PREPARED BY AND UPON RECORDATION RETURN TO:

Hunton & Williams LLP 200 Park Avenue, 52nd Floor New York, New York 10166 Attention: Donald F. Simone, Esq.



Doc# 1806619065 Fee \$92.00

RHSP FEE: \$9.00 RPRF FEE: \$1.00

KAREN A.YARBROUGH

COOK COUNTY RECORDER OF DEEDS

DATE: 03/07/2018 02:34 PM PG: 1 OF 19

CHICAGO DRY LL, LLC, as landlord

to

CHICAGO DRYTT, LLC, as tenant

### MEMORANDUM OF LEASE

Dated:

As of March 2, 2018

Location:

As Set Forth on Schedule A Attached Hereto

Counties:

DuPage County, Illinois Kane County, Illinois

Cook County, Illinois

PINs:

As Set Forth on Schedule A Attached Hereto

### **MEMORANDUM OF LEASE**

THE STATE OF ILLINOIS	
COUNTY OF	

THIS MEMORANDUM OF LEASE (this "Memorandum") is made and entered into effective as of the 2nd day of March, 2018, by and between CHICAGO DRY LL, LLC ("Landlord", a Delaware limited liability company, and CHICAGO DRY TT, LLC, a Delaware limited liability company ("Tenant".

#### **RECITALS**

- A. Landlord and Tenant have entered into that certain Master Lease (the "Master Lease", dated as of the date hereof, pursuant to which Landlord leased to Tenant and Tenant leased from Landlord, among other property, the Demised Premises, including certain interests and rights in and to the land described on Exhibit "A" attached hereto and incorporated herein, on and subject to the terms and conditions of the Master Lease.
- B. Landlord, Tenant and JPMo gan Chase Bank, National Association (together with its successors and/or assigns, collectively, "Lender" have entered into that certain Subordination Agreement and Estoppel, dated as of the date here of (the "Subordination", pursuant to which Tenant and Lender have agreed to subordinate all of the terms, covenants and provisions of the Master Lease to the terms, covenants and provisions of that certain Mortgage, Assignment of Leases and Rents, Security Agreement and Fixture Filing, made by Landlord in favor of Lender and dated as of the date hereof.
- C. Landlord and Tenant desire to execute this Memorandum to provide notice of Tenant's rights, titles and interest under the Master Lease and in and to the Demised Premises.

For good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the parties agree as follows:

- Section 1. <u>Definitions and Usage</u>. Unless the context shall otherwise require, capitalized terms used in this Memorandum shall have the meanings assigned to them in the Master Lease, which also contains rules as to usage that shall be applicable herein.
- Section 2. <u>Lease</u>. The Demised Premises has been leased to Tenant pursuant to the terms and conditions of the Master Lease, which is incorporated by reference in its entirety in this Memorandum. In the event of any conflict or inconsistency between this Memorandum and the Master Lease, the Master Lease shall control.
- Section 3. <u>Lease Term</u>. Landlord has leased the Demised Premises to Tenant for a term commencing on the date hereof and expiring, unless sooner terminated in accordance with the provisions of the Master Lease, on April 30, 2028.

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Section 4. <u>Subordination</u>. Tenant and Lender acknowledge and agree that, subject to and in accordance with the terms of the Subordination, the Master Lease (and the terms, covenants and provisions therein) is subject to the terms, covenants and provisions of the Subordination.

Section 5. <u>Successors and Assigns</u>. This Memorandum and the Master Lease shall bind and inure to the benefit of the parties and their respective successors and assigns, subject however, to the provisions of the Master Lease regarding assignment.

