

88065409

MEMORANDUM OF LEASE

By this Memorandum of Lease, made in multiple counterparts the 21 day of January, 1988, between AMALGAMATED TRUST AND SAVINGS BANK, as Trustee under Trust Dated June 21, 1984 and known as Trust No. 4951, hereinafter referred to as "Landlord", and BOND DRUG COMPANY OF ILLINOIS, an Illinois corporation, hereinafter called "Tenant",

For and in consideration of the rentals hereinafter reserved and the covenants and agreements herein contained, Landlord does hereby demise and lease unto Tenant, and Tenant does hereby lease from Landlord, the real property located in the City of Lansing, State of Illinois, as outlined in red on Exhibit "A" attached hereto and made part hereof and as legally described on Exhibit "B" attached hereto and made part hereof (hereinafter referred to as "Leased Premises"), in the Shopping Center shown on Exhibit "A" which Shopping Center is on a parcel of land legally described on Exhibit "C" attached hereto (hereinafter referred to as the "Shopping Center"), together with all improvements, appurtenances, easements and privileges belonging thereto, for the term, at the rentals, and upon the covenants and conditions hereinafter stated.

Tenant shall pay a rent of One Dollar (\$1.00) per year.

Provisions for further and additional rent and the other terms, covenants and conditions of said letting, including the options on the part of Tenant for prior termination, are set forth at length in another lease, bearing even date herewith, between the parties hereto and all of said provisions, terms, covenants and conditions are, by reference thereto, hereby incorporated in and made a part of this lease.

Said other lease, among other things, contains the following provisions:

"Parking

"(a) It is an express condition of this lease that at all times during the term of this lease, Landlord shall provide, maintain, repair, adequately light when necessary during Tenant's business hours, clean, promptly remove snow and ice from, supervise and keep available the Parking Areas in the Shopping Center as shown on Exhibit A and also adequate common areas, service and receiving areas, sidewalks, curbs, roadways and other facilities appurtenant thereto. Said Parking Areas shall be for the free and exclusive use of customers, invitees and employees of Tenant and of other occupants of said Shopping Center. There shall be no changes in the grade elevations in the Parking Areas which exceed five percent (5%), and such Parking Areas shall be suitably paved and drained. No buildings or other structures shall be erected within the areas crosshatched on Exhibit A. Said Parking Areas shall have automobile entrances and exits from and to adjacent streets and roads, which said entrances and exits shall be of such size and at such locations as are shown on Exhibit A. Automobile traffic aisles in said Parking Areas shall run in directions shown on Exhibit A.

(This Instrument Prepared by A. M. Resnick, 200 Wilmet Road, Deerfield, Illinois 60015)

88065409



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"Exclusives

"Landlord covenants and agrees that, during the continuance of this lease and the operation by Tenant or by its sublessees and/or assignees of a restaurant on the Leased Premises, no other portion of the Shopping Center will be used for the operation of a restaurant having sit-down type service and offering a complete meal coffee shop type menu (e.g. coffee shop such as Denny's). This Article shall become void if, and after, a period of six continuous months elapse without the operation of a restaurant on the Leased Premises, except by reason of casualty, renovation, labor strife or other matters outside of Tenant's control. This Article shall not apply to a delicatessen, bakery, raw bar or other convenience food operation conducted within and as a part of a food store or department store."

This lease is made and executed by the parties hereto for the purpose of recording the same in the office of the Public Records of Cook County, Illinois, and is subject in each and every respect, to the rents and other terms, covenants and conditions of the aforesaid other lease, bearing even date herewith, between the parties hereto and this lease is executed and delivered with the understanding and agreement that the same shall not in any manner or form whatsoever, alter, modify or vary the rents and other terms, covenants and conditions of the aforesaid other lease bearing even date herewith between the parties hereto.

IN WITNESS WHEREOF, Landlord and Tenant have executed this lease under seal as of the day and year first above written.

