

# UNOFFICIAL COPY



Doc#: 1522201009 Fee: \$54.00  
RHSP Fee: \$9.00 RPRF Fee: \$1.00  
Karen A. Yarbrough  
Cook County Recorder of Deeds  
Date: 08/10/2015 09:52 AM Pg: 1 of 9

This instrument prepared by  
and after recording return to:  
Crystal Pruess Bush  
Drinker Biddle & Reath LLP  
191 N. Wacker Drive, Suite 3700  
Chicago, Illinois 60606

## MEMORANDUM OF LEASE

This Memorandum of Lease is made as of the 21<sup>st</sup> day of July, 2015 (the "Date Hereof") by and between NRG MILWAUKEE LEAVITT, LLC, an Illinois limited liability company ("Landlord"), and ALDI INC., an Illinois corporation ("Tenant").

### WITNESSETH:

Landlord is the owner of certain real property legally described in **Exhibit A** attached hereto (the "Premises"). Landlord and Tenant have entered into a Lease Agreement dated as of the date hereof (the "Lease") demising the Premises to Tenant, together with the improvements located thereon and all easements, rights and privileges appurtenant thereto.

This Memorandum of Lease is recorded to provide notice of the general interests of Landlord and Tenant in the Premises and of certain terms and provisions of the Lease, and does not modify, alter or amend the Lease, which remains in full force and effect in accordance with its terms.

NOW, THEREFORE, Landlord, Tenant and Land Trustee state as follows:

- Term.** The Commencement Date of the term of the Lease is the Date Hereof. The Expiration Date of the term of the Lease shall be the later of (i) the date that is 30 days following the date that Landlord provides to Tenant written notice that all necessary governmental or quasi-governmental permits or approvals for redevelopment of the Premises have been obtained, with copies of the same, or (ii) 90 days following the date that Landlord delivers written notice to Tenant that an application for a building permit for such redevelopment has been filed with the City of Chicago, as set forth in the Lease.
- Counterparts.** This Memorandum of Lease may be executed in one or more counterparts, each which when executed and delivered shall be an original, and all of which together shall constitute one instrument.

[Signatures Are on Following Page]

*Box 400*

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Property of Cook County Clerk's Office

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IN WITNESS WHEREOF, the parties hereto have executed this Memorandum of Lease as of the date first above written.

**LANDLORD:**  
**NRG MILWAUKEE LEAVITT, LLC,**  
an Illinois limited liability company

By:   
Its: Manager

**TENANT:**  
**ALDI INC.,**  
an Illinois corporation

By: \_\_\_\_\_  
Its: \_\_\_\_\_

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IN WITNESS WHEREOF, the parties hereto have executed this Memorandum of Lease as of the date first above written.

**LANDLORD:**  
**NRG MILWAUKEE LEAVITT, LLC,**  
an Illinois limited liability company

By: \_\_\_\_\_  
Its: **Manager**

**TENANT:**  
**ALDI INC.,**  
an Illinois corporation

By: \_\_\_\_\_  
Its: *Vice President*

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STATE OF ILLINOIS            )  
  ) SS  
COUNTY OF Cook            )

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Graham Palmer, personally known to me to be the Manager of NRG MILWAUKEE LEAVITT, LLC, an Illinois limited liability company, and 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 as such Manager, he signed and delivered the said instrument, pursuant to authority, as his free and voluntary act, and as the free and voluntary act and deed of said limited liability company, for the uses and purposes therein set forth.

Given under my hand and official seal, this 20<sup>th</sup> day of July, 2015.



Amy L. Horan  
\_\_\_\_\_  
Notary Public

My commission expires:  
10/04/15

STATE OF ILLINOIS            )  
  ) SS  
COUNTY OF \_\_\_\_\_ )

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that \_\_\_\_\_, personally known to me to be the \_\_\_\_\_ of Aldi Inc., an Illinois corporation, and 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 as such \_\_\_\_\_, he signed and delivered the said instrument, pursuant to authority, as his free and voluntary act, and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

Given under my hand and official seal, this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

# UNOFFICIAL COPY

STATE OF ILLINOIS )  
 ) SS  
COUNTY OF \_\_\_\_\_ )

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that \_\_\_\_\_, personally known to me to be the Manager of NRG MILWAUKEE LEAVITT, LLC, an Illinois limited liability company, and 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 as such Manager, he signed and delivered the said instrument, pursuant to authority, as his free and voluntary act, and as the free and voluntary act and deed of said limited liability company, for the uses and purposes therein set forth.

