69-84-805

# UNOFFICIAL COPY

### SHORT FORM OF LEASE

### AND OF OPTION TO PURCHASE

This Short Form of Lease and of Option to Purchase ("Short Form") made and entered into as of the had of October, 1985, by and between Chicago Title and Trust Company, as Trustee under a trust agreement dated June 15, 1985 and known as Trust No. 1085200, and Six Anchors Limited Partnership, a Maryland limited partnership (hereinafter collectively called "Landlord") and CPS Realty Partnership, an Illinois general partnership, (hereinafter called "Tenant"):

### WITNESSETT

WHEREAS, Landlord and Tenant have entered into a Lease dated as of October , 1985, in which Landlord has let and demised to Tenant the premises described in Exhibit A attached hereto and made a part hereof, (hereinafter called the "Lease"); and

WHEREAS, Landlord and Tenant desire to enter into this Short Form which is to be recorded in order that third parties may have notice of the separate estates of Landlord and Tenant and the existence of the Lease in connection with the premises legally described on Exhibit A and of Tenant's option to purchase the premises legally described on Exhibit A.

BOX 333 - TH

Sidloy & Austin One First National Plaza Chicago, Illinois 60603 85 261 572

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NOW, THEREFORE, Landlord, in consideration of the rents and covenants provided in the Lease to be paid and performed by Tenant, does hereby let and demise unto Tenant, and Tenant does hereby lease and hire from Landlord, upon and subject to the terms, covenants and conditions contained in the Lease, the premises legally described on Exhibit A, (the "Land"), together with:

- (a) a department store building containing 515,885 t square feet of gross floor area located on the Land area all fixtures, excluding trade fixtures, machinery, and equipment constituting a part thereof, including, without limitation, all furnaces, boilers, heaters, electrical equipment, heating, plumbing, refrigerating, ventilating, waste disposal, air-cooling and air-conditioning apparatus and sprinkler systems (the "Improvements"); and
- (b) all rights-of-way or uses, privileges, franchises, servitudes, licenses, easements, tenements, hereditaments and appurtenances for or hereafter belonging or appertaining to any of the foregoing, including those with respect to lands adjacent to the land referred to in Exhibit A;

All hereinafter collectively referred to as the "Demised Premises";

to have and hold such Demised Premises for a term commencing on the date hereof and continuing through 11:59 p.m. on February 3, 2001, unless extended at Tenant's option as provided for in Section six (6) of the Lease, for one or more of the following additional periods commencing February 4, 2001 and terminating January 28, 2006, commencing January 29, 2006 and terminating January 30, 2016,

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and commencing January 31, 2016 and terminating January 31, 2026 or unless terminated earlier as provided for in the Lease (the "Demised Term").

Landlord also grants to Tenant an option to purchase the Demised Premises effective as of the last day of the tenth, fifteenth, twentieth, thirtieth and fortieth lease years of the Demised Term, being February 3,-1996, February 3, 2001, January 28, 2006, January 30, 2016, and January 31, 2025, respectively, in accordance with the terms of Tenant's Purchase Options provided for in Section 40 of the Lease.

All of the terms, covenants, conditions and options contained in the Lease between the parties are hereby incorporated in this Short Form by reference with the same force and effect as if set forth herein.

IN WITNESS HEREOF, the parties hereto have executed this Short Form as of the date first above written.

> Landlord: 1.0 as Truster

> > Pres

By:

Attest

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SIX ANCHORS LIMITED PARTNERSHIP

DWT Venture, Incorporated By:

Attost

Tonant:
CPS REALTY PARTNERS...

Ey: Carson Pirio Scott & Company
Managing Partner

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STATE OF ILLINOIS ) SS
COUNTY OF COOK )
I, the undersigned, a Notary Public in and for said County, and the State aforesaid, DO HEREBY CERTIFY that Glenn E. Skinner, Jr. , who is Asst. Vice President of Chicago Title and Trust Company, and Rhonda Tureck , who is Asst. Secretary of said corporation, who are personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such Asst. Vice President and Asst. Secretary, respectively, and personally known to be such Asst. Vice President and Asst. Secretary, respectively, appeared before me this day in person and acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary acts as such Asst. Vice President and Asst. Secretary, as aforesaid, and as the free and voluntary act of said corporation, for the uses and purposes therein set forth.
day of Street, 1985.
Motary Public Notary Public
My Commission Expires 10/13/EC
My Commission Expires  10/13/86

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## COUNTY OF COOK STATE OF INTERIOR OF INTERI