BOND DRUG COMPANY OF ILLINOIS

By William R. Smith  
Vice President

Attest:

St. Vincent  
Asst. Secretary

Witnesses:

James W. Butler  
Gene J. Pabala  
Witnesses

AMALGAMATED TRUST AND SAVINGS BANK, as Trustee Under Trust Dated 6-21-84, and known as Trust No. 4951

By SEE ATTACHED RIDER FOR EXECUTION BY TRUSTEE.

Attest:

\_\_\_\_\_

Witnesses:

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

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Rider attached to MEMORANDUM OF LEASE

Dated: January 21, 1988

This instrument is executed by AMALGAMATED TRUST & SAVINGS BANK, not in its individual corporate 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 & 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 & 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 & SAVINGS BANK,  
not individually, but as Trustee  
under Trust No. 2957

By: Edward C. Sweigard  
Vice President

ATTEST:  
Sally Dougherty  
Assistant Secretary

STATE OF ILLINOIS )  
                              ) SS  
COUNTY OF COOK    )

I, BARBARA BEAN SCALES, a Notary Public in and for said County, in the State aforesaid, do hereby certify, that EDWARD C. SWEIGARD Vice President of AMALGAMATED TRUST & SAVINGS BANK, and SALLY DOUGHERTY 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 association, 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 therein set forth.

GIVEN under by hand and Notarial Seal

This 27 day of January, 1988.

"OFFICIAL SEAL"  
Barbara Scales  
Notary Public, State of Illinois  
My Commission Expires 6/6/89

Barbara Scales  
Notary Public

88055409

STATE OF )  
 ) SS  
COUNTY OF )

I hereby certify that on this day before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared \_\_\_\_\_ and \_\_\_\_\_, to me known to be the persons described in and who executed the foregoing instrument as \_\_\_\_\_ and \_\_\_\_\_, respectively, of \_\_\_\_\_, and severally acknowledged before me that they executed the same as such officers in the name of and on behalf of said corporation.

Witness my hand and official seal in the County and State last aforesaid this \_\_\_\_\_ day of \_\_\_\_\_, 1987.

\_\_\_\_\_  
NOTARY PUBLIC

My commission expires \_\_\_\_\_

STATE OF ILLINOIS )  
 ) SS  
COUNTY OF LAKE )

I hereby certify that on this day before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared William A. Smeal and R. C. Hildebrandt, to me known to be the persons described in and who executed the foregoing instrument as Vice President and Asst. Secretary, respectively, of BOND BROG COMPANY OF ILLINOIS, an Illinois corporation, and severally acknowledged before me that they executed the same as such officers in the name of and on behalf of said corporation.

Witness my hand and official seal in the County and State last aforesaid this 11 day of FEBRUARY, 1988.

