

UNOFFICIAL COPY

8 5 9 9 1 9 1 1

86091961

LANDLORD'S AGREEMENT

THIS AGREEMENT is made and entered into this 12th day of November, 1985 by MORGAN GUARANTY TRUST COMPANY OF NEW YORK, as Successor Trustee of Ford General Retirement Plan Trust Under Agreement with Ford Motor Company made as of March 1, 1950 (hereinafter referred to as "Landlord") in favor of ~~BARCLAYS AMERICAN CREDIT CORPORATION~~ *Wm* BARCLAYS AMERICAN BUSINESS CREDIT, INC. ("Lender"):

RECITALS:

WHEREAS, Landlord is the Landlord under a certain Lease ("Lease") dated November 12, 1985 between Landlord and [the _____ division of] EKSCO, Inc. ("Borrower") [, successor in interest to _____,] covering certain business premises located at 3939 South Karlov Avenue, Chicago, Illinois as more fully described on Exhibit A attached hereto (the "Leased Premises"); and

WHEREAS, Lender will be extending loans and other financial accommodations to Borrower and, as a condition to extending such loans and other financial accommodations, Lender has required, among other things, that Borrower grant to Lender a security interest in all or substantially all of Borrower's personal property, including, without limitation, the inventory, equipment and machinery of Borrower, whether now owned or hereafter acquired by Borrower ("Collateral"), portions of which Collateral are or may be located on the Leased Premises.

NOW, THEREFORE, in order to induce Lender to extend financial accommodations to Borrower, and for other good and valuable consideration, the receipt and sufficiency of which by Landlord are hereby acknowledged, Landlord hereby agrees with Lender as follows:

1. Lender's security interest in the Collateral shall be superior to any interest which the Landlord may at any time have therein, and Landlord subordinates in favor of Lender any statutory, contractual or possessory lien, including, without limitation, rights of levy or distraint for rent, which Landlord may have against the Collateral.

86091961

UNOFFICIAL COPY

10012008

Property of Cook County Clerk's Office

10012008

UNOFFICIAL COPY

3 5 0 9 1 9 6 1

2. Landlord agrees that, except as otherwise provided in the Lease, the Collateral shall not be deemed a fixture or a part of the Leased Premises but shall at all times be considered personal property.

3. If Borrower defaults in any of its obligations to Lender, and, if, as a result of such default, Lender desires to exercise its remedies with respect to the Collateral, Landlord will allow Lender access to the Leased Premises in order to remove the Collateral therefrom, without charge, except for reasonable compensation for any damage to the Leased Premises caused by such removal, provided Lender shall within a reasonable time remove the Collateral therefrom, and Landlord will not hinder Lender's actions in enforcing its liens and remedies with respect to the Collateral.

4. This Agreement shall remain in full force and effect until all obligations of Borrower to Lender have been paid and satisfied in full and Lender has terminated its financing agreements with Borrower.

5. The provisions of this Agreement may not be modified or terminated orally, and shall be binding upon the successors, assigns and personal representatives of the Landlord, and upon any successor owner or transferee of the Leased Premises, and shall inure to the benefit of the Lender and its successors and assigns.

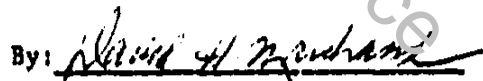
IN WITNESS WHEREOF, Landlord has executed this Agreement on the date first above written.

ATTEST:

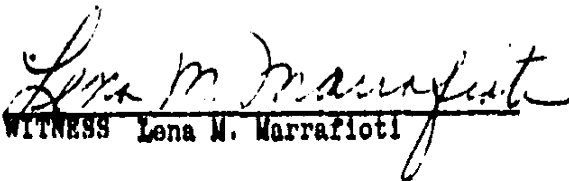
MORGAN GUARANTY TRUST COMPANY
OF NEW YORK, as aforesaid



Jack Roditi ASSISTANT SECRETARY

By: 

DAVID H. MARCHAND Vice-President


WITNESS Lena M. Maffiotti

86091961

UNOFFICIAL COPY

The following information is provided for your information only. It is not intended to constitute an offer of insurance or any other financial product. The information is provided for your information only and should not be relied upon as a basis for any investment decision. The information is provided for your information only and should not be relied upon as a basis for any investment decision.

The information is provided for your information only and should not be relied upon as a basis for any investment decision. The information is provided for your information only and should not be relied upon as a basis for any investment decision.

