

UNOFFICIAL COPY

MEMORANDUM OF LEASE

89390204

MEMORANDUM OF LEASE, dated as of 22 June, 1989, between Ridge Road Partnership, an Illinois general partnership, having an address of 5225 Old Orchard Road, Suite 11, Skokie, Illinois 60077 ("Landlord"), and J. C. PENNEY COMPANY, INC., a Delaware corporation, having offices at 14841 North Dallas Parkway, Dallas, Texas 75240 ("Tenant"),

WITNESSETH:

For and in consideration of the sum of Ten Dollars and other valuable consideration paid by Tenant to Landlord, the receipt and sufficiency of which is hereby acknowledged:

1. Landlord by Indenture of Lease bearing even date herewith ("the Lease") has demised and leased to Tenant and Tenant has leased from Landlord, and Landlord hereby demises and leases to Tenant and Tenant hereby leases from Landlord, upon and subject to the terms, covenants and conditions set forth in the Lease certain premises (the "Demised Premises") consisting of approximately 2,000 square feet of floor area (as marked on Exhibit B attached hereto) within the Washington Park Center East, which Shopping Center land area is legally described on Exhibit A attached hereto; and Landlord by the Lease has granted, and Landlord hereby grants, to Tenant for the hereinafter stated lease term:

(a) the quiet and undisturbed possession of the Demised Premises and all easements and appurtenances appertaining thereto;

(b) an easement for the use, by Tenant, its customers, employees and invitees and the customers, employees and invitees of any subtenant of Tenant in common with Landlord and other tenants and occupants of space situated within the Entire Premises and their customers, employees and invitees, of the areas reserved for parking and an easement for the use of the sidewalks, aisles, malls, streets, driveways and other common facilities located within the Entire Premises without being required to pay any charge or fee whatsoever for the use.

TO HAVE AND TO HOLD the same for a term commencing the earlier of (i) the date Tenant opens the Demised Premises to the public for business or (ii) the date which is sixty (60) days after the Landlord delivers to Tenant possession of the Demised Premises in the condition required by the Lease and terminating five (5) years from the first day of the first month immediately following such commencement date or the date which is five (5) years from the commencement date if such date is the first day of the month.

2. Landlord by the Lease has granted, and Landlord hereby grants to Tenant, one option to extend such lease term, for an additional period of five (5) years, from the date upon which such term would otherwise expire, such option to be exercised by Tenant's notifying Landlord of such exercise in the manner specified in the Lease at least six (6) months before the beginning of the additional period for which such term is to be so extended and such extension to be upon and subject to the terms, covenants and conditions stated in the Lease.

The parties hereto by reference incorporate herein all the terms, covenants, and conditions contained in the Lease and agree to observe, conform to and comply with such terms, covenants and conditions on the part of each to be observed and performed. For a complete statement of the rights, privileges and obligations created under and by said instrument and of the terms, covenants and conditions contained therein, reference is hereby made to the Lease.

DEPT-01 \$15.00
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#0474 E *-89-390204
COOK COUNTY RECORDER

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IN WITNESS WHEREOF, Landlord and Tenant have caused this Memorandum of Lease to be duly executed and sealed as of the day and year first above written.

RIDGE ROAD PARTNERSHIP, an
Illinois General Partnership

By: *Joel H. Cohen*
Joel H. Cohen
General Partner

By: *Daniel Benzaquen*
Daniel Benzaquen
General Partner

ATTEST:

Constance Winters
Assistant Secretary

J. C. PENNEY COMPANY, INC.

By: *Robert J. Keller*
~~Director of Real Estate~~
~~Operations~~ **VICE PRESIDENT**
KL
ATTORNEY

893390204

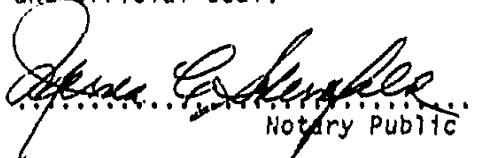
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STATE OF Illinois
COUNTY OF Cook } ss.

On this the 22 day of June, 1989, before me, a Notary Public duly authorized in and for the said County in the State aforesaid to take acknowledgments, personally appeared Joel H. Cohen, to me known and known to me to be a General Partner of Ridge Road Partnership, the partnership described in the foregoing instrument, and acknowledged that as such partner, being authorized so to do, he executed the foregoing instrument on behalf of said partnership by subscribing the name of such partnership by himself as such partner as his free and voluntary act, and as the free and voluntary act of said partnership for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

My Commission Expires:  "OFFICIAL SEAL"
MERNA C. BTERNFELD
Notary Public, State of Illinois
My Commission Expires 7/28/92

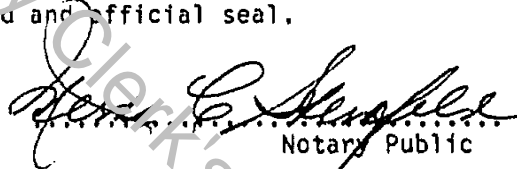

Notary Public

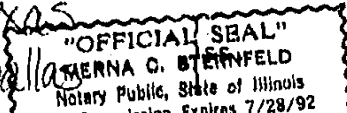
STATE OF Illinois
COUNTY OF Cook } ss.

