

UNOFFICIAL COPY

87673299

MEMORANDUM OF GROUND LEASE

THIS IS A MEMORANDUM of that certain unrecorded Ground Lease dated as of September 15, 1987 between Emro Marketing Company, a Delaware corporation, as ground lessor (the Ground Lessor) and Wilmington Trust Company and William J. Wade, not in their respective individual capacities, but solely as owner trustees under a Trust Agreement dated as of September 15, 1987, collectively as ground lessee (the Ground Lessee).

W I T N E S S E T H:

WHEREAS, the Ground Lessee and the Ground Lessor have entered into that certain Ground Lease dated as of September 15, 1987, as supplemented or amended from time to time (the Ground Lease).

NOW, THEREFORE, be it known as follows:

1. **Land.** The Land subject to the Ground Lease constitutes the land described in Schedule 1 hereto, subject to the permitted encumbrances described in Schedule 2 hereto and the right to use and occupy the easements appurtenant thereto described in Schedule 3 hereto.

2. **Ground Lease Term.** The term of the Ground Lease is from the date of recording this Memorandum to January 2, 2018.

3. **Counterparts.** This document may be executed in one or more counterparts, each of which will constitute an original.

RETURN TO:
Caren W. Mack
Mudge, Rose, Guthrie, Alexander
and Ferdon
180 Maiden Lane
New York, New York 10038

87673299

UNOFFICIAL COPY

37570279

IN WITNESS WHEREOF, the parties hereto have each caused this Memorandum of Ground Lease to be duly executed by their respective officers thereunto duly authorized on the dates set forth below.

**EMRO MARKETING COMPANY,
as Ground Lessor**

Witness Alvin J. Hamilton
Name: Alvin J. Hamilton

By G. E. Duroker
Name: G. E. Duroker
Title: President



Witness Kevin G. Nowe
Name: KEVIN G. NOWE

Date: December 10, 1987

**WILMINGTON TRUST COMPANY, not
in its individual capacity,
but solely as owner trustee
under a Trust Agreement dated
as of September 15, 1987,
Ground Lessee**

Witness _____
Name: _____

By _____
Name: _____
Title: _____

Witness _____
Name: _____

Date: December __, 1987

Property of Cook County Clerk's Office

57673239

UNOFFICIAL COPY

3 7 6 7 3 2 1 9

IN WITNESS WHEREOF, the parties hereto have each caused this Memorandum of Ground Lease to be duly executed by their respective officers thereunto duly authorized on the dates set forth below.

EMRO MARKETING COMPANY,
as Ground Lessor

Witness _____
Name:

By _____
Name:
Title:

Witness _____
Name:

Date: December 3, 1987

WILMINGTON TRUST COMPANY, not
in its individual capacity,
but solely as owner trustee
under a Trust Agreement dated
as of September 15, 1987,
Ground Lessee

Witness J. M. R. I.
Name: John M. Beckson Jr.

By [Signature]
Name: [Signature]
Title: Vice President

Witness [Signature]
Name: Ann Marie Jovina

Date: December 3, 1987

67673299

UNOFFICIAL COPY

3 7 0 7 5 2 9 9

WILLIAM J. WADE, not in his individual capacity, but solely as owner trustee under a Trust Agreement dated as of September 15, 1987,
Ground Lessee

Witness *Annelle L. Based*
Name: Annelle L. Based

William J. Wade
William J. Wade

Witness *Kristen R. Knowles*
Name: Kristen R. Knowles

Date: December 4, 1987

This instrument was prepared by John D. Hawkins, attorney at law, Mudge Rose Guthrie Alexander & Ferdon, 180 Maiden Lane, New York, New York 10038.

Return to Caren M. Mack, Mudge Rose Guthrie Alexander and Ferdon, 180 Maiden Lane, New York, New York 10038.

Property of Cook County Clerk's Office

87673299

UNOFFICIAL COPY

3 7 3 7 3 2 7 9

STATE OF OHIO)
) SS
COUNTY OF HANCOCK)

The foregoing instrument was acknowledged before me this 10th day of December, 1987 by G. E. Buroker, the President of Emro Marketing Company, a Delaware corporation, on behalf of said corporation.