[No Further Text on this Page; Signature Page Follows]

**IN WITNESS WHEREOF**, Lessor and Lessee have executed this Memorandum the day and year first above written.

#### LESSOR:

CHICAGO DRY LL, LLC, a Delaware limited liability company

By:

Droporty Ox Co

Name: Title:

H. Herbert Myers Vice President

LESSEE:

CHICAGO DRY TT, LLC, a Delaware limited liability company

By:

ame: H. Herbert Myers

Vice President

STATE OF NEW	YORK )		
COUNTY OF	New York )		
and for said state, proved to me on the to the within instru- authorized capacit	personally appeared ne basis of satisfactoument and acknowley, and that by her/h	d H. Herbert Myers ory evidence to be the indiversed by the execution of the control of th	ent the individual or the entity
WITNESS my hai	nd and official seal.		
Signature: \( \frac{\fir}{\frac{\frac{\frac{\frac{\frac{\frac{\frac{\frac{\frac{\frac}\f{\frac{\frac{\frac{\frac{\fir}{\firac{\fir}{\fir}}}}}{\		OTAPL  OTAPL  OUBLIC  OF NEW MARKETING  OF NEW M	MICHELLE L. KALER  Notary Public - State of New York  No. 01KA6289658  Qualified in New York County  My Commission Expires September 30, 20
STATE OF NEW COUNTY OF	YORK ) New York )	OUNT	
and for said state, proved to me on the to the within instru- authorized capacit	personally appeared the basis of satisfactor the unment and acknowled the by her/h	ory evidence to be the indiversed to me that (s)he exec	ent the individual or the entity
WITNESS my har	nd and official seal.		
Signature: \( \tag{\lambda} \tag{\lambda} \) My Commission I		NOTARL SUBLIC X	MICHELLE L. KALER Notary Public - State of New York No. 01KA6289658 Qualified in New York County My Commission Expires September 30, 20 20
Commission Num	ber:	OF NEW MINING	

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#### **EXHIBIT "A"**

#### **Description of Land**

Address: 55 East Howard Avenue, Des Plaines, Illinois 60018

#### PARCEL 1:

LOT 1 IN J. L. WILLIAMS HOWARD STREET SUBDIVISION, A SUBDIVISION IN THE SOUTHWEST FRACTIONAL QUARTER OF SECTION 30, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 20, 1969 IN BOOK 795, PAGE 19 AS DOCUMENT 20878373, IN COOK COUNTY, ILLIN'OIS.

#### PARCEL 2:

PERPETUAL EASEMENT FOR THE BENEFIT OF PARCEL 1 AND OTHER PROPERTY NOT NOW IN QUESTION AS RESERVED IN THE WARRANTY DEED FROM CHARLES N. MILLER AND ANNA M. MILLER, HIS WIFE. TO CHICAGO DISTRICT PIPELINE COMPANY, A CORPORATION OF ILLINOIS, D/TED APRIL 25, 1957 AND RECORDED APRIL 26, 1957 AS DOCUMENT 16888282 AND RE-RECORDED AUGUST 7, 1957 AS DOCUMENT 16978886, FOR INGRESS AND EGRESS, UTILITY PUR OSES AND CULTIVATION AND LAWN PURPOSES. BEING THAT PART OF THE SOUTH 40 FELT OF THE NORTH 80 FEET OF THE SOUTHWEST FRACTIONAL QUARTER OF SECTION 30, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, WHICH LIES WESTERLY OF THE CHICAGO AND NORTHWESTERN RAILROAD RIGHT OF WAY AND EASTERLY OF THE WEST LINE OF PARCEL I EXTENDED NORTHERLY TO THE NORTH LINE OF SAID QUARTER SECTION, ALL Clart's Office IN COOK COUNTY, ILLINOIS.

PIN(S): 09-30-300-038-0000, Vol. 095

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Address: 65 Fairbank Street, Addison, Illinois 60101

#### PARCEL 1:

LOT 3 OF CHAO'S SUBDIVISION UNIT 2 OF PART OF WEST HALF OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED MAY 27, 1993 AS DOCUMENT R93-107513 IN DU PAGE COUNTY, VALINOIS.

#### PARCEL 2:

THE SOUTH 53 FETT OF LOT 2 OF CHAO'S SUBDIVISION UNIT 2 OF PART OF WEST 1/2 OF THE NORTHWEST 1/2 OF SECTION 29, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED MAY 27, 1993 AS DOCUMENT R93-107513 IN DU PAGE COUNTY, ILLINO'S.