The information is provided for your information only and should not be relied upon as a basis for any investment decision. The information is provided for your information only and should not be relied upon as a basis for any investment decision.

The information is provided for your information only and should not be relied upon as a basis for any investment decision. The information is provided for your information only and should not be relied upon as a basis for any investment decision.

The information is provided for your information only and should not be relied upon as a basis for any investment decision. The information is provided for your information only and should not be relied upon as a basis for any investment decision.

1234567890

Property of Cook County Clerk's Office

UNOFFICIAL COPY

8 6 0 9 1 9 6 1

STATE OF NEW YORK)
) ss.:
COUNTY OF *New York*)

I, MARGARET M. BOYLAN, a Notary Public within and for said County, in the State aforesaid, duly commissioned and acting, do hereby certify that on this *21* day of *November* 1985, 1985, personally appeared before me **DAVID H. MARSHLAND** and *Jack Rodoni*, of the corporation named in and which executed the said Landlord's Agreement, and that they signed, executed, sealed and delivered same individually and on behalf of said corporation with authority, as their and its free and voluntary act and deed for the uses, purposes and considerations therein mentioned and set forth.

WITNESS my hand and seal as such Notary Public the day and year in this certificate above written.

Margaret M. Boylan

Notary Public

My commission expires:

MARGARET M. BOYLAN
Notary Public, State of New York
No. *3547*
Qualified in *Cook* County
Certificate No. *1111*, County
Commission Expires *Nov. 30, 1986*

Date of Notary's Execution:

November 21 1985

[Affix Notarial Seal]

86091961

UNOFFICIAL COPY

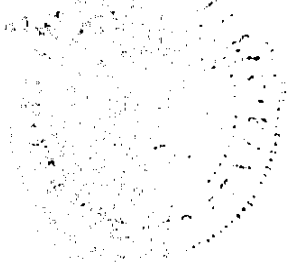
IN SENATE
JANUARY 11, 1900

REPORT
OF THE
COMMISSIONERS OF THE LAND OFFICE
IN RESPONSE TO A RESOLUTION PASSED
BY THE SENATE ON JANUARY 4, 1899

ALBANY: J. B. LIPPINCOTT & COMPANY, PRINTERS.
1900.

Property of Cook County Clerk's Office

1899



UNOFFICIAL COPY

0 5 0 9 1 2 5 1

EXHIBIT A

ANNEXED TO AND MADE PART OF
THAT CERTAIN LEASE DATED THE
DAY OF _____, 1985
MADE BY AND BETWEEN MORGAN
GUARANTY TRUST COMPANY OF NEW
YORK AS SUCCESSOR TRUSTEE OF
FORD GENERAL RETIREMENT PLAN
TRUST, AS LANDLORD AND EESCO,
INC., AS TENANT

ALL those certain premises, together with the buildings and improvements thereon, commonly known as 3939 South Karlov Avenue, in the City of Chicago, County of Cook and State of Illinois, and more particularly described as follows, to wit:

PARCEL 1

That part of Lot "B" in the subdivision of the Circuit Court Commissioners in partition of that part of the North East quarter lying South of the Illinois and Michigan Canal Reserve of Section 3, Township 38 North, Range 13 East of the Third Principal Meridian according to the plat of said subdivision recorded in the Recorder's Office of Cook County, Illinois, on September 5, 1893 in Book 59 of plats, page 32, as document 1924571 bounded and described as follows:

Beginning at the intersection of the West line of South Pulaski Road (formerly South Crawford Avenue) with a line of the land conveyed by the Chicago River and Indiana Railroad Company to the Crawford Real Estate Development Company by deed recorded in the Recorder's Office of Cook County, Illinois, as document 17307420, which line of land, so conveyed is a straight line drawn from a point in the East line of the said North East quarter which is 2295.41 feet North from the South East corner of the said North East quarter, to a point which is 216.88 feet

86091961

UNOFFICIAL COPY

Property of Cook County Clerk's Office

REC-27391

UNOFFICIAL COPY

8 5 9 9 1 2 3 1

West of the East line and 2354.67 feet North of the South line of the said North East quarter, thence North Westerly along the said line of land so conveyed, a distance of 139.97 feet to a point, thence East along a straight line a distance of 68.74 feet to its intersection with a line drawn parallel with and 18.04 feet North Easterly of (measured at right angles to) the said line of land so conveyed, thence South Easterly along the last described parallel line a distance of 68.75 feet, more or less, to its intersection with the West line of South Pulaski Road aforementioned, thence South along the West line of South Pulaski Road, a distance of 78.7 feet, more or less to the point of beginning in Cook County, Illinois.

