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EDWARD M. MOODY

COOK COUNTY RECORDER OF DEEDS

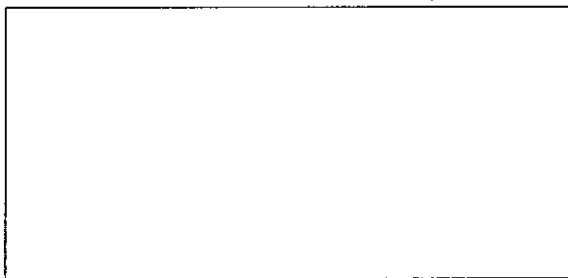
DATE: 10/29/2020 03:58 PM PG: 1 OF 8

MEMORANDUM OF LEASE

Property of Cook County Clerk's Office

# UNOFFICIAL COPY

Once recorded return to:  
NCW King Holdings, LLC,  
7251 W. 20th Street, L-200  
Greeley, Colorado 80634  
Attn: Larry S. Buckendorf



ABOVE SPACE FOR RECORDER'S USE ONLY

## MEMORANDUM OF LEASE

THIS MEMORANDUM OF LEASE is made this 12<sup>th</sup> day of June, 2020 between NCW KING HOLDINGS, LLC, a limited liability company created and existing under and by virtue of the laws of the State of Colorado, hereinafter referred to as Landlord, and VIESTE CW HOLDINGS, LLC, a limited liability company created and existing under and by virtue of the laws of the State of Delaware, hereinafter referred to as Tenant.

1. **Lease.** The provisions are set forth in a written lease between the parties hereto dated June 12, 2020 (the "Lease")
2. **Demised Premises.** The demised premises which are the subject of the Lease are more particularly described as follows:  
See Exhibit A, attached hereto and incorporated by reference herein.
3. **Term.** The term of the Lease shall be for twenty (20) years, commencing on June 12, 2020 and expiring on June 30, 2040. Tenant shall have the right, at its election, to extend the term of the Lease for up to four (4) extension periods of five (5) years each exercisable by due notice to Landlord
4. **Conflicts with Lease.** This Memorandum of Lease is for notice and recording purposes only and shall not be deemed to change or modify any of the terms, covenants, and conditions stated in the Lease. In the event of any inconsistency between the terms of the Lease and this Memorandum of Lease, the terms of the Lease shall control.

[Remainder of page intentionally left blank; signature page to follow]

When recorded return to:  
First American Title Co.  
2425 E Camelback Rd., Ste 300  
Phoenix, AZ 85016  
Attn: *Kristin Brown* 104695

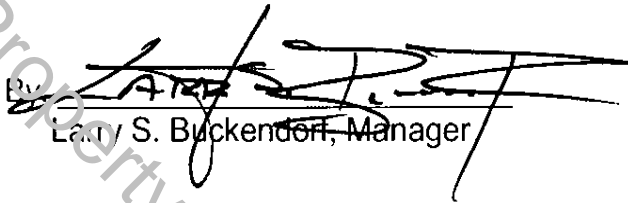
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IN WITNESS WHEREOF, the parties execute this Memorandum of Lease as of the day and year first above written.

**LANDLORD:**

**NCW KING HOLDINGS, LLC,**  
a Colorado limited liability company

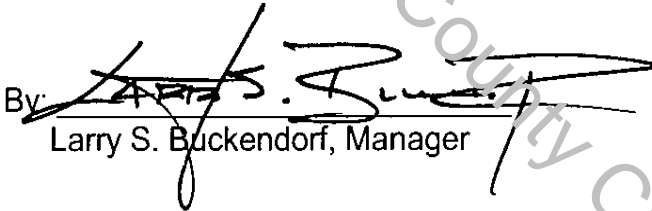
By: **LB HOLDINGS, LLC,**  
a Colorado limited liability company, Manager

By:   
Larry S. Buckendorf, Manager

**TENANT:**

**VIESTE CW HOLDINGS, LLC,**  
a Delaware limited liability company

By: **LB HOLDINGS, LLC,**  
a Colorado limited liability company, Manager

By:   
Larry S. Buckendorf, Manager

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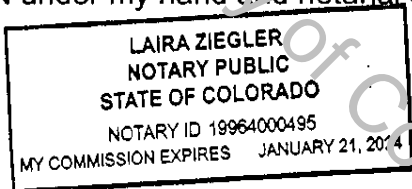
STATE OF Colorado

SS.