Larry W. Whiteleather, Attorney at Law
Notary Public, State of Ohio
My Commission has no expiration date.
Section 147.03 R. C.

Sworn to before me this
10th day of December, 1987

(SEAL)

Property of Cook County Clerk's Office

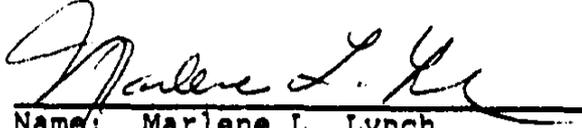
67673299

UNOFFICIAL COPY

87673299

STATE OF DELAWARE)
) ss.
COUNTY OF NEW CASTLE)

The foregoing instrument was acknowledged before me this December 3, 1987 by Thomas P. Laskaris, the Vice President of Wilmington Trust Company, a Delaware banking corporation, on behalf of said corporation.


Name: Marlene L. Lynch

Sworn to before me this
3rd day of December, 1987.

(SEAL)

Notary Public for Delaware

My Commission Expires: 6/15/89

Property of Cook County Clerk's Office

87673299

UNOFFICIAL COPY

SCHEDULE 1
to Memorandum of Ground Lease

DESCRIPTION OF LAND

PARCEL 1:

THE EAST 164.5 FEET OF THE WEST 214.5 FEET OF THE NORTH 300 FEET OF THE SOUTH 350 FEET OF THE WEST 1/2 OF THE SOUTH WEST 1/4 OF SECTION 30, TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, COOK COUNTY, ILLINOIS; EXCEPT THAT PART OF THE EAST 64.5 FEET OF THE WEST 114.5 FEET OF THE SOUTH 383 FEET OF THE WEST 1/2 OF THE SOUTH WEST 1/4 OF SAID SECTION 30, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH WEST CORNER OF SAID EAST 64-1/2 OF FEET OF THE WEST 114-1/2 FEET OF THE SOUTH 383 FEET OF THE WEST 1/2 OF THE SOUTH WEST 1/4 OF THE SAID SECTION 30, THENCE EAST ALONG THE SOUTH LINE OF SAID SOUTH WEST 1/4 OF SAID SECTION 30, A DISTANCE 64.5 FEET; THENCE NORTH ALONG THE EAST LINE OF SAID EAST 64-1/2 FEET OF THE WEST 114-1/2 FEET OF THE SAID WEST 1/2 OF THE SOUTH WEST 1/4 A DISTANCE OF 50 FEET; THENCE WEST ALONG A LINE PARALLEL TO SAID SOUTH LINE OF SAID SOUTH WEST 1/4, A DISTANCE OF 14.5 FEET TO A POINT OF TANGENCY OF A CURVE CONCAVE TO THE NORTH EAST HAVING A RADIUS OF 50 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE, A DISTANCE OF 75.45 FEET TO THE WEST LINE OF SAID EAST 64-1/2 FEET OF THE WEST 114-1/2 FEET OF THE SOUTH 383 FEET OF THE WEST 1/2 OF THE SAID SOUTH WEST 1/4, THENCE SOUTH ALONG THE SAID WEST LINE 100.0 FEET TO THE POINT OF BEGINNING (EXCEPTING THEREFROM THE SOUTH 33 FEET TAKEN OR USED FOR WEST 79TH STREET) AS CONVEYED TO THE DEPARTMENT OF PUBLIC WORKS AND BUILDINGS OF THE STATE OF ILLINOIS BY WARRANTY DEED RECORDED MAY 12, 1954 AS DOCUMENT NUMBER 15904381, ALSO EXCEPTING THEREFROM A PART OF THE EAST 164.5 FEET OF THE WEST 214.5 FEET OF THE WEST 1/2 OF THE SOUTH WEST 1/4 OF SAID SECTION 30, TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE EAST LINE OF THE WEST 214.5 FEET OF SAID SECTION AND THE NORTH LINE OF 79TH STREET (AS DEDICATED BY DOCUMENT NUMBER 16584944 DATED MAY 18, 1956); THENCE WEST ALONG THE SAID NORTH LINE A DISTANCE OF 114.5 FEET TO A POINT OF CURVATURE; THENCE NORTHWESTERLY ALONG AN ARC OF A CIRCLE CONCAVE TO THE NORTH EAST HAVING A RADIUS OF 50 FEET, A DISTANCE OF 78.5 FEET TO A POINT OF TANGENCY ON THE EAST LINE OF HARLEM AVENUE (AS DEDICATED BY DOCUMENT NO. 10487999, DATED SEPTEMBER 24, 1929); THENCE NORTH ALONG THE SAID EAST LINE OF HARLEM AVENUE, A DISTANCE OF 40 FEET TO A POINT OF TANGENCY; THENCE SOUTHEASTERLY ALONG AN ARC OF A CIRCLE CONCAVE TO THE NORTH EAST HAVING A RADIUS OF 70 FEET, A DISTANCE OF 109.9 FEET TO A POINT OF TANGENCY ON A LINE LYING 20 FEET NORTH OF AND PARALLEL WITH THE AFORESAID NORTH LINE OF 79TH STREET, SAID