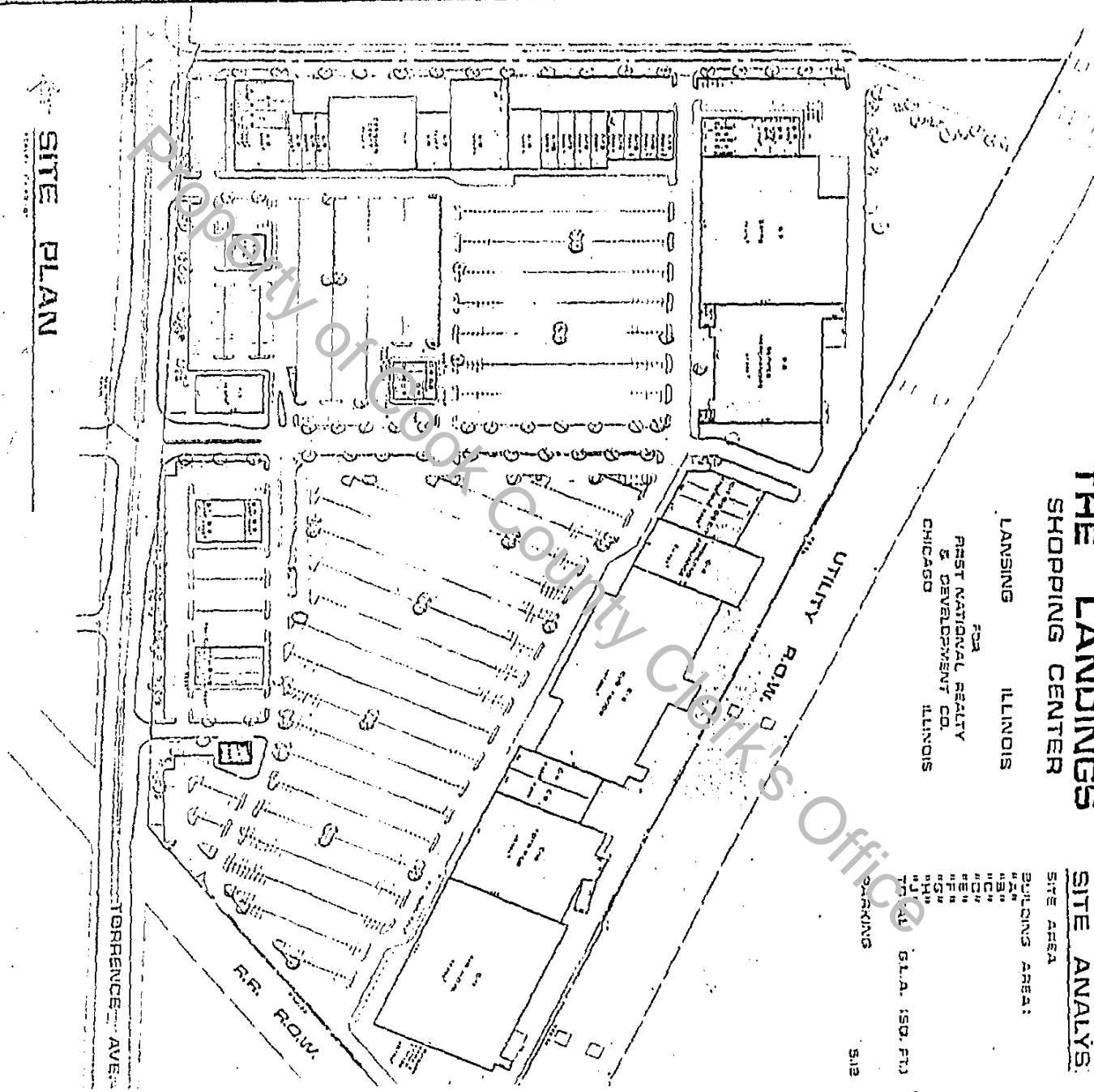
[Signature]  
NOTARY PUBLIC

My commission expires 4/12/89

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EXHIBIT A

SITE PLAN



## THE LANDINGS SHOPPING CENTER

LANSING ILLINOIS  
FOA  
FIRST NATIONAL REALTY  
& DEVELOPMENT CO.  
CHICAGO ILLINOIS

## SITE ANALYSIS

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EXHIBIT "B"

## LEGAL DESCRIPTION

Lot 17, being a part of The Landings Planned Unit Development, being a Subdivision of part of the Southwest 1/4 of Section 19, Township 36 North, Range 15 East of the Third Principal Meridian, in Cook County, Illinois, subject to that certain Declaration of Reciprocal Easements and Operating Covenants dated August 16, 1985, and recorded in Cook County, Illinois as Document No. 85149087.

30-19-300-028

E B D TTA

Property of Cook County Clerk's Office

P.L.N. ~~30-19-300-005~~  
~~30-19-301-003~~  
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## EXHIBIT "C" LEGAL DESCRIPTION

Lots 1 through 17, and Outlots A and D, being a part of The Landings Planned Unit Development, being a Subdivision of part of the South-west ½ of Section 19, Township 36 North, Range 15 East of the Third Principal Meridian, in Cook County, Illinois, subject to that certain Declaration of Reciprocal Easements and Operating Covenants dated August 16, 1985, and recorded in Cook County, Illinois as Document No. 05149087.

Property of Cook County Clerk's Office

DEPT-01 RECORDING \$17.00  
TR2222 TRAN 2756 02/16/88 09:11:00  
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COOK COUNTY RECORDER

9. I.N. 30-19-300-005  
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