COUNTY OF COOK

I, the undersigned, a Notary Public in and for said County, and the State aforesaid, DO HEREBY CERTIFY that , who is President of
military Managh Company and
Chicago Tible and Trust Company, and
who is Secretary of said corporation, who are
narganally known to me to be the same betsons whose names
are subscribed to the foregoing instrument as such
President and Secretary, respectively, and personally
are subscribed to the foregoing instrument as such President and Secretary, respectively, and personally known to be such President and Secretary,
respectively, appeared belowe me this day in person and
acknowledged that they signed, sealed and delivered the said
instrument as their free and voluntary acts as such
President and Secretary, as aforesaid, and as the
free and voluntary act of said corporation, for the uses
and purposes therein set forth.
and purioses cherari see roren.
GIVEN under my hand and Notarial Seal this
GIVEN that and name and notarial page outs
day of October 1985.
O <sub>x</sub>
Notary Public
Modaly Public
My Commission Expires
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STATE OF ILLINOIS )
STATE OF ILLINOIS ) SS
STATE OF ILLINOIS ) ) SS COUNTY OF COOK )
COUNTY OF COOK ) SS
STATE OF ILLINOIS ) SS  COUNTY OF COOK )  I, the undersigned, a Notary Public in and for said County, and the State aforesaid, DO HEREBY CERTIFY that

Dontran M. Ramm Je, who is VLCU President of DWT Venture, Incorporated, and ned Walk III who is Asst Secretary of said corporation, who are President of personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such Vece President and anot Secretary, respectively, and personally known to me to be such MLCL President and and Secretary, respectively, appeared before me this day in person and acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary acts as such VICO President and ASC Secretary as aforesaid and as the free and voluntary act of the corporation, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 30th day of October, 1985.

Marly Public Kelly M

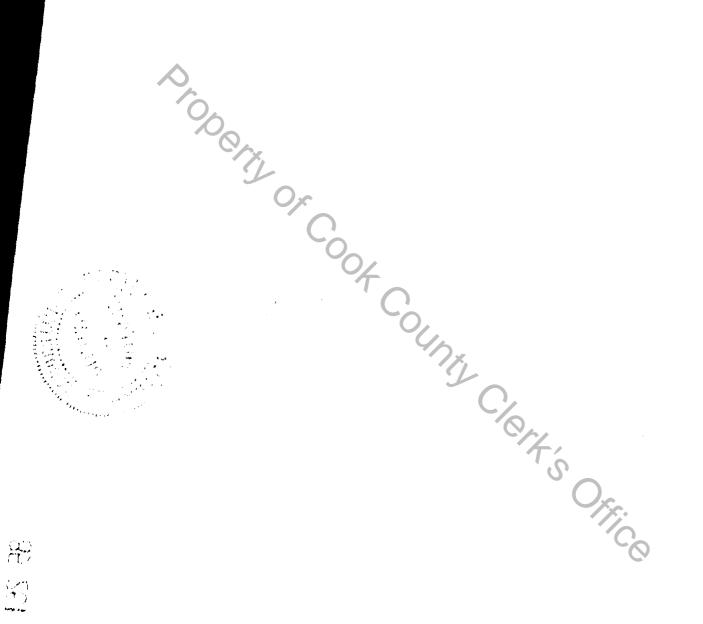
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### UNOFFICIAL COPY 8 5 2 6 1 5 7 2

STATE OF ILLINOIS ) SS
COUNTY OF COOK )
T, the undersigned, a Notary Public in and for said County, and the State aforesaid, DO HEREBY CERTIFY that who is the Scott & Company, and the President of Carson Piric Scott & Company, and the Company, who are personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such the President and the Secretary, respectively, and personally known to me to be such the President and the Secretary, respectively, and personally known to me to be such the President and the Secretary, respectively, appeared before me this day in person and acknowledged that they signed, sealed and delivered the said instrument as cheir free and voluntary acts as such the President and the Secretary as aforesaid and as the free and voluntary acts of the corporation, for the uses and purposes therein set forth.
GIVEN under my hand and Notarial Scal this ≤0 day of October, 1985.
Marily C. Katzen
My Commission Expires
March 14, 1987
My Commission Expires  May 14, 1987



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LINCOLN MALL

#### PARCEL 1:

LOT 2 IN LINCOLN MALL, BEING A SUBDIVISION OF PART OF THE SOUTH WEST 1/4 OF SECTION 22, TOWNSHIP 35 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERINIAN, IN COOK COUNTY, ILLINOIS

