

UNOFFICIAL COPY

88119668

ck1.22
3/15/88

MEMORANDUM OF LEASE

This Memorandum of Lease is made and entered into as of the ^{18th} ~~21st~~ day of March, 1988 by and between Amalgamated Trust and Savings Bank, a corporation of Illinois, not personally but solely as Trustee under Trust Agreement dated November 5, 1969 and known as Trust No. 2142 (the "Landlord") and Lincoln Village Investments Limited Partnership, an Illinois limited partnership (the "Tenant").

1. For valuable consideration, Landlord hereby acknowledges that it has, pursuant to that certain Lease of Ground and Improvements of even date herewith (the "Lease"), by and between Landlord and Tenant, leased to Tenant the real property situated in Cook County, Illinois, more particularly described on Exhibit "A" attached hereto (the "Premises") and all improvements constructed and located on the Premises, all of which are commonly known as the Lincoln Village Shopping Center.

2. The Lease provides for a term of sixty (60) years from its commencement date of March ~~21~~ 22, 1988 (the "Commencement Date"), and provides for such other terms and conditions as are specifically set forth and described therein.

3. Pursuant to the terms of the Lease, Landlord has granted to Tenant an irrevocable option to purchase fee simple title to the Premises (the "Option"). The Option is for a period of ten (10) years from the Commencement Date of the Lease and is subject to such other terms and conditions as are more specifically set forth in the Lease.

4. Pursuant to the terms of the Lease, Landlord has also granted to Tenant a right of first refusal (in addition to the Option), to purchase Landlord's fee simple interest in and to the Premises, which right of first refusal is in effect throughout the term of the Lease and is subject to those certain terms and conditions as are more specifically set forth in the Lease.

IN WITNESS WHEREOF, the parties have executed this Memorandum of Lease as of the date first written above.

LESSOR:

AMALGAMATED TRUST AND SAVINGS BANK, as Trustee aforesaid

By: Edward O. August
Its: _____

ATTEST: Christine H. Hearn
Its: Trust Dept.

LESSEE:

LINCOLN VILLAGE INVESTMENTS LIMITED PARTNERSHIP, an Illinois partnership

By: TOMASZ/SHIDLER INVESTMENT CORPORATION, an Illinois corporation, its general partner

By: Michael T. Tomasz
Michael T. Tomasz, President

This instrument is executed by AMALGAMATED TRUST AND SAVINGS BANK not personally but solely as Trustee, as aforesaid. All the covenants and conditions to be performed hereunder by AMALGAMATED TRUST AND SAVINGS BANK are prescribed by a trust agreement and amendments thereto, and no part of the same is to be construed as operating against AMALGAMATED TRUST AND SAVINGS BANK or any of its officers and directors, representatives or agents in any way in this instrument.

after recording:

Please Return To: Josie Carlson
Ticor Title Insurance Company
by West Washington Street
Chicago, IL 60602 RE:

BOX 15
NTS JC

DRAFTED BY AM RETURN TO:
NATGELBOG & BENICK
303 W. MADISON
CHICAGO, IL 60606

PROPERTY ADDRESS: 6100 N. LINCOLN AVE
CHICAGO IL 60659
P.F.N. 13-02-220-027 ; 13-02-220-028

N24-16065-14/235638 Card Co., Ill.

88119668

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

EXHIBIT "A"

That part of the North East Fractional 1/4 of Section 02, Township 40 North, Range 13 East of the Third Principal Meridian described as follows:

Beginning at the intersection of the West line of the right of way of the Sanitary District of Chicago and the center line of Lincoln Avenue as formerly located, thence Northwestwardly along the center line of Lincoln Avenue as formerly located 1200 feet; thence Northeastwardly on a line at right angles to said center line of Lincoln Avenue, 168.8 feet; thence East 679.5 feet to said West line of the right of way of the Sanitary District of Chicago, thence Southerly along the West line of said right of way 918.73 feet to the point of beginning (except that part lying Southwestwardly of a line 83 feet Northeastwardly of and parallel to the Southerly or Southwestwardly line of Lincoln Avenue as formerly located) and excepting that part of the premises in question described as follows:

That part of the North East 1/4 of Section 02, Township 40 North, Range 13 East of the Third Principal Meridian described as follows:

Commencing at the intersection of the center line of Lincoln Avenue and the center line of Kimball Avenue extended North, thence Northwestwardly 20.90 feet along the center line of Lincoln Avenue to a point; thence Northeastwardly 50 feet along a line forming an angle of 90 Degrees with the last described course, to a point on the Northeastwardly right of way line of Lincoln Avenue, which is the point of beginning, beginning at aforesaid described point, thence Northeastwardly 118.80 feet, along a line forming an angle of 90 Degrees with the Northeastwardly right of way line of Lincoln Avenue to a point; thence Easterly 93.56 feet along a line forming an angle of 49 Degrees 16 Minutes to the right with a prolongation of said last described course to a point; thence Southwestwardly 178.85 feet along a line forming an angle of 130 Degrees 44 Minutes to the right with a prolongation of said last described course to a point on the Northeastwardly right of way line of Lincoln Avenue; thence Northwestwardly 70.90 feet along the Northeastwardly right of way line of Lincoln Avenue to the point of beginning, as condemned for Kimball Avenue on petition of the City of Chicago filed July 6, 1933, Case 8-271453 Circuit Court of Cook County, Illinois.

88119668

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

Rider attached to Memorandum of Lease

Dated: March 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. 7142

By: Edward C. Sweigard
Vice President

ATTEST:

Sally Doubet King
Assistant Secretary

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

I, BARBARA JEAN 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 DOUBET KING 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.

78119668

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

GIVEN under by hand and Notarial Seal
This 21 day of March, 1988

Barbara Jean Scales
Notary Public

MY COMMISSION EXPIRES: _____

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

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 Michael T. Tomasz, the President of Tomasz/Shidler Investment Corp., an Illinois corporation, a general partner of Lincoln Village Investments Limited Partnership personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed, sealed and delivered the said instrument as this free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 21st day of March, 1988.

Commission Expires: 10/25/89

Linda L. Rockwell

 Notary Public

Property of Cook County Clerk's Office

DEPT-01 \$16.00
 T43333 TRAM 3254 03/23/88 11:56:00
 \$7961.50 C * -88-119668
 COOK COUNTY RECORDER

-88-119668

88119668

146

UNOFFICIAL COPY

Property of Cook County Clerk's Office