Given under my hand and official seal, this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Notary Public

My commission expires:  
\_\_\_\_\_

STATE OF ILLINOIS )  
 ) SS  
COUNTY OF Kane )

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Scott Patton, personally known to me to be the Vice President of Aldi Inc., an Illinois corporation, and 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 as such Vice President, he signed and delivered the said instrument, pursuant to authority, as his free and voluntary act, and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

Given under my hand and official seal, this 17<sup>th</sup> day of July, 2015.



Renee Gardella  
Notary Public

My commission expires: May 25<sup>th</sup> 2019

**UNOFFICIAL COPY****EXHIBIT A  
to Memorandum of Lease****Legal Description of Premises****PARCEL 1:**

THAT PART OF BLOCKS 21 AND 22, IN PIERCE'S ADDITION TO HOLSTEIN, AND THAT PART OF LOT 7 IN ASSESSORS DIVISION OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 31, TOWNSHIP 40 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN AND THAT PART OF VACATED WILMOT AVENUE, AND THAT PART OF LOTS 2 TO 4 AND 19 TO 22, AND THE VACATED ALLEY BETWEEN THE SAID LOTS IN BLOCK 4 AND LOT 30 IN BLOCK 5 IN BRADWELL'S ADDITION TO CHICAGO IN THE SOUTHWEST 1/4 OF SAID SECTION 31, ALL BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON A STRAIGHT LINE DRAWN FROM A POINT ON THE EAST LINE OF LEAVITT STREET, 10.6 FEET SOUTH OF THE NORTH LINE OF THE SOUTH EAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 31 AFORESAID, TO A POINT IN THE WEST LINE OF BLOCK 20 IN PIERCE'S ADDITION TO HOLSTEIN, 30.83 FEET NORTH OF THE NORTH LINE OF THE SOUTH EAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 31 AFORESAID, SAID POINT OF BEGINNING BEING 60 FEET EAST AS MEASURED AT RIGHT ANGLES, OF THE EAST LINE OF LEAVITT STREET; THENCE SOUTH PARALLEL TO THE EAST LINE OF LEAVITT STREET, 47.02 FEET; THENCE NORTHEASTERLY ALONG A LINE FORMING AN ANGLE OF 98 DEGREES 25 MINUTES TO THE LEFT WITH THE PROLONGATION OF THE LAST DESCRIBED COURSE, A DISTANCE OF 155 FEET; THENCE SOUTHEASTERLY ALONG A LINE FORMING AN ANGLE 74 DEGREES 43 MINUTES 30 SECONDS TO THE RIGHT WITH THE PROLONGATION OF THE LAST DESCRIBED COURSE, A DISTANCE OF 65.12 FEET; THENCE SOUTHEASTERLY, 30.33 FEET, MORE OR LESS, TO A POINT ON THE NORTHWESTERLY LINE OF LOT 31, IN BLOCK 5 IN BRADWELL'S ADDITION AFORESAID, 13.25 FEET SOUTHWESTERLY OF THE NORTHEASTERLY CORNER OF SAID LOT 30 IN BLOCK 5; THENCE NORTHEASTERLY, ALONG THE SAID NORTHWESTERLY LINE, 13.25 FEET TO THE NORTHEASTERLY CORNER OF SAID LOT 30 IN BLOCK 5; THENCE NORTHEASTERLY 61.14 FEET, MORE OR LESS TO A POINT ON THE SOUTHWESTERLY LINE OF LOT 22 IN BLOCK 4, AFORESAID, 13.5 FEET NORTHWESTERLY OF THE SOUTHEASTERLY CORNER OF SAID LOT 22; THENCE SOUTHEASTERLY ALONG THE SOUTHWESTERLY LINES OF LOTS 22, 21, 20 AND 19 IN SAID BLOCK 4 TO THE SOUTHEASTERLY LINE OF SAID LOT 19; THENCE NORTHEASTERLY ALONG THE SOUTHEASTERLY LINE TO THE NORTHEASTERLY CORNER OF LOT 19; THENCE EASTERLY TO A POINT ON THE WEST LINE OF SAID LOT 4 IN BLOCK 4, 16 FEET NORTH OF THE SOUTH LINE THEREOF; THENCE EAST ALONG THE NORTH LINE OF THE SOUTH 16 FEET OF LOT 4 TO THE EAST LINE OF LOT 4; THENCE NORTH ALONG THE EAST LINE OF LOTS 2 TO 4, IN BLOCK 4 TO THE NORTHEAST CORNER OF SAID LOT 2; THENCE WEST ALONG THE NORTH LINE OF SAID LOT 2 TO THE WEST LINE OF BLOCK 20 IN PIERCE'S ADDITION TO HOLSTEIN AFORESAID; THENCE SOUTH ALONG THE SAID WEST LINE TO A POINT 30.83 FEET NORTH OF THE NORTH LINE OF THE SOUTH EAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 31 AFORESAID; THENCE SOUTHWESTERLY TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