The foregoing description is based upon the following definitions:

The East and West center line of said Section 3 is herein defined as a straight line drawn from a point on the East line of said Section 3, measured 2597.19 feet South from the North East corner of said Section 3, and measured 2669.84 feet North from the South East corner of said Section 3, to a point on the West line of said Section 3, measured 2598.77 feet South from the North West corner of said Section 3, and measured 2661.19 feet North from the South West corner of said Section 3;

ALSO

Parcel 2:

That part of Lot "B" in the subdivision of the Circuit Court Commissioners in Partition of that part of the North East quarter lying South of the Illinois and Michigan Canal Reserve, of Section 3, Township 38 North, Range 13 East of the Third Principal Meridian, according to the plat of subdivision recorded in the Recorders Office of Cook County, Illinois, on September 5, 1893 in book 59 of plats, page 32, as document 1924571, bounded and described as follows:

Beginning at the point of intersection of a line 523.79 feet North from and parallel with the North line of West 40th Street (a private street) with the East line of South Karlov Avenue (a private street) and running thence North along said East line of South Karlov Avenue a distance of 267.91 feet to its

UNOFFICIAL COPY

Property of Cook County Clerk's Office

1487002

UNOFFICIAL COPY

8 5 9 7 1 2 1

intersection with a line of the land conveyed by the Chicago River and Indiana Railroad Company to the Crawford Real Estate Development Company by deed recorded in the Recorder's Office of Cook County, Illinois, as document 17307420, which line of land, so conveyed, is a curved line, convex to the North and having a radius of 600 feet, and which extends Westerly from a point that is 216.08 feet West and 2354.67 feet North from the East and South lines respectively, of said North East quarter to a point which is 597.24 feet West and 2333.03 feet more or less North from said East and South lines; thence Eastwardly along said line of said land so conveyed, being the arc of a circle having a radius of 600 feet and convex Northerly, a distance of 363.08 feet to said point which is 216.98 feet West and 2354.67 feet North from said East and South lines of said North East quarter, thence Southeastwardly, continuing along a line being a straight line of said land, so conveyed, a distance of 199.61 feet to its intersection with the West line of South Pulaski Road (formerly South Crawford Avenue) (which straight line, if continued Easterly, will intersect said East line of the North East quarter at a point 2295.41 feet North from the South East corner of said North East quarter) thence South along said West line of South Pulaski Road a distance of 95.31 feet to a point 655.63 feet North from the North West corner of said South Pulaski Road, and West 40th Street, thence Southwestwardly along the arc of a circle having a radius of 666.69 feet and convex North Westerly a distance of 90.69 feet to a point which is 468.24 feet East from said East line of South Karlov Avenue and 616.65 feet North from said North line of West 40th Street, thence continuing South Westwardly along the arc of a circle having a radius of 366.02 feet and convex North Westerly a distance of 79.64 feet to a point which is 403.68 feet East from said East line of South Karlov Avenue and 570.37 feet North from said North line of West 40th Street, thence continuing South Westwardly along the arc of a circle having a radius of 391.56 feet and convex North Westerly a distance of 64.24 feet to a point on the hereinbefore mentioned line which is 523.79 feet North from and parallel with the North line of West 40th Street, which point is 190.40 feet West from said West line of South Pulaski Road and thence West along the last above mentioned parallel line a distance of 359.60 feet to the point of beginning.

86091961

UNOFFICIAL COPY

Property of Cook County Clerk's Office

PROPERTY

UNOFFICIAL COPY

85091961

The foregoing description is based upon the following definitions:

South Karlov Avenue (a private street) is defined as a strip of land 66 feet in width, lying in Lot "B" of the subdivision recorded in book 59 of plats, page 32, as document 1924571, being 33 feet on each side of the center line thereof, which line is parallel to and 583 feet West of the West line of South Pulaski Road and extends from the North line of West 40th Street to the Northerly line of the land conveyed by the Chicago River and Indiana Railroad Company to The Crawford Real Estate Development Company by deed recorded in the Recorder's Office of Cook County, Illinois, as document 17307420.