COUNTY OF Weld

The undersigned, a Notary Public in and for the said County, in the State aforesaid, DOES HEREBY CERTIFY that Larry S. Buckendorf, in his capacity as Manager of LB Holdings, LLC, a Colorado limited liability company, in its capacity as Manager of NCW King Holdings, LLC, a Colorado limited liability company, who is 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 he signed and delivered the said instrument as his own free and voluntary act and as the free and voluntary act of said limited liability company, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 11 day of June, 2020.



[Signature]  
Notary Public

My Commission Expires: 1-21-24

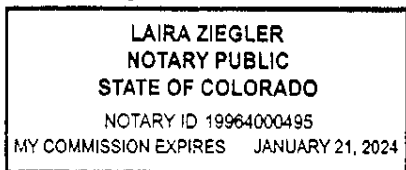
STATE OF Colorado

SS.

COUNTY OF Weld

The undersigned, a Notary Public in and for the said County, in the State aforesaid, DOES HEREBY CERTIFY that Larry S. Buckendorf, in his capacity as Manager of LB Holdings, LLC, a Colorado limited liability company, in its capacity as Manager of Vieste CW Holdings, LLC, a Colorado limited liability company, who is 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 he signed and delivered the said instrument as his own free and voluntary act and as the free and voluntary act of said limited liability company, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 11 day of June, 2020.



[Signature]  
Notary Public

My Commission Expires: 1-21-24

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## EXHIBIT A — LEGAL DESCRIPTION OF THE PREMISES

Street Addresses:

3068 E. New York Street Aurora, IL

2315 Harlem Avenue, Berwyn, IL 60402

*16-30-100-020*

7525 W. Grand Avenue Elmwood Park, IL

*15-25-428-021*

2783 Fogue Drive Naperville, IL

1801 State Route 59 Plainfield, IL

Legal Descriptions: See attached

Property of Cook County Clerk's Office

COOK COUNTY  
RECORDER OF DEEDS

COOK COUNTY  
RECORDER OF DEEDS

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## AURORA, IL

### PARCEL 1:

LOT 20 IN FOX VALLEY PROPERTIES, LTD. PHASE II PLAT OF SUBDIVISION, BEING A RESUBDIVISION OF LOTS 4, 5, 6, 7 (EXCEPT THE SOUTH 55 FEET THEREOF FOR ROADWAY PURPOSES) AND LOT 1 (EXCEPT THE WEST 483.83 FEET THEREOF) OF STUBB'S ASSESSMENT PLAT OF PART OF THE NORTHWEST 1/4 AND SOUTHWEST 1/4 OF SECTION 20, TOWNSHIP 38 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 5, 1997 AS DOCUMENT R97-169393, EXCEPT THEREFROM THAT PART CONVEYED TO THE CITY OF AURORA BY TRUSTEE'S DEED RECORDED NOVEMBER 29, 2001 AS DOCUMENT R2001-259471 DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF LOT 20 IN FOX VALLEY PROPERTIES, LTD. PHASE II PLAT OF SUBDIVISION AFORESAID; THENCE ALONG THE WESTERLY LINE OF SAID LOT 20, NORTH 01 DEGREES 52 MINUTES 56 SECONDS EAST A DISTANCE OF 29.24 FEET; THENCE SOUTH 37 DEGREES 59 MINUTES 56 SECONDS EAST A DISTANCE OF 34.25 FEET, TO A POINT ON THE SOUTHERLY LINE OF SAID LOT 20; THENCE ALONG SAID SOUTHERLY LINE OF LOT 20, SOUTH 84 DEGREES 12 MINUTES 59 SECONDS WEST A DISTANCE OF 22.16 FEET, TO THE POINT OF BEGINNING, IN DU PAGE COUNTY, ILLINOIS.