EXCEPT THAT PART OF PARCEL ONE DESCRIBED AS FOLLOWS:

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THAT PART OF BLOCK 21 IN PIERCES ADDITION TO HOLSTEIN, AND THAT PART OF LOT 7 IN ASSESSOR'S DIVISION OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 31, TOWNSHIP 40 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN AND THAT PART OF VACATED WILMOT AVENUE AND THAT PART OF LOTS 2 TO 4 AND 19 AND 20 AND THE VACATED ALLEY BETWEEN THE SAID LOTS IN BLOCK 4, IN BRADWELL'S ADDITION TO CHICAGO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 2; THENCE SOUTH ALONG THE EAST LINE OF SAID LOTS 2, 3 AND 4, A DISTANCE OF 56.87 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 16.00 FEET OF SAID LOT 4; THENCE WESTERLY FORMING AN ANGLE OF 90 DEGREES 23 MINUTES 05 SECONDS TO THE LEFT OF THE LAST DESCRIBED COURSE, A DISTANCE OF 100.00 FEET TO A POINT; THENCE SOUTHWESTERLY FORMING AN ANGLE OF 187 DEGREES 30 MINUTES 55 SECONDS TO THE LEFT OF THE LAST DESCRIBED COURSE, A DISTANCE OF 23.88 FEET TO A POINT; THENCE SOUTHWESTERLY ALONG THE SOUTHEASTERLY LINE OF SAID LOT 19 FORMING AN ANGLE OF 220 DEGREES 18 MINUTES 04 SECONDS TO THE LEFT OF THE LAST DESCRIBED COURSE, A DISTANCE OF 132.02 FEET TO THE SOUTHEAST CORNER OF SAID LOT 19; THENCE NORTHWESTERLY ALONG THE WESTERLY LINE OF SAID LOTS 19, 20, 21 AND 22 FORMING AN ANGLE OF 89 DEGREES 53 MINUTES 41 SECONDS TO THE LEFT OF THE LAST DESCRIBED COURSE, A DISTANCE OF 86.00 FEET TO THE POINT ON WEST LINE OF SAID LOT 22, 14.00 FEET NORTH OF THE SOUTHEAST CORNER OF SAID LOT 22; THENCE SOUTHWESTERLY FORMING AN ANGLE OF 259 DEGREES 00 MINUTES 22 SECONDS TO THE LEFT OF THE LAST DESCRIBED COURSE, A DISTANCE OF 23.69 FEET TO A POINT; THENCE NORTHWESTERLY FORMING AN ANGLE OF 74 DEGREES 46 MINUTES 51 SECONDS TO THE LEFT OF TO THE LAST DESCRIBED COURSE, A DISTANCE OF 54.25 FEET TO A POINT; THENCE NORTHEASTERLY FORMING AN ANGLE OF 73 DEGREES 30 MINUTES 48 SECONDS TO THE RIGHT OF THE LAST DESCRIBED COURSE; A DISTANCE OF 26.58 FEET TO A POINT; THENCE NORTHEASTERLY FORMING AN ANGLE OF 224 DEGREES 58 MINUTES 41 SECONDS TO THE RIGHT OF THE LAST DESCRIBED COURSE, A DISTANCE OF 8.29 FEET TO A POINT; THENCE NORTHWESTERLY FORMING AN ANGLE OF 225 DEGREES 22 MINUTES 10 SECONDS TO THE LAST DESCRIBED COURSE, A DISTANCE OF 36.15 FEET TO A POINT; THENCE NORTHEASTERLY FORMING AN ANGLE OF 89 DEGREES 26 MINUTES 29 SECONDS TO THE RIGHT OF THE LAST DESCRIBED COURSE, A DISTANCE OF 187.79 FEET TO A POINT; THENCE NORTHEASTERLY FORMING AN ANGLE OF 92 DEGREES 16 MINUTES 43 SECONDS TO THE RIGHT OF THE LAST DESCRIBED COURSE, A DISTANCE OF 3.10 FEET TO A POINT; THENCE SOUTHEASTERLY FORMING AN ANGLE OF 87 DEGREES 43 MINUTES 17 SECONDS TO THE RIGHT OF THE LAST DESCRIBED COURSE, A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