West 40th Street (a private street) is defined as a strip of land 66 feet in width lying in Lot "A" and in Lot "B" of the subdivision recorded in Book 59 of plats, page 32, as document 1924571, extending Easterly from a line parallel to and 655.93 feet East of and parallel to the North and South center line of Section 3, said parallel line being the East line of South Kildare Boulevard, to its intersection with the West line of South Pulaski Road. The North line of said strip is a line parallel to and 1086 feet North of the North line of re-established District Boulevard; the South line of said strip of land is a line parallel to and 66 feet South of the North line of said strip of land;

The North and South center line of said Section 3 is herein defined as a straight line drawn from a point on the North line of said Section 3, measured 2648.14 feet West from the North East corner of said Section 3, and measured 2642.84 feet East from the North West corner of said Section 3, to a point on the South line of said Section 3, measured 2639.27 feet West from the South East corner of said Section 3, and measured 2668.04 feet East from the South West corner of said Section 3;

The East and West center line of Section 3 is defined as a straight line drawn from a point on the East line of said Section 3, measured 2597.19 feet South from the North East corner of said Section 3, and measured 2669.84 feet North from the South East corner of said Section 3, to a point on the West line of said Section 3, measured 2598.77 feet South from

UNOFFICIAL COPY

Property of Cook County Clerk's Office

RECEIVED

UNOFFICIAL COPY

8 5 1 9 1 2 1 1

the North West corner of said Section 3, and measured 2661.19 feet North from the South West corner of said Section 3;

The North line of Re-established District Boulevard (a private street) and said North line extended, is defined as a straight line drawn from a point on the East line of said Section 3, measured 465.16 feet North of the East and West center line of said Section 3 to a point on the North and South center line of said Section 3, measured 464.08 feet North of said East and West center line;

The South line of Re-established District Boulevard is 80 feet South of and parallel to the North line of Re-established District Boulevard.

Said premises are the same premises conveyed to the Landlord by deed from Standard Brands Incorporated dated April 6, 1965 and recorded in the Office of the Recorder of Deeds of Cook County, Illinois, on April 8, 1965 as Document No. 19429739.

Together with all of the appurtenances described in said deed, and

Subject to all the rights, reservations and restrictions contained in or referred to in said deed and the matters set forth in this Lease, including without limitation the obligations with respect to private street maintenance.

7 MAR 06 11 35 AM '65

86691961
-86-091961



17.00E

UNOFFICIAL COPY

Property of Cook County Clerk's Office

-22-031221

REC-031221

UNOFFICIAL COPY

8 3 0 9 1 7 1

EXHIBIT A

ANNEXED TO AND MADE PART OF
THAT CERTAIN LEASE DATED THE
DAY OF , 1985
MADE BY AND BETWEEN MORGAN
GUARANTY TRUST COMPANY OF NEW
YORK AS SUCCESSOR TRUSTEE OF
FORD GENERAL RETIREMENT PLAN
TRUST, AS LANDLORD AND EESCO,
INC., AS TENANT

ALL those certain premises, together with the buildings and improvements thereon, commonly known as 3939 South Karlov Avenue, in the City of Chicago, County of Cook and State of Illinois, and more particularly described as follows, to wit:

PARCEL 1

That part of Lot "B" in the subdivision of the Circuit Court Commissioners in partition of that part of the North East quarter lying South of the Illinois and Michigan Canal Reserve of Section 3, Township 38 North, Range 13 East of the Third Principal Meridian according to the plat of said subdivision recorded in the Recorder's Office of Cook County, Illinois, on September 5, 1893 in book 59 of plats, page 32, as document 1924571 bounded and described as follows:

Beginning at the intersection of the West line of South Pulaski Road (formerly South Crawford Avenue) with a line of the land conveyed by the Chicago River and Indiana Railroad Company to the Crawford Real Estate Development Company by deed recorded in the Recorder's Office of Cook County, Illinois, as document 17307420, which line of land, so conveyed is a straight line drawn from a point in the East line of the said North East quarter which is 2295.41 feet North from the South East corner of the said North East quarter, to a point which is 216.88 feet

86091961

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

8 3 1 9 1 2 1

West of the East line and 2354.67 feet North of the South line of the said North East quarter, thence North Westerly along the said line of land so conveyed, a distance of 139.97 feet to a point, thence East along a straight line a distance of 68.74 feet to its intersection with a line drawn parallel with and 18.04 feet North Easterly of (measured at right angles to) the said line of land so conveyed, thence South Easterly along the last described parallel line a distance of 68.75 feet, more or less, to its intersection with the West line of South Pulaski Road aforementioned, thence South along the West line of South Pulaski Road, a distance of 18.7 feet, more or less to the point of beginning in Cook County, Illinois.