### PARCEL 2:

EASEMENT FOR THE BENEFIT OF PARCEL 1 AS CREATED BY RECIPROCAL EASEMENT AND COVENANTS, CONDITIONS AND RESTRICTIONS BY AND BETWEEN DAVID R. BERGMAN, BOND DRUG COMPANY AND OLD SECOND NATIONAL BANK OF AURORA AS TRUSTEE UNDER TRUST AGREEMENT DATED DECEMBER 13, 1989 AND KNOWN AS TRUST NUMBER 5003 DATED JUNE 3, 1999 AND RECORDED JULY 8, 1999 AS DOCUMENT R1999-150261 FOR VEHICULAR AND PEDESTRIAN INGRESS AND EGRESS OVER THE ACCESS AREAS OF THE FOLLOWING DESCRIBED PROPERTY, AS DEPICTED ON EXHIBITS D, E AND F ATTACHED THERETO: LOTS 1, 2 AND 3 IN EOLA COMMONS SUBDIVISION, BEING A SUBDIVISION OF PART OF SECTION 20, TOWNSHIP 38 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 7, 1996 AS DOCUMENT R96-182544, IN DUPAGE COUNTY, ILLINOIS, AND LOTS 15, 17, 18, 19 AND 21 IN FOX VALLEY PROPERTIES, LTD. PHASE II PLAT OF SUBDIVISION, BEING A RESUBDIVISION OF LOTS 4, 5, 6, 7 (EXCEPT THE SOUTH 55 FEET THEREOF FOR ROADWAY PURPOSES) AND LOT 1 (EXCEPT THE WEST 483.83 FEET THEREOF) OF STUBB'S ASSESSMENT PLAT OF PART OF THE NORTHWEST 1/4 AND SOUTHWEST 1/4 OF SECTION 20, TOWNSHIP 38 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 5, 1997 AS DOCUMENT R97-169393, IN DU PAGE COUNTY, ILLINOIS.

### PARCEL 3:

EASEMENTS FOR SURFACE AND SUBSURFACE DRAINAGE FOR THE BENEFIT OF PARCEL 1 AS DEFINED AND CREATED IN DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS FOR EOLA CENTER RECORDED JANUARY 20, 1998 AS DOCUMENT R98-009522 AND RERECORDED MARCH 6, 1998 AS DOCUMENT R98-041559.

### PARCEL 4:

PERPETUAL NON-EXCLUSIVE EASEMENT FOR PEDESTRIAN AND VEHICULAR INGRESS AND EGRESS AS DEFINED AND CREATED IN RECIPROCAL EASEMENT, COVENANTS AND CONDITIONS RECORDED JULY 13, 2005 AS DOCUMENT R2005-148759 BY AND BETWEEN OLD SECOND NATIONAL BANK OF AURORA AS TRUSTEE UNDER TRUST AGREEMENT DATED DECEMBER 13, 1989 AND KNOWN AS TRUST NO. 5003, AND FOX VALLEY PROPERTIES, L.P., AN ILLINOIS LIMITED PARTNERSHIP, AND GB & S CAR WASH PROPERTIES, LLC, AN ILLINOIS LIMITED LIABILITY COMPANY, AND THE TERMS, PROVISIONS, COVENANTS AND CONDITIONS CONTAINED THEREIN.

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## BERWYN, IL

THAT PART OF LOT 1 (EXCEPT THOSE PARTS FALLING IN STREET) OF THE CIRCUIT COURT PARTITION OF THE WEST PART OF THE NORTHWEST 1/4 AND THE WEST PART OF THE SOUTHWEST 1/4 OF SECTION 30, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTH OF A STRAIGHT LINE RUNNING FROM A POINT IN THE EAST LINE OF SOUTH HARLEM AVENUE, 1590.99 FEET NORTH OF ITS INTERSECTION WITH THE NORTH LINE OF WEST 26TH STREET, TO A POINT IN THE WEST LINE OF SOUTH HOME AVENUE 971.94 FEET SOUTH OF ITS INTERSECTION WITH THE SOUTH LINE OF WEST CERMAK ROAD, IN COOK COUNTY, ILLINOIS, FURTHER DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE SAID EAST LINE OF HARLEM AVENUE AND THE SAID SOUTH LINE OF PARCEL; THENCE EAST ON THE SAID SOUTH LINE OF SAID PARCEL, 65.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH AT AN ANGLE OF 90 DEGREES, 00 MINUTES, 00 SECONDS, WITH THE LAST DESCRIBED LINE, 140.00 FEET; THENCE EAST, AT AN ANGLE OF 90 DEGREES, 00 MINUTES, 00 SECONDS WITH THE LAST DESCRIBED LINE, 188.00 FEET; THENCE SOUTH, AT AN ANGLE OF 90 DEGREES 00 MINUTES 00 SECONDS, WITH THE LAST DESCRIBED LINE, 140.00 FEET, MORE OR LESS, TO THE SOUTH LINE OF THE AFORESAID PARCEL; THENCE EAST, ALONG THE SOUTH LINE OF SAID PARCEL, 188.00 FEET, TO THE POINT OF BEGINNING.