## PARCEL 2:

THE SOUTHEASTERLY 12 1/2 FEET OF LOT 3 AND ALL OF LOTS 4, 5, 6, 7, 31, 32 AND 33 (EXCEPT THE SOUTHEASTERLY 16 FEET THEREOF TAKEN FOR ALLEY) ALL IN BLOCK 5 IN BRADWELL'S ADDITION, SAID ADDITION BEING A SUBDIVISION OF 17 ACRES OF THE NORTH 1/2 OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 (NORTH AND EAST OF MILWAUKEE AVENUE) IN SECTION 31, TOWNSHIP 40 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS



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## PARCEL 3:

THAT PART OF PARCEL OF LOT 30 IN SAID BLOCK 5 AFORESAID DESCRIBED AS FOLLOWS: TO WIT:

BEGINNING AT A POINT WHERE THE NORTHWESTERLY LINE OF LOT 31 IN SAID BLOCK 5 EXTENDED SOUTHWESTERLY WOULD INTERSECT THE CENTER LINE OF THE VACATED ALLEY BETWEEN LOT 31 AND LOT 4 IN SAID BLOCK 5, THENCE NORTHEASTERLY ALONG SAID EXTENDED LINE AND THE NORTHWESTERLY LINE OF SAID LOT 31 A DISTANCE OF 30 FEET AND 1 7/8 INCHES TO A POINT, THENCE NORTHWESTERLY ON A LINE PARALLEL WITH THE CENTER LINE OF SAID VACATED ALLEY AND A DISTANCE 30 FEET AND 1 7/8 INCHES THEREFROM A DISTANCE OF 30 FEET AND 4 3/4 INCHES TO A POINT, THENCE SOUTHWESTERLY ON A LINE PARALLEL WITH THE NORTHWESTERLY LINE OF SAID LOT 31 AND 30 FEET AND 4 3/4 INCHES THEREFROM A DISTANCE OF 30 FEET AND 1 7/8 INCHES TO THE NORTHWESTERLY LINE OF THE SOUTHEASTERLY 12 1/2 FEET OF LOT 3 EXTENDED TO THE CENTER OF SAID VACATED ALLEY THENCE SOUTHEASTERLY ALONG THE CENTER LINE OF SAID VACATED ALLEY TO THE POINT OF BEGINNING;

## PARCEL 4:

THAT PART OF OR PARCEL OF THE VACATED 16 FOOT ALLEY LYING IN AND BETWEEN SAID PARCELS 2 AND 3 HERETOFORE NEXT DESCRIBED AS VACATED BY A CERTAIN CITY ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF CHICAGO DATED JULY 2, 1923 AND RECORDED AUGUST 11, 1923 IN BOOK 15899 PAGE 368 AS DOCUMENT 8060107, IN COOK COUNTY, ILLINOIS

