

Capitol Services, Inc.
P.O. Box 6300 Albany, NY 12206



Doc# 1734106006 Fee \$52.00

CHSP FEE:\$9.00 RPRF FEE: \$1.00

KAREN A. YARBROUGH

COOK COUNTY RECORDER OF DEEDS

DATE: 12/07/2017 10:15 AM PG: 1 OF 8

This Instrument Prepared By:
Office Depot, Inc.
6600 North Military Trail
Boca Raton, FL 33496
Attention: Office of the General Counsel, Real Estate

Upon Recordation Return to:
Office Depot, Inc.
6600 North Military Trail
Boca Raton, FL 33496
Attention: Office of the General Counsel, Real Estate

AMENDED AND RESTATED MEMORANDUM OF LEASE

THIS AMENDED AND RESTATED MEMORANDUM OF LEASE ("Memorandum"), dated as of October 30, 2017, is between OFFICE DEPOT, INC., a Delaware corporation ("Tenant"), and AMCAP NORTHPOINT II LLC, a Delaware limited liability company ("Landlord"), as successor-in-interest to AMCAP NORTHPOINT LLC, a Delaware limited liability company.

WITNESSETH:

A. Premises; Amendment and Restatement of Memorandum of Lease. Landlord and Tenant are parties to that certain Lease, dated September 1, 2016, as modified by that certain First Amendment to Lease of even date herewith (collectively, the "Lease"), whereunder Landlord has leased to Tenant, and Tenant has leased from Landlord, certain premises consisting of 21,422 square feet of Floor Area (the "Original Premises") in the Northpoint Shopping Center (the "Shopping Center") located in Arlington Heights, Illinois, all as more particularly described in the Lease. The Shopping Center is located on that certain real property lying, being and situate in Cook County, City of Arlington Heights, State of Illinois, more particularly described on Exhibit A attached hereto and made a part hereof ("Shopping Center"). Landlord and Tenant desire to amend and restate that certain Memorandum of Lease, dated as of August 29, 2016, and recorded September 23, 2016, in as Document Number 1626756013 in the Cook County Records of Deeds, Cook County, Illinois, in its entirety to, among other things, reflect that the Original Premises has been relocated within the Shopping Center as more particularly set forth in the Lease. The location of the relocated Original Premises is depicted on Exhibit B attached hereto.

B. Term and Renewal Options. The Lease has a term of ten (10) years, subject to extension (at Tenant's option) as provided therein for two (2) successive additional periods of five (5) years each.

C. Incorporation of Lease. This Memorandum is for informational purposes only and nothing contained herein shall be deemed to in any way modify or otherwise affect any of the terms and conditions of the Lease, the terms of which are incorporated herein by reference. This instrument is merely a memorandum of the Lease and is subject to all of the terms,

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SC Y
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INT Y

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provisions and conditions of the Lease. In the event of any inconsistency between the terms of the Lease and this instrument, the terms of the Lease shall prevail.

D. Binding Effect. The rights and obligations set forth herein shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, personal representatives, successors and assigns.

[SIGNATURE PAGE FOLLOWS]

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

Witnessed By:

Amara E. Rabe
As to (1)
~~ALISA FICA~~
ALISA FICA
As to (1)

LANDLORD:

AMCAP NORTHPOINT II LLC, a
Delaware limited liability company
By AmCap Management LLC
Its Property Manager

By: J. Kaiser (1)
Print Name: JAY KAISER
Print Title: authorized agent
Date: 10/30/2017

Witnessed By:

[Signature]
As to (3)
Jennifer Sheffler
As to (3)
Jennifer Sheffler

TENANT:

OFFICE DEPOT, INC.,
a Delaware corporation

By: [Signature] (3)
Print Name: John Robert Koch
Print Title: Executive Vice President
Date: Business Development 10/26/17

and

Witnessed By:

Georgette Jackson
As to (4)
Jennifer Sheffler
As to (4)
Jennifer Sheffler

By: M. Keen (4)
Print Name: Maria Keen
Print Title: SVP, Retail
Date: 10/26/17

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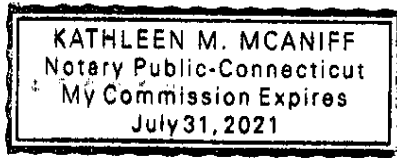
STATE OF Connecticut
COUNTY OF Fairfield) SS:

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Jay Raikes, whose name as authorized agent of AMCAD NORTHPOINT II LLC, a Delaware limited liability company, is signed to the foregoing instrument, who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said entity.

Given under my hand and official seal this 30th day of October, 2017.

Kathleen M. McAniff
Notary Public
State of Connecticut
My Commission expires: 7/31/2021

STATE OF FLORIDA)
) SS:
COUNTY OF PALM BEACH)



I HEREBY CERTIFY that on this day before me, an officer duly authorized in the state and county named above to take acknowledgments, personally appeared John Robert Koch as ESP, Business Development and Marko Ibrahim as SP, HR, Retail, both of OFFICE DEPOT, INC., a Delaware corporation, to me known to be the persons who signed the foregoing instrument as such officers and they acknowledged that the execution thereof was their free act and deed as such officers for the use and purposes therein expressed and that the instrument is the act and deed of said corporation.

WITNESS my hand and official seal this 20th day of October, 2017.

Georgette Jackson
Notary Public
State of Florida
My Commission expires: 5/8/18



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EXHIBIT A TO AMENDMENT AND RESTATED MEMORANDUM OF LEASE

LEGAL DESCRIPTION OF SHOPPING CENTER

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EXHIBIT A

SHOPPING CENTER LEGAL DESCRIPTION

LOT 1 OF NORTHGATE SHOPPING CENTER SUBDIVISION OF PART OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 17, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, EXCEPT THAT PART DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 1 THENCE SOUTHWARD ALONG THE WESTERLY LINE OF SAID LOT 1, BEING THE EASTERLY LINE OF ARLINGTON HEIGHTS ROAD: SOUTH 1 DEGREES, 50 MINUTES, 41 SECONDS EAST, A DISTANCE OF 73.57 FEET; THENCE SOUTH 00 DEGREES, 17 MINUTES, 45 SECONDS EAST, A DISTANCE OF 470.00 FEET; THENCE SOUTH 13 DEGREES, 57 MINUTES, 59 SECONDS EAST, A DISTANCE OF 40.00 FEET; THENCE SOUTH 33 DEGREES, 05 MINUTES, 01 SECONDS EAST, A DISTANCE OF 37.43 FEET TO THE POINT OF BEGINNING, THENCE SOUTH 33 DEGREES, 05 MINUTES, 01 SECONDS EAST, A DISTANCE OF 7.57 FEET; THENCE SOUTHEASTERLY ALONG A LINE BEING 50.00 FEET NORTHEASTERLY OF AND PARALLEL WITH THE CENTER LINE OF RAND ROAD, SOUTH 48 DEGREES, 24 MINUTES, 05 SECONDS EAST A DISTANCE OF 387.47 FEET; THENCE SOUTH 50 DEGREES 47 MINUTES 20 SECONDS EAST A DISTANCE OF 48.01 FEET; THENCE NORTH 48 DEGREES, 24 MINUTES, 05 SECONDS WEST, A DISTANCE OF 444.74 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

PIN: 03-17-301-017, 03-17-301-019, 03-17-301-020, 03-17-301-021 and 03-17-301-022

Common Address: Rand Road, Arlington Heights Road and Palatine Road, Arlington Heights, Illinois

Landlord hereby warrants and represents that the above legal description conforms to the Shopping Center as depicted on the Site Plan.

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EXHIBIT B TO AMENDED AND RESTATED MEMORANDUM OF LEASE

SITE PLAN

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