The foregoing description is based upon the following definitions:

The East and West center line of said Section 3 is herein defined as a straight line drawn from a point on the East line of said Section 3, measured 2597.19 feet South from the North East corner of said Section 3, and measured 2669.84 feet North from the South East corner of said Section 3, to a point on the West line of said Section 3, measured 2598.77 feet South from the North West corner of said Section 3, and measured 2661.19 feet North from the South West corner of said Section 3;

ALSO

Parcel 2:

That part of Lot "B" in the subdivision of the Circuit Court Commissioners in Partition of that part of the North East quarter lying South of the Illinois and Michigan Canal Reserve, of Section 3, Township 38 North, Range 13 East of the Third Principal Meridian, according to the plat of subdivision recorded in the Recorder's Office of Cook County, Illinois, on September 5, 1893 in book 59 of plats, page 32, as document 1924571, bounded and described as follows:

Beginning at the point of intersection of a line 523.79 feet North from and parallel with the North line of West 40th Street (a private street) with the East line of South Karlov Avenue (a private street) and running thence North along said East line of South Karlov Avenue a distance of 267.91 feet to its

86091961

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

intersection with a line of the land conveyed by the Chicago River and Indiana Railroad Company to the Crawford Real Estate Development Company by deed recorded in the Recorder's Office of Cook County, Illinois, as document 17307420, which line of land, so conveyed, is a curved line, convex to the North and having a radius of 600 feet, and which extends Westerly from a point that is 216.88 feet West and 2354.67 feet North from the East and South lines respectively, of said North East quarter to a point which is 597.24 feet West and 2333.03 feet more or less North from said East and South lines; thence Eastwardly along said line of said land so conveyed, being the arc of a circle having a radius of 600 feet and convex Northerly, a distance of 363.08 feet to said point which is 216.88 feet West and 2354.67 feet North from said East and South lines of said North East quarter, thence Southeastwardly, continuing along a line being a straight line of said land, so conveyed, a distance of 199.61 feet to its intersection with the West line of South Pulaski Road (formerly South Crawford Avenue) (which straight line, if continued Easterly, will intersect said East line of the North East quarter at a point 2295.41 feet North from the South East corner of said North East quarter) thence South along said West line of South Pulaski Road a distance of 95.31 feet to a point 655.63 feet North from the North West corner of said South Pulaski Road, and West 40th Street, thence Southwestwardly along the arc of a circle having a radius of 666.69 feet and convex North Westerly a distance of 90.69 feet to a point which is 468.24 feet East from said East line of South Karlov Avenue and 616.65 feet North from said North line of West 40th Street, thence continuing South Westwardly along the arc of a circle having a radius of 366.02 feet and convex North Westerly a distance of 79.64 feet to a point which is 403.68 feet East from said East line of South Karlov Avenue and 570.37 feet North from said North line of West 40th Street, thence continuing South Westwardly along the arc of a circle having a radius of 391.56 feet and convex North Westerly a distance of 64.24 feet to a point on the hereinbefore mentioned line which is 523.79 feet North from and parallel with the North line of West 40th Street, which point is 190.40 feet West from said West line of South Pulaski Road and thence West along the last above mentioned parallel line a distance of 359.60 feet to the point of beginning.

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

8 3 3 2 1 2

The foregoing description is based upon the following definitions:

South Karlov Avenue (a private street) is defined as a strip of land 66 feet in width, lying in Lot "B" of the subdivision recorded in book 59 of plats, page 32, as document 1924571, being 33 feet on each side of the center line thereof, which line is parallel to and 583 feet West of the West line of South Pulaski Road and extends from the North line of West 40th Street to the Northerly line of the land conveyed by the Chicago River and Indiana Railroad Company to The Crawford Real Estate Development Company by deed recorded in the Recorder's Office of Cook County, Illinois, as document 17307420.

