

UNOFFICIAL COPY

88582154

MILL. To  
J. M. Hawk  
Burger King  
P.O. Box 520783  
Miami, FL 33152  
7073 549 (03) gr

~~EXHIBIT B~~

MEMORANDUM OF LEASE

\$18.00

KNOW ALL MEN BY THESE PRESENTS THAT: Amalgamated Trust & Savings Bank, as Trustee under Trust Agreement dated August 1, 1972, and known as Trust No. 2347, which address is One West Monroe, Chicago, Illinois 60603, hereinafter "LESSOR," does hereby lease, rent, let, and demise unto BURGER KING CORPORATION, a Florida corporation, whose address is 17777 Old Cutler Road, P.O. Box 520783, General Mail Facility, Miami, Florida 33152, hereinafter "LESSEE," its successors and assigns, and LESSEE takes and hires from LESSOR under and upon and subject to the terms and conditions set forth in a certain Ground Lease dated March 19, 1976, as amended by a certain Amendment of Lease dated December 16, 1988 (collectively referred to as the "Lease"), the following described premises, lying and being in the County of Cook, State of Illinois, more particularly described as follows, to wit:

SEE EXHIBIT "A" ATTACHED HERETO

AND MADE A PART HEREOF

Lessor further grants to Lessee, by and through the Amendment of Lease, a nonexclusive easement, such easement to expire upon termination of this Lease, on, over, and across the property described on Exhibit B attached hereto and made a part hereof.

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This Memorandum of Amendment of Lease is for recording notice purposes.

Said Lease is now in effect for a term commencing as stated in the Lease and expiring on July 31, 2006, unless sooner terminated in accordance with the provisions thereof, with respect to termination by default, or for other causes; that said Lease itself contains the contract of leasing and otherwise between the parties, including the amount of rent, times when said rent shall be paid, and other provisions and covenants as regulate and govern the relationship of LESSOR and LESSEE between the parties; and all persons are hereby put on notice of the existence of such Lease and are referred to said Lease itself for its terms and conditions.

IN WITNESS WHEREOF, this Memorandum of Lease is dated as of the 16<sup>th</sup> day of December, 1988

WITNESSES:

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

LESSOR

WITNESSES:

Valerie Woolgar

Marlene T. Friel

BURGER KING CORPORATION

By Robert A. Sney  
Vice President

ATTEST: Carol Ann  
Assistant Secretary

LESSEE

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STATE OF FLORIDA  
COUNTY OF DADE

BEFORE ME, the undersigned authority, personally appeared Robert H. Jordan and Janey C. Healy to me well known and known to me to be the individuals described in and who executed the foregoing instrument as Vice President and Assistant Secretary of BURGER KING CORPORATION, a Florida corporation, and severally acknowledged to and before me that they executed such instrument as such Vice President and Assistant Secretary respectively of said corporation and that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that it was affixed to said instrument by due and regular corporate authority, and that said instrument is the free act and deed of said corporation.

WITNESS my hand and official seal this 14<sup>th</sup> day of December, 1988.

(SEAL)

Marlene T. [Signature]

Notary Public  
My Commission Expires:

STATE OF  
COUNTY OF

BEFORE ME, the undersigned authority, personally appeared \_\_\_\_\_ and \_\_\_\_\_ to me well known and known to me to be the individuals described in and who executed the foregoing instrument as \_\_\_\_\_ President and \_\_\_\_\_ Secretary of \_\_\_\_\_, a \_\_\_\_\_ corporation, and severally acknowledged to and before me that they executed such instrument as such \_\_\_\_\_ President and \_\_\_\_\_ secretary respectively of said corporation and that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that it was affixed to said instrument by due and regular corporate authority, and that said instrument is the free act and deed of said corporation.

WITNESS my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

(SEAL)

\_\_\_\_\_  
Notary Public  
My Commission Expires:

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# UNOFFICIAL COPY

This Memorandum of Amendment of Lease is for recording notice purposes.

Said Lease is now in effect for a term commencing as stated in the Lease and expiring on July 31, 2006, unless sooner terminated in accordance with the provisions thereof, with respect to termination by default, or for other causes; that said Lease itself contains the contract of leasing and otherwise between the parties, including the amount of rent, times when said rent shall be paid, and other provisions and covenants as regulate and govern the relationship of LESSOR and LESSEE between the parties; and all persons are hereby put on notice of the existence of such Lease and are referred to said Lease itself for its terms and conditions.

IN WITNESS WHEREOF, this Memorandum of Lease is dated as of the 16<sup>th</sup> day of December, 1988.

WITNESSES:

\_\_\_\_\_  
\_\_\_\_\_

WITNESSES:

\_\_\_\_\_  
\_\_\_\_\_

to terms and conditions contained in this instrument to the extent that standing this instrument is subject to the provisions of the lease and relationship there affected herein and made a part hereof  
I, \_\_\_\_\_, Clerk of Cook County, Illinois, do hereby certify that the foregoing is a true and correct copy of the original as filed in my office on \_\_\_\_\_, 1988.  
Notary Public in and for Cook County, Illinois

SEE ATTACHED RECORD FOR RECORDING BY LESSEE.