67673299

UNOFFICIAL COPY

SCHEDULE 1
to Memorandum of Ground Lease))

DESCRIPTION OF LAND (continued)

POINT LYING 94.5 FEET WEST OF THE EAST LINE OF THE WEST 214.5 FEET OF AFORESAID SECTION; THENCE EAST ALONG SAID PARALLEL LINE A DISTANCE OF 94.5 FEET TO A POINT ON THE EAST LINE OF THE WEST 214.5 FEET OF SAID SECTION, SAID POINT BEING 20 FEET NORTH OF THE POINT OF BEGINNING (AS MEASURED ALONG SAID EAST LINE); THENCE SOUTH ALONG THE SAID EAST LINE A DISTANCE OF 20 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

THAT PART OF THE WEST 1/2 OF THE SOUTH WEST 1/4 (EXCEPT THE SOUTH 50.0 FEET THEREOF) OF SECTION 30, TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, COOK COUNTY, ILLINOIS; LYING EAST OF THE WEST 214.50 FEET OF SAID SOUTH WEST 1/4, WEST OF THE EAST LINE OF THE WEST 329.50 FEET OF SAID SOUTH WEST 1/4, SOUTHERLY AND WESTERLY OF A CURVED LINE CONVEX TO THE SOUTH WEST RADIUS 963.0 FEET, COMMENCING AT A POINT 122.0 FEET NORTH OF THE SOUTH LINE AND 1085.0 FEET EAST OF THE WEST LINE OF AFORESAID 1/4 SECTION AND RUNNING TO A POINT 122.0 FEET EAST OF THE WEST LINE AND 1085.0 FEET NORTH OF THE SOUTH LINE OF SAID SOUTH WEST 1/4 OF SECTION 30, IN COOK COUNTY, ILLINOIS, EXCEPTING THEREFROM THE FOLLOWING DESCRIBED TRACT OF LAND; THAT PART OF THE EAST 115 FEET OF THE WEST 329.5 FEET OF THE WEST 1/2 OF THE SOUTH WEST 1/4 OF SECTION 30, TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE NORTH LINE OF 79TH STREET (AS DEDICATED BY DOCUMENT NUMBER 16584944, DATED MAY 18, 1956) AND THE EAST LINE OF THE WEST 329.5 FEET OF SAID SECTION; THENCE WEST ALONG SAID NORTH LINE OF 79TH STREET A DISTANCE 115 FEET TO A POINT, SAID POINT LYING ON THE EAST LINE OF THE WEST 214.5 FEET OF THE AFORESAID SECTION; THENCE NORTH ALONG THE EAST LINE OF THE WEST 214.5 FEET OF THE SECTION A DISTANCE OF 20 FEET TO A POINT; THENCE EAST ALONG A LINE PARALLEL AND 20 FEET NORTH OF THE AFORESAID NORTH LINE OF 79TH STREET A DISTANCE OF 79.5 FEET TO A POINT, SAID POINT LYING 20 FEET NORTH OF THE NORTH LINE OF 79TH STREET AND 35.5 FEET WEST OF THE EAST LINE OF THE WEST 329.5 FEET OF THE AFORESAID SECTION; THENCE SOUTHEASTERLY ALONG A STRAIGHT LINE A DISTANCE OF 35.5 FEET, MORE OR LESS, TO A POINT ON THE EAST LINE OF THE WEST 329.5 FEET OF THE SAID SECTION, SAID POINT LYING 18.82 FEET NORTH OF THE POINT OF BEGINNING (AS MEASURED ALONG SAID EAST LINE) THENCE SOUTH ALONG SAID EAST LINE A DISTANCE OF 18.82 FEET TO THE POINT OF BEGINNING.