West 40th Street (a private street) is defined as a strip of land 66 feet in width lying in Lot "A" and in Lot "B" of the subdivision recorded in Book 59 of plats, page 33, as document 1924571, extending Easterly from a line parallel to and 655.93 feet East of and parallel to the North and South center line of Section 3, said parallel line being the East line of South Kildare Boulevard, to its intersection with the West line of South Pulaski Road. The North line of said strip is a line parallel to and 1086 feet North of the North line of re-established District Boulevard; the South line of said strip of land is a line parallel to and 66 feet South of the North line of said strip of land;

The North and South center line of said Section 3 is herein defined as a straight line drawn from a point on the North line of said Section 3, measured 2648.14 feet West from the North East corner of said Section 3, and measured 2642.84 feet East from the North West corner of said Section 3, to a point on the South line of said Section 3, measured 2669.37 feet West from the South East corner of said Section 3, and measured 2668.04 feet East from the South West corner of said Section 3;

The East and West center line of Section 3 is defined as a straight line drawn from a point on the East line of said Section 3, measured 2597.19 feet South from the North East corner of said Section 3, and measured 2669.84 feet North from the South East corner of said Section 3, to a point on the West line of said Section 3, measured 2598.77 feet South from

86031961

UNOFFICIAL COPY

Property of Cook County Clerk's Office

10/10/2010 10:10:10 AM

10/10/2010 10:10:10 AM

10/10/2010 10:10:10 AM

10/10/2010 10:10:10 AM

10/10/2010 10:10:10 AM

10/10/2010 10:10:10 AM

10/10/2010 10:10:10 AM

10/10/2010 10:10:10 AM

10/10/2010 10:10:10 AM

10/10/2010 10:10:10 AM

10/10/2010 10:10:10 AM

10/10/2010 10:10:10 AM

10/10/2010 10:10:10 AM

10/10/2010 10:10:10 AM

10/10/2010 10:10:10 AM

10/10/2010 10:10:10 AM

10/10/2010 10:10:10 AM

10/10/2010 10:10:10 AM

10/10/2010 10:10:10 AM

10/10/2010 10:10:10 AM

10/10/2010 10:10:10 AM

10/10/2010 10:10:10 AM

10/10/2010 10:10:10 AM

10/10/2010 10:10:10 AM

10/10/2010 10:10:10 AM

10/10/2010 10:10:10 AM

10/10/2010 10:10:10 AM

10/10/2010 10:10:10 AM

10/10/2010 10:10:10 AM

10/10/2010 10:10:10 AM

10/10/2010 10:10:10 AM

10/10/2010 10:10:10 AM

10/10/2010 10:10:10 AM

10/10/2010 10:10:10 AM

10/10/2010 10:10:10 AM

10/10/2010 10:10:10 AM

10/10/2010 10:10:10 AM

10/10/2010 10:10:10 AM

10/10/2010 10:10:10 AM

10/10/2010 10:10:10 AM

10/10/2010 10:10:10 AM

10/10/2010 10:10:10 AM

10/10/2010 10:10:10 AM

10/10/2010 10:10:10 AM

10/10/2010 10:10:10 AM

10/10/2010 10:10:10 AM

10/10/2010 10:10:10 AM

10/10/2010 10:10:10 AM

UNOFFICIAL COPY

3 5 1 2 1 1

the North West corner of said Section 3, and measured 2661.19 feet North from the South West corner of said Section 3;

The North line of Re-established District Boulevard (a private street) and said North line extended, is defined as a straight line drawn from a point on the East line of said Section 3, measured 465.15 feet North of the East and West center line of said Section 3 to a point on the North and South center line of said Section 3, measured 464.08 feet North of said East and West center line;

The South line of Re-established District Boulevard is 80 feet South of and parallel to the North line of Re-established District Boulevard.

Said premises are the same premises conveyed to the Landlord by deed from Standard Brands Incorporated dated April 6, 1965 and recorded in the Office of the Recorder of Deeds of Cook County, Illinois, on April 8, 1965 as Document No. 19429739.

Together with all of the appurtenances described in said deed, and

Subject to all the rights, reservations and restrictions contained in or referred to in said deed and the matters set forth in this Lease, including without limitation the obligations with respect to private street maintenance.

7 MAR 98 11 35

113 113 113 113 113 113 113 113 113 113

-86-091961

86091961



UNOFFICIAL COPY

Property of Cook County Clerk's Office