LESSOR

BURGER KING CORPORATION

By \_\_\_\_\_  
Vice President

ATTEST: \_\_\_\_\_  
Assistant Secretary

LESSEE

10/20/00

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STATE OF FLORIDA  
COUNTY OF DADE

BEFORE ME, the undersigned authority, personally appeared \_\_\_\_\_ and \_\_\_\_\_ to me well known and known to me to be the individuals described in and who executed the foregoing instrument as Vice President and Assistant Secretary of BURGER KING CORPORATION, a Florida corporation, and severally acknowledged to and before me that they executed such instrument as such Vice President and Assistant Secretary respectively of said corporation and that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that it was affixed to said instrument by due and regular corporate authority, and that said instrument is the free act and deed of said corporation.

WITNESS my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

(SEAL)

Notary Public  
My Commission Expires:

STATE OF  
COUNTY OF

BEFORE ME, the undersigned authority, personally appeared \_\_\_\_\_ and \_\_\_\_\_ to me well known and known to me to be the individuals described in and who executed the foregoing instrument as \_\_\_\_\_ President and \_\_\_\_\_ Secretary of \_\_\_\_\_, a \_\_\_\_\_ corporation, and severally acknowledged to and before me that they executed such instrument as such \_\_\_\_\_ President and \_\_\_\_\_ Secretary respectively of said corporation and that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that it was affixed to said instrument by due and regular corporate authority, and that said instrument is the free act and deed of said corporation.

WITNESS my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

(SEAL)

Notary Public  
My Commission Expires:

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# UNOFFICIAL COPY

STATE OF  
COUNTY OF

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared \_\_\_\_\_

\_\_\_\_\_ to me known and known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledge to me that he executed the same for the purposes and considerations therein expressed.

WITNESS my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

(SEAL)

\_\_\_\_\_  
Notary Public  
My Commission Expires:

## EXHIBIT "A"

Sublots 1 and 2 of David C. Judson's Subdivision of Lot 3 in Assessor's Division of Lot 1 in Block 23 in Canal Trustee's Subdivision of the South Fractional Quarter of Fractional Section 3, Township 39 North, Range 14, East of the Third Principal Meridian, except the north 19.35 feet thereof, in Cook County, Illinois, together with the building presently located on the Leased Premises, together with all Lessor's easements, rights of way, servitudes, and appurtenances in adjoining and adjacent land, highways, roads, streets, lanes, whether public or private, reasonably required for the installation, maintenance, operation and service of sewer, water, gas, power and other utility lines and for driveways and approaches to and from abutting highways for the use and benefit of the Leased Premises including the building situated thereon.

Address 2 E. Chicago Ave Chicago

PIA 17 03 224 096 0000

17 03 224 002 0000

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## EXHIBIT B

Legal Description of EasementPARCEL 2

The easterly 6.14 of the northerly 19.36 feet of Sublot 1 and 2 of David C. Judson's Subdivision of Lot 3 in Assessor's Division of Lot 1 in Block 23 in Canal Trustee's Subdivision of the South Fractional Quarter of Fractional Section 3, Township 39 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois.

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# UNOFFICIAL COPY

RIDER ATTACHED TO \_\_\_\_\_

DATED: \_\_\_\_\_

This instrument is executed by AMALGAMATED TRUST AND SAVINGS BANK, not in its individual capacity, but as Trustee as aforesaid, and it is expressly agreed that nothing herein contained shall be construed as creating any liability on said AMALGAMATED TRUST AND SAVINGS BANK in its individual corporate capacity with respect to any warranty or representation contained in this instrument, or to perform any covenant, either express or implied, herein contained, all such liability, if any, being expressly waived by the parties hereto and by every person now or hereafter claiming any right or interest hereunder, and the parties hereto and such other persons shall accept this instrument upon the express condition that no duty shall rest upon said AMALGAMATED TRUST AND SAVINGS BANK, either in its individual corporate capacity, or as said Trustee, to collect, receive, sequester or retain for any purpose the rents, issues and profits arising from the property hereinabove described or the property or funds at any time subject to said Trust Agreement, or the proceeds arising from the sale or other disposition of any such property, or to continue as such Trustee, or to retain any right, title or interest in or to the property hereinabove described or in or to any part of all of the property or funds at any time subject to said Trust Agreement.

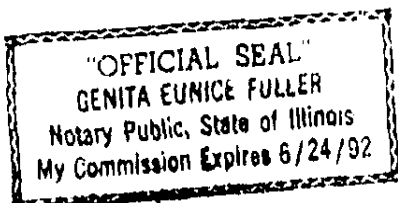
AMALGAMATED TRUST AND SAVINGS BANK  
NOT INDIVIDUALLY, BUT AS TRUSTEE  
UNDER TRUST NO. \_\_\_\_\_

BY: [Signature]  
VICE PRESIDENT

ATTEST: [Signature]  
ASST. SECRETARY

STATE OF ILLINOIS) SS  
COUNTY OF COOK )

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, do hereby certify, that \_\_\_\_\_ VICE PRESIDENT of AMALGAMATED TRUST AND SAVINGS BANK, AND \_\_\_\_\_ ASSISTANT SECRETARY of said banking corporation, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such Vice President and Assistant Secretary, respectively, appeared before me this day, in person, and acknowledged that they signed and delivered the said instrument as their own free and voluntary acts, and as the free and voluntary act of said banking corporation, as Trustee, for the uses and purposes therein set forth; and the said Assistant Secretary did also then and there acknowledge that she, as custodian of the corporate seal of said banking corporation, did affix the said corporate seal of said banking corporation to said instrument as her own free and voluntary act, and as the free and voluntary act of said banking corporation, as Trustee for the uses and purposes herein set forth.



GIVEN UNDER BY HAND AND NOTARY SEAL

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 19\_\_\_\_

[Signature]  
NOTARY PUBLIC