#### PARCEL 2:

THE RECIPROCAL AND NON-EXCLUSIVE EASEMENTS FOR INGRESS AND EGRESS. PARKING OF VEHICLES, PASSAGE AND ACCOMMODATION OF PEDESTRIANS. THE INSTALLATION, OPERATION, MAINTENANCE, REPAIR, REPLACEMENT, RELOCATION AND LEDOVAL OF STORM AND SANITARY SEWERS, WATER LINES AND GAS MAINS. ELECTPICAL POWER LINES, TELEPHONE LINES AND OTHER UTILITY LINES, STORM WATER RETENTION BASIN, FIRE PROTECTION WATER STORAGE TANK AND PUMPHOUSE FACILITIES, THE CONSTRUCTION, RECONSTRUCTION, ERECTION AND MAINTENANCE OF COMMON FOURWATIONS, FOOTINGS, SUPPORTS, CANOPIES, ROOFS, BUILDING AND OTHER OVERHANDS, AWNINGS, ALARM BELLS, SIGNS, LIGHTS AND LIGHTING DEVICES, UTILITY VAULTS AN DOTHER SIMILAR APPURTENANCES, AND FOR THE PURPOSE OF THI. DEVELOPMENT AN DCONSTRUCTION OF RECONSTRUCTION OF IMPROVEMENTS, CHEATED (IN) GRANTED AS APPURTENANCES TO THE AFOREDESCRIBED PARCEL 1, A.I. CREATED, DEFINED AND LIMITED BY THAT CERTAIN RECIPHOCAL CONSTRUCTION OPERATION AND EASEMENT AGREEMENT DATED MARCH 7, 1972 AND RECORDED ON MARCH 24TH 1972 AS DOCUMENT NUMBER 21846183 BY AND BETWEEN CHICAGO TITLE AND TRUST COMPANY, A CORPORATION OF ILLINOIS, AS TRUSTEE UNDER TRUST AGREEMENT DATED JUNE 4, 1971 AND KNOWN AS TRUST NUMBER 57420, CARSON FIRIE SCOTT AND COMPANY, A DELAWARE CORPORATION, J. C. PENNY PROPERTIES, JND., A DELAWARE CORPORATION, MONTGOHERY WAND DEVELOPMENT CORPORATION, A DELAWARE CORPORATION AND WIEBOLDT STORES, INC., AN ILLINOIS CORPORATION, IN, ON, OVER, UPON AN UNDER LOTS 1, 3, 4, 5 AND 6 IN LINCOLN HALL SUBDIVISION AFORESAID AS SHOWN ON THE PLAT PLAN ATTACHED TO SAID RECIPROCAL CONSTRUCTION OPERATION AND EASEMENT AGREEMENT

#### PARCEL 3:

THE RECIPROCAL AND NON-EXCLUSIVE ENTS FOR INGRESS AND EGRESS AND FOR THE INSTALLATION, OPERATION, MAINTENANCE, REPAIR, REPLACEMENT RELOCATION AND REHOVAL OF STORM AND SANITARY SEWERS, WATER LINES AND GAS MAINS, ELECTRICAL POWER LINES, TELEPHONE LINES AND OTHER UTILITY LINES, CREATEN AND GRANTED AS APPURTENANCES TO THE AFOREDESCRIBED PARCEL 1, ALL CHEATED, DEFINED AND LIMITED BY THE CERTAIN TOTAL SITE AGREEHENT DATED HARCH 7, 1972 AND RECORDED MARCH 24, 1972 AS DOCUMENT 21846182 BY AND BETWEEN CHICAGO TITLE AND TRUST COMPANY, A CORPORATION OF ILLINOIS. AS TRUSTEE UNDER TRUST AGREEMENT DATED JUNE 4, 1971 AND KNOWN AS TRUST NUMBER 57420, CARSON PIRIE SCOTT AND COMPANY, A DELAWARE CORPORATION, HONTGOMERY WARD DEVELOPMENT CORPORATION, A DELAWARE CORPORATION, WIEHOLDT STORES, INC., AN ILLINOIS CORPORATION, AND CHICAGO TITLE AND TRUST COMPANY, A CORPORATION OF ILLINOIS, AS TRUSTEE UNDER TRUST AGREEMENT DATED JULY 30, 1971 AND KNOWN AS TRUST NUMBER 57855, IN, ON, OVER, UPON AND UNDER LOTS 1, 3, 4, 5, 8, 9, 10, 11 AND 12 IN LINCOLN HALL SUBDIVISION AFORESAID AS SHOWN ON THE PLOT PLAN ATTACHED TO THE SAID TOTAL SITE AGREEMENT.

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