Don
PIN# 19-30-300-013 & 19-30-300-017
Leased station address: 79th St. & Harlem Ave.
Burbank, IL

51073299

UNOFFICIAL COPY

3 7 5 7 3 2 9

SCHEDULE 2 to Memorandum of Ground Lease

PERMITTED ENCUMBRANCES

1. Covenants, conditions and restrictions contained in a deed recorded on June 18, 1954 as Document 15937984 relating to the maintenance of streets and sidewalks, cost, maintaining, extending, enlarging and repairing sewer system, and the location of buildings to be erected on the land.
2. Terms, provisions, conditions and limitations as contained in the ordinance by board of trustees of South Stickney District, Cook County, Illinois establishing charges and rates for the use and service of the sewerage system of the South Stickney Sanitary District, recorded August 17, 1954 as Document 15991253.
3. Easement in favor of Northern Illinois Gas, for the installation, maintenance, repair, relocation, removal and renewal of gas mains granted by Document 17068261 and recorded on November 19, 1957, and the terms and conditions thereof.
4. Title to that portion of the property within the bounds of any roads or highways.
5. Easement in favor of Northern Illinois Gas, for the installation, maintenance, repair, relocation, removal and renewal of gas mains granted by Document 21387569 and recorded on February 3, 1971, and the terms and conditions thereof.
6. Covenants, conditions and restrictions contained in a Deed recorded on February 19, 1980 as Document 25636537 relating to the land conveyed therein not be used in connection with the sale, at retail or wholesale of motor fuel for highway use of a period of 10 years from date thereof.
7. Unrecorded Water Line Easement affects part of Parcel 2. East 10 feet of West 224.50 of North 210 feet of the South 550.00.

67673299

UNOFFICIAL COPY

SCHEDULE 2 to Memorandum of Ground Lease

PERMITTED ENCUMBRANCES (continued)

8. An unrecorded 15' non-exclusive utility easement granted by Chicago Title and Trust Company, a Trustee, to Commonwealth Edison Company and Illinois Bell Telephone Company under Grant of Easement dated September 1, 1987, covering the following described parcel:

Being part of the West half of the Southwest Quarter of Section 30, Township 38 North, Range 13 East of the Third Principal Meridian of Cook County, Illinois and more particularly described as follows:

Commencing at the Point of Intersection of the East line of the West 329.50 feet of said section and the North line of 79th Street (as dedicated by Document 16584944, dated May 18, 1956);

Then North along aforesaid East line, a distance of 18.82 feet to a cross cut in concrete drive approach;

Then North 87°46'38" West, a distance of 7.50 feet to the "True Point of Beginning" for the centerline of a 15.00 foot non-exclusive utility easement; said easement being 7.50 feet each side of described centerline;

Thence North 00°00'00" East, a distance of 288.69 feet to a point;

Thence North 89°43'45" West, a distance of 100.00 feet to a point;

Thence North 00°00'00" East, a distance of 311.70 feet to the "Point of Ending" for said easement, continuing and shortening the side line so as to terminate at the property line.

Leased station address: 79th St. & Harlem Ave.
Burbank, IL

87073299

