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Doc#: 1434641151 Fee: \$44.00
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Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 12/12/2014 02:54 PM Pg: 1 of 4

MEMORANDUM OF LEASE (Burger King No. 8133, Palatine, Illinois)

Reference is made to that certain lease agreement dated August 29, 1997 (the "Lease"), originally executed by and between FICA Acquisition Corporation, as Lessor, and National Restaurant Enterprises, Inc., as Lessee, which Lease has now been assigned. This Memorandum of that Lease is presented for recording.

1. The present Lessor is ARC CAFEHLD001, LLC, a Delaware limited liability company. The present Lessee is TRI CITY FOODS OF ILLINOIS, INC., a Delaware corporation, having an address at 1400 Opus Place, Suite 900, Downers Grove, Illinois 60515.
2. The legal description for the demised premises as set forth in the Lease is attached hereto as Exhibit A (the "Premises").
3. The lease has commenced and remains in full force and effect.
4. The current term of the Lease expires on August 28, 2017. Lessee has two (2) additional five (5) year successive option terms.

This instrument is merely a Memorandum of the aforementioned Lease, and is subject to all of the terms, conditions and provisions thereof. In the event of any inconsistency between the terms of said Lease and this instrument, the terms of said Lease shall prevail as between the parties hereto. This Memorandum is binding upon and shall inure to the benefit of the successor and assigns of the parties hereto.

*Balance of Page Intentionally Left Blank
Signature Pages to Follow*



Store no. 8133 Cook County A00122465

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IN WITNESS WHEREOF, the parties have hereunto set their hands and seals this 20th day of November, 2014.

LESSOR

ARC CAFEHLD001, LLC,
a Delaware limited liability company

By: ARC Properties Operating Partnership, L.P.,
its sole member

By: [Signature]
Name: O. Akomea Poku-Kankam
Title: Authorized Signatory

Sm STATE OF ARIZONA NC)
Mecklenburg) SS:
COUNTY OF MARICOPA)

Before the undersigned, a Notary Public in and for said County and State, personally appeared O. Akomea Poku-Kankam the Authorized Signatory of ARC Properties Operating Partnership, L.P., the sole member of ARC CAFEHLD001, LLC, who acknowledged the execution of the foregoing as a free, voluntary, and authorized act and deed. Dated this 20 day of Nov., 2014.

My Commission Expires:
7-18-19

My County of Residence:
Mecklenburg

Sheila Messick
Notary Public

Sheila Messick
Printed Name



[Signature Page to Memorandum of Lease – BK Store No. 8133]

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TRI CITY FOODS OF ILLINOIS, INC. —LESSEE

By: _____

Name: Shoukat Dhanani

Title: President

STATE OF Texas

COUNTY OF Ft. Bend

SS:

Before the undersigned, a Notary Public in and for said County and State, personally appeared TRI CITY FOODS OF ILLINOIS, INC. b/ Shoukat Dhanani its President, who acknowledged the execution of the foregoing as a free, voluntary, and authorized act and deed. Dated this 17th day of November, 2014.

My Commission Expires: May 05, 2018

My County of Residence: Ft. Bend

Vanessa Bautista
Notary Public

Vanessa Bautista
Printed Name

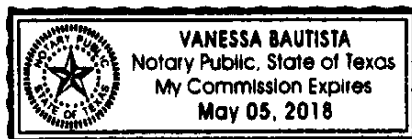
This instrument prepared by/Return recorded instrument to: Elizabeth A. Roberge, Attorney at Law, The Regents Building, 12775 Horseferry Road, Suite 200, Carmel, Indiana 46032

Affirmation of Preparer

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security Number in this document unless required by law.

/s/ Elizabeth A. Roberge

[Signature Page to Memorandum of Lease – BK Store No. 8133]



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Exhibit A

That part of the East 1/2 of the Northeast 1/4 of Section 15, Township 42 North, Range 10, East of the Third Principal Meridian, and part of Lots 1 to 4 in Block 1 in Frank E. Merrill and Company's Palatine Homesites, being a Subdivision in the Northeast 1/4 of Section 15 aforesaid, described as follows: Commencing at the Southwest corner of Block 1 aforesaid; thence South 89 degrees 39 minutes 46 seconds East along the South line thereof 75.15 feet to the Southwest corner of Lot 4 aforesaid; thence North 19 degrees 17 minutes 55 seconds East along the West line of Lot 4 for a distance of 169.20 feet to the Southerly line of Northwest Highway; thence South 70 degrees 27 minutes 31 seconds East along said Southerly line 40.48 feet to the point of beginning; thence South 00 degrees 00 minutes 41 seconds East 227.80 feet; thence North 89 degrees 48 minutes 04 seconds West 169.25 feet to a line 627 feet West of and parallel with the East line of the Northeast 1/4 of Section 15; thence South 00 degrees 00 minutes 41 seconds East along the last described line 25 feet; thence South 89 degrees 48 minutes 04 seconds East 353 feet to a line 274 feet West of and parallel with the East line of the Northeast 1/4 of Section 15; thence North 00 degrees 00 minutes 41 seconds West along said parallel line 138.21 feet to the Southerly line of Northwest Highway; thence North 70 degrees 27 minutes 31 seconds West along said Southerly line 195 feet to the point of beginning, in Cook County, Illinois.

Together with easements set forth in that certain Operation and Easement Agreement between Dayton Hudson Corporation and Firststar Naper Bank, N.A. as Trustee under Trust Agreement dated January 8, 1988 and known as Trust No., 7-1807 dated December 24, 1992 and recorded January 5, 1993 as Document Number 93R090508 and First Amendment recorded as Document 93R049798, Second Amendment recorded July 27, 1995 as Document Number 95R052649.

Permanent Index Number: 02-08-300-008