
Name: Marcie Marcus Damisch Title: Group General Counsel	

renant:		
TOTAL RENAL CARE, INC., a California corporation		
Ву:		
Name:		
Title:		
Date:		
STATE OF) SS		
COUNTY OF)		
I,, a Notary aforesaid, do hereby certify the	y Public in and for the at	County and State the
of Total	Renal Care, Inc., a Cal	lifornia corporation,
who is personally known to me to be the same foregoing instrument, appeared being me in signed, sealed and delivered the said instrumand as the free and voluntary act of said corposet forth.	n person and acknowle ent as his/her own free	edged that he/she and voluntary act
Given under my hand and notarial seal this	day of	, 20
Notary Public	Clart's	
My Commission Expires:	不完	
FOR TENANT'S INTERNAL PURPOSES ONLY:		Office
APPROVED BY TENANT'S GROUP GENERAL COUNSEL AS TO FORM ONLY:		CO
By: Marcie Marcus Damisch Title: Group General Counsel		

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EXHIBIT A MEMORANDUM OF LEASE

City of Chicago, County of Cook, State of Illinois