## ELMWOOD PARK, IL

LOTS 9 TO 19 INCLUSIVE IN BLOCK 13 IN ELLSWORTH BEING A SUBDIVISION OF BLOCKS 1 TO 10, 13, 14 AND THE NORTH 225 FEET OF BLOCK 12 THE NORTH 350 FEET OF BLOCK 11 AND THE EAST 1/2 OF BLOCK 18 AND THE NORTH 350 FEET OF THE WEST 1/2 OF BLOCK 18 ALL IN CHICAGO HEIGHTS BEING A SUBDIVISION OF PART OF THE WEST 1/2 OF THE SOUTH EAST 1/4 OF SECTION 25, TOWNSHIP 40 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

## NAPERVILLE, IL

### PARCEL 1:

LOT 5, IN CANTORE PLACE LOT 5, BEING A PART OF THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 37 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 15, 2006, AS DOCUMENT NO. R2006208022, IN WILL COUNTY, ILLINOIS.

### PARCEL 2:

A NON-EXCLUSIVE EASEMENT FOR THE BENEFIT OF PARCEL 1 AS CREATED BY DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS RECORDED NOVEMBER 10, 2005 AS DOCUMENT R2005198427 FOR THE PURPOSE OF VEHICULAR TRAFFIC OVER 53RD STREET AND FORGUE DRIVE AS SHOWN ON CANTORE PLACE SUBDIVISION RECORDED AS DOCUMENT NO. R2004227291.

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## PLAINFIELD, IL

### PARCEL I:

THAT PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 36 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF OUTLOT 8 BRONK'S CORNERS, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 10, 2008, AS DOCUMENT NUMBER R2008028593, SAID BEGINNING POINT BEING A POINT ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE AFORESAID SOUTHEAST QUARTER; THENCE SOUTH 01 DEGREE 51MINUTES 44 SECONDS EAST ALONG THE EASTERLY LINE OF SAID OUTLOT 8 AND ALONG THE EASTERLY LINE OF OUTLOT 6 IN SAID BRONK'S CORNERS, A DISTANCE OF 150.02 FEET TO A POINT ON THE NORTHERLY LINE OF SAID OUTLOT 6; THENCE NORTH 89 DEGREES 04 MINUTES 24 SECONDS EAST ALONG SAID NORTHERLY LINE, 162.00 FEET; THENCE NORTH 71 DEGREES 15 MINUTES 08 SECONDS EAST ALONG SAID NORTHERLY LINE, 78.41 FEET TO A POINT ON THE WEST LINE OF A PARCEL OF LAND CONVEYED TO THE PEOPLE OF THE STATE OF ILLINOIS, DEPARTMENT OF TRANSPORTATION BY TRUSTEE'S DEED RECORDED AS DOCUMENT NUMBER R2007144208; THENCE NORTH 01 DEGREE 15 MINUTES 53 SECONDS WEST ALONG SAID WEST LINE, 126.02 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE AFORESAID SOUTHEAST QUARTER; THENCE SOUTH 89 DEGREES 04 MINUTES 24 SECONDS WEST ALONG SAID NORTH LINE, 237.25 FEET TO THE POINT OF BEGINNING, IN WILL COUNTY, ILLINOIS.

### PARCEL II:

EASEMENT FOR INGRESS/EGRESS AS DISCLOSED IN EASEMENT AGREEMENT FILED FEB. 22, 2013 AS DOCUMENT # R2013023157 OVER THE EAST 60.00 FEET OF OUTLOT #8 IN BRONK'S CORNERS, A SUBDIVISION IN SECTION 33, TOWNSHIP 36 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 10, 2008, AS DOCUMENT NUMBER R2008028593, IN WILL COUNTY, ILLINOIS.

### PARCEL III:

PERPETUAL, NONEXCLUSIVE EASEMENTS FOR INGRESS, EGRESS AND PARKING AS DISCLOSED IN RECIPROCAL EASEMENT AGREEMENT WITH COVENANTS, CONDITIONS AND RESTRICTIONS, DATED SEPTEMBER 8, 2005 AND RECORDED ON SEPTEMBER 14, 2005, AS INSTRUMENT NO. R2005157682, IN WILL COUNTY, ILLINOIS.