

# UNOFFICIAL COPY

14493.43  
HAWT18  
07/08/87

89107269

## MEMORANDUM OF LEASE

THIS MEMORANDUM OF LEASE, made and entered into as of the 29th day of June, 1988, by and between AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, not personally, but solely as Trustee under Trust Agreement dated May 26, 1987, and known as Trust No. 102624-00, c/o WOODLAWN INVESTMENTS, INC., 3400 Carlisle, Suite 400, Dallas, Texas 75204, hereinafter called "Lessor," and LONG JOHN SILVER'S, INC., a corporation organized under the laws of the State of Delaware, authorized to do business in the State of Illinois as Long John Silver's Seafood Shoppe, having its principal office at 101 Jerrico Drive, P.O. Box 11988, Lexington, Kentucky 40579, hereinafter called "Lessee."

1. The Lessor, in consideration of the rents reserved and agreed to be paid by Lessee, and of the covenants, agreements, conditions and understandings to be performed and observed by Lessee, all as more fully set out in a Lease executed by Lessor and Lessee and dated the 25th day of April, 1988, hereby lets, leases and conveys to the Lessee a certain parcel of land located in the Town of Cicero, County of Cook, State of Illinois, which property is more particularly described on Exhibit A attached hereto, made a part hereof and incorporated herein by this reference.

2. The term of this Lease commenced on June 29th, 1988, and terminates twenty (20) years after said commencement date.

3. Lessee may, at its option, extend the Lease for four (4) successive five (5) year renewals as set forth in the Lease.

4. This Memorandum of Lease is subject to all of the terms, conditions and understandings set forth in the above-mentioned Lease between the Lessor and Lessee, which Lease is incorporated herein by reference and made a part hereof, as fully as though copied verbatim herein.

IN WITNESS WHEREOF, the parties hereto have executed this Memorandum of Lease on the day and year first above written.

Instrument Prepared by

Jonathan Oviatt  
Mass & Barnett  
4800 Northwest Center  
Minneapolis, MN 55402

### LESSOR:

AMERICAN NATIONAL BANK AND TRUST COMPANY  
OF CHICAGO, not personally but solely as  
Trustee pursuant to Trust Agreement  
dated May 26, 1987, and known as Trust  
No. 102624-00.

By [Signature]  
Its [Signature] Asst Secy

This instrument is executed by AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, not personally but solely as Trustee, as aforesaid. All the covenants and conditions to be performed hereunder by AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, not personally but solely as Trustee, as aforesaid, and all the covenants, agreements, conditions and understandings to be performed and observed by Lessee, which Lease is incorporated herein by reference and made a part hereof, as fully as though copied verbatim herein.

Box 15

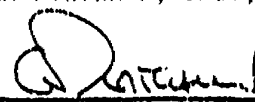
# UNOFFICIAL COPY

14493.43  
HAWT18  
07/08/87

LESSEE:

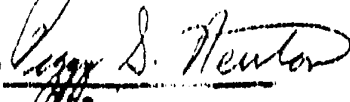
LONG JOHN SILVER'S, INC., a Delaware corporation

By

  
Its Gerald W. Deitchle  
Senior Vice President, Finance

ATTEST:

By

  
Peggy S. Newton  
Secretary

Property of Cook County Clerk's Office

89107269

UNOFFICIAL COPY

Property of Cook County Clerk's Office

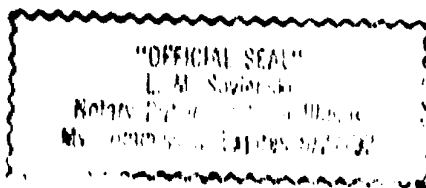
# UNOFFICIAL COPY

14493.43  
HAWT18  
07/08/87

STATE OF ILLINOIS )  
 ) ss.  
COUNTY OF COOK )

I, L. M. SOVIENSKI, a Notary Public in and for said County in the State aforesaid, DO HEREBY CERTIFY THAT T. J. JOHNSON of the American National Bank and Trust Company of Chicago, and Robert H. Johnson of said Bank, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such and respectively, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their own free and voluntary act, and as the free and voluntary act of said Bank for the uses and purposes therein set forth; and the said Robert H. Johnson did also then and there acknowledge that he, as custodian of the corporate seal of said Bank, did affix the said corporate seal of said Bank to said instrument as his own free and voluntary act and as the free and voluntary act of said Bank, for the uses and purposes therein set forth.

Given under my hand and notarial seal this FEB 21 1989 day of 19.



L. M. Sovienksi  
Notary Public

My Commission Expires:

STATE OF KENTUCKY )  
 ) ss.  
COUNTY OF FAYETTE )

On this 19th day of April, 1988, before me came Donald R. [Signature], to me known to be the person who, as Donald R. [Signature], President of Long John Silver's, Inc., the corporation described in and which executed the foregoing instrument, signed the same and acknowledged to me that he did so sign said instrument in the name and on behalf of said corporation as such officer; and the free act and deed of said corporation; that he is duly authorized by the Board of Directors; and that the seal affixed to said instrument is the corporate seal of said corporation.

Linda S. Peling  
Notary Public

My Commission Expires:

11-1-88

89107269

## UNOFFICIAL COPY

EXHIBIT A

## PARCEL 1:

THAT PART OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SECTION 27, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:  
COMMENCING AT THE POINT OF INTERSECTION OF THE EAST LINE OF SOUTH CICERO AVENUE (BEING A LINE 33.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID NORTHWEST 1/4) AND THE SOUTH LINE OF CERMAK ROAD (BEING A LINE 75.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID NORTHWEST 1/4); THENCE SOUTH 89 DEGREES 42 MINUTES 07 SECONDS EAST, ALONG SAID SOUTH LINE OF WEST CERMAK ROAD 494.51 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE SOUTH 0 DEGREES 02 MINUTES 01 SECONDS EAST ALONG A LINE 494.50 FEET EAST OF AND PARALLEL WITH SAID EAST LINE OF SOUTH CICERO AVENUE 193.02 FEET; THENCE NORTH 89 DEGREES 57 MINUTES 59 SECONDS EAST ALONG A LINE PERPENDICULAR TO THE LAST DESCRIBED LINE 110.00 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY 23.56 FEET ALONG THE ARC OF A CIRCLE CONVEX TO THE SOUTHWEST, HAVING A RADIUS OF 15.00 FEET AND WHOSE CHORD BEARS NORTH 44 DEGREES 57 MINUTES 59 SECONDS EAST 21.21 FEET TO A POINT OF TANGENCY; THENCE NORTH 0 DEGREES 02 MINUTES 01 SECONDS WEST ALONG A LINE 619.50 FEET EAST OF AND PARALLEL WITH SAID EAST LINE OF SOUTH CICERO AVENUE A DISTANCE OF 177.29 FEET TO A POINT ON SAID SOUTH LINE OF WEST CERMAK ROAD; THENCE NORTH 89 DEGREES 42 MINUTES 07 SECONDS WEST, ALONG SAID SOUTH LINE, 125.00 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

AREA = 24,033.7 SQUARE FEET OR 0.5517 ACRES

DEF1-01 \$14.00  
T43333 TRAN 5177 03/10/89 15:40:00  
45982 & C \*-89-107269  
COOK COUNTY RECORDER

89107269

89107269