## PARCEL 5:

THAT PART OF LOT 7 IN ASSESSORS DIVISION OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 31, TOWNSHIP 40 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, THAT PART OF LOTS 1, 2, 3, 30 AND THE VACATED ALLEY BETWEEN SAID LOTS IN BLOCK 5, ALL IN BRADWELL'S ADDITION TO CHICAGO IN THE SOUTHWEST 1/4 OF SAID SECTION 31 BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT, ON THE EAST LINE OF LEAVITT STREET, 10.60 FEET SOUTH OF THE NORTH LINE OF THE SOUTH EAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 31, AFORESAID; THENCE EASTERLY ALONG A STRAIGHT LINE (WHOSE PROJECTION INTERSECTS A POINT IN THE WEST LINE OF BLOCK 20 IN PIERCE'S ADDITION TO HOLSTEIN, 30.83 FEET NORTH OF THE NORTH LINE OF THE SOUTH EAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 31 AFORESAID) TO A POINT ON SAID LINE, 60.00 FEET EAST, AS MEASURED AT RIGHT ANGLES, OF THE EAST LINE OF LEAVITT STREET; THENCE SOUTH PARALLEL TO THE EAST LINE OF LEAVITT STREET, 47.02 FEET, THENCE NORTHEASTERLY ALONG A LINE FORMING AN ANGLE OF 98 DEGREES, 25 MINUTES TO THE LEFT WITH THE PROLONGATION OF THE LAST DESCRIBED COURSE, A DISTANCE OF 155.00 FEET; THENCE SOUTHEASTERLY ALONG A LINE FORMING AN ANGLE OF 74 DEGREES 43 MINUTES 30 SECONDS TO THE RIGHT WITH THE PROLONGATION OF THE LAST DESCRIBED COURSE, A DISTANCE OF 65.12 FEET, THENCE SOUTHEASTERLY, 30.33 FEET, MORE OR LESS, TO A POINT ON THE NORTHWESTERLY LINE OF LOT 31 IN BLOCK 5 IN BRADWELL'S ADDITION AFORESAID, 13.25 FEET SOUTHWESTERLY OF THE NORTHEASTERLY CORNER OF SAID LOT 30 IN BLOCK 5; THENCE SOUTHWESTERLY



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ALONG SAID NORTHWESTERLY LINE OF LOT 31 TO A POINT ON SAID NORTHWESTERLY LINE, 30 FEET 1 7/8 INCHES NORTHEASTERLY OF THE INTERSECTION OF SAID NORTHWESTERLY LINE EXTENDED AND THE CENTER LINE OF THE VACATED ALLEY BETWEEN LOT 31 AND LOT 4 IN SAID BLOCK 5; THENCE NORTHWESTERLY ON A LINE PARALLEL WITH THE CENTER LINE OF SAID VACATED ALLEY, A DISTANCE OF 30 FEET 4.75 INCHES TO A POINT; THENCE SOUTHWESTERLY ON A LINE PARALLEL WITH THE NORTHWESTERLY LINE OF SAID LOT 31, A DISTANCE OF 30 FEET 1 7/8 INCHES TO THE NORTHWESTERLY LINE OF THE SOUTHEASTERLY 12.5 FEET OF LOT 3 IN BLOCK 5 EXTENDED NORTHEASTERLY TO THE CENTER LINE OF SAID VACATED ALLEY; THENCE SOUTHWESTERLY ALONG SAID NORTHWESTERLY LINE OF THE SOUTHEASTERLY 12.5 FEET OF SAID LOT 3, 108.00 FEET, MORE OR LESS TO THE NORTHEASTERLY LINE OF MILWAUKEE AVENUE; THENCE NORTHWESTERLY ALONG THE NORTHEASTERLY LINE OF MILWAUKEE AVENUE, 139.58 FEET, MORE OR LESS TO THE EAST LINE OF LEAVITT STREET; THENCE NORTH ALONG THE EAST LINE OF LEAVITT STREET, 136.07 FEET, MORE OR LESS TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS

**PARCEL 6:**

PERPETUAL, NON-EXCLUSIVE EASEMENT FOR THE BENEFIT OF PARCEL 1 AS CONTAINED IN THE GRANT OF EASEMENT FOR STORM WATER DRAINAGE DATED MARCH 13, 1995 AND RECORDED MARCH 16, 1995 AS DOCUMENT NO. 95178892, TO MAINTAIN, REPAIR AND REPLACE THE STORM SEWER LINES, CATCH BASINS, MANHOLES AND RELATED FACILITIES AND FOR INGRESS AND EGRESS TO PERFORM SUCH MAINTENANCE, REPAIRS AND REPLACEMENTS, AND TO DISCHARGE WATER TO THE DRAINAGE FACILITIES LOCATED ON LOT 3 IN WILLIAM M. SENNE SUBDIVISION.

PINs: 14-31-322-018-0000  
 14-31-322-032-0000  
 14-31-322-033-0000  
 14-31-322-037-0000  
 14-31-322-039-0000

Address: 1767 North Milwaukee Avenue, Chicago, Illinois

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