PIN(S): 03-29-110-018 and 03-29-113-021

COOK COUNTY RECORDER OF DEEDS

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RECORDER OF DEEDS

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Address: 370 Randy Road, Carol Stream, Illinois 60188

LOTS 12 AND 13 IN NARCO FIRST INDUSTRIAL SUBDIVISION OF PART OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 33, TOWNSHIP 40 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 27, 1971 AS DOCUMENT R71-49329, IN DUPAGE COUNTY, ILLINOIS.

PIN(S): 02-31-301-026

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RECORDER OF DEEDS

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Address: 475 Kehoe Boulevard/323 Commerce Drive, Carol Stream, Illinois 60188

PARCEL 1: LOT 1 IN K & L FIRST RESUBDIVISION, BEING A RESUBDIVISION IN THE NORTHWEST OUARTER OF SECTION 33, TOWNSHIP 40 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 17, 2000 AS DOCUMENT R2000-162404, IN DU PAGE COUNTY, ILLINOIS.

PARCEL 2: NON-EXCLUSIVE EASEMENT FOR THE BENEFIT OF PARCEL 1, AS CREATED BY COMMON DRIVEWAY EASEMENT AGREEMENT RECORDED JULY 23, 2001 AS DOCUMENT R2001- 1/978), A PERPETUAL, NONEXCLUSIVE EASEMENT AND RIGHT-OF-WAY FOR DRIVEWAY PURPOSES UPON AND FOR INGRESS AND EGRESS OF PEDESTRIAN AND VEHICULAR SPASFIC UPON, OVER AND ACROSS THE FOLLOWING DESCRIBED PROPERTY: 15 FELT, MEASURED FROM EAST TO WEST AND 258.81 FEET, MEASURED FROM NORTH TO SOUTH OVER LOT 2.

PIN(S): 02-33-104-013

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Address: 520 North Business Center Drive, Mount Prospect, Illinois 60056

LOT 2 IN KENSINGTON CENTER PHASE ONE, BEING A SUBDIVISION IN THE EAST 1/2 OF SECTION 34 AND THE WEST 1/2 OF SECTION 35, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, ACCORDING TO THE PLAT OF SUBDIVISION RECORDED AS DOCUMENT 25173362 ON OCTOBER 2, 1979.

PIN(S): 03-75-103-002-0000, Vol. 235

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Address: 701 Lunt Avenue, Elk Grove Village, Illinois 60007

LOT 128 (EXCEPT THE EAST 6.43 FEET THEREOF) IN CENTEX INDUSTRIAL PARK UNIT 94. BEING A SUBDIVISION IN SECTION 34, TOWNSHIP 41 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PIN(S): 08-34-102-015-0000, Vol. 50

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Address: 820 Commerce Parkway, Carpentersville, Illinois 60110

LOT 5 (EXCEPT THE WEST 183.18 FEET, AS MEASURED AT RIGHT ANGLES TO THE EAST LINE THEREOF) TOGETHER WITH THE WEST 266.76 FEET (AS MEASURED AT RIGHT ANGLES TO THE WEST LINE THEREOF) OF LOT 6, BOTH IN SPRING HILL CENTER FOR COMMERCE AND INDUSTRY SUBDIVISION, BEING A SUBDIVISION OF PART OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 16 AND PART OF THE WEST HALF OF THE NORTHWEST OUARTER OF SECTION 15, ALL IN TOWNSHIP 42 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN KANE COUNTY, ILLINOIS.

PIN(S): 03-15-1/1-029 and 03-15-101-032

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### **UNOFFICIAL COPY**

Address: 1000-1050 Business Center Drive, Mount Prospect, Illinois 60056

LOT 301-A IN KENSINGTON CENTER-RESUBDIVISION THIRTEEN, BEING A RESUBDIVISION OF CERTAIN LOTS IN KENSINGTON CENTER-RESUBDIVISION NINE, BEING A RESUBDIVISION OF LOT 301 IN KENSINGTON CENTER-PHASE THREE-B, BEING A SUBDIVISION IN PART OF THE NORTHWEST 1/4 OF SECTION 35; ALSO RESUBDIVISION OF LOT 401 IN KENSINGTON CENTER-PHASE FOUR, BEING A SUBDIVISION IN THE NORTHEAST 1/4 OF SECTION 35, ALL IN TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT RECORDED AND FILED FEBRUARY 1, 1984 AS DOCUMENTS 26952608 AND LR3353303, IN COOK COUNTY, ILLINOIS.

PIN(S): 03-35-104-057-0000, Vol. 235 and 03-35-104-058-0000. Vol. 235

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# **UNOFFICIAL COPY**

Address: 1441 East Business Center Drive, Mount Prospect, Illinois 60056

#### PARCEL 1:

LOT 404 IN KENSINGTON CENTER-RESUBDIVISION SIXTEEN IN PART OF THE NORTH 1/2 OF SECTION 35, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO PLAT THEREOF FILED ON MARCH 29, 1985 AS LR3427339 AND RECORDED MARCH 29, 1985 AS DOCUMENT 27493606, IN COOK COUNTY, ILLINOIS.

### PARCEL 2:

NON EXCLUSIVE FASEMENT FOR DRAINAGE, RECREATION AND ACCESS THERETO AS CREATED BY THE EASEMENT AGREEMENT RECORDED AS DOCUMENT NUMBER 26526919 AND FILED AS LR3349860.

PIN(S): 03-35-201-011-0000, Vol. 235

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Address: 1500 Bishop Court, Mount Prospect, Illinois 60056

LOT 804-A IN KENSINGTON CENTER-RESUBDIVISION TWENTY THREE, IN PART OF THE NORTHEAST 1/4 OF SECTION 35, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO PLAT THEREOF FILED ON JULY 18, 1998 AS LR3724251, IN COOK COUNTY, ILLINOIS.

PIN(S): 03-35-200-045-0000, Vol. 235

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Address: 1525 Chase Avenue, Elk Grove Village, Illinois 60007

LOT 131 (EXCEPT THE WEST 62.85 FEET THEREOF) IN CENTEX INDUSTRIAL PARK UNIT NUMBER 96, BEING A SUBDIVISION IN SECTION 27, TOWNSHIP 41 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PIN(S): 08-27-402-062-0000

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Address: 1855 Greenleaf Avenue, Elk Grove Village, Illinois 60007

THE WEST 185 FEET OF LOT 20 IN CENTEX INDUSTRIAL PARK UNIT 4, BEING A SUBDIVISION IN SECTION 35, TOWNSHIP 41 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID CENTEX INDUSTRIAL PARK UNIT 4, REGISTERED IN THE OFFICE OF THE REGISTRAR OF TITLES OF COOK COUNTY, ILLINOIS ON NOVEMBER 2, 1959 AS DOCUMENT LR1894159, IN COOK COUNTY, ILLINOIS.

10-PIN(S): 08-35-104-055-0000

COOK COUNTREEDS

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Address: 2020-2050 Parkes Drive (aka 2050 S. 16<sup>th</sup> St.), Broadview, Illinois 60155

THE WEST 300 FEET OF THE NORTH 200 FEET OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (EXCEPT THE SOUTH 25 FEET OF THE WEST 215 FEET THEREOF AND EXCEPT THAT PART DEDICATED FOR STREET BY DOCUMENT NUMBER 19947761) OF SECTION 22, TOWNSHIP 39 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PIN(S): 15-22-201-017-0000

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Address: 3838 North River Road, Schiller Park, Illinois 60176

THE SOUTH 20 FEET OF LOT I, ALL OF LOT 2, THE SOUTH 20 FEET OF LOT 4 AND ALL OF LOT 5 IN KLEFSTAD'S INDUSTRIAL PARK, BEING A SUBDIVISION OF PART OF THE SOUTH SECTION OF ALEXANDER ROBINSON'S RESERVATION IN TOWNSHIP 40 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PIN(S): 12-22-100-118-0000 and 12-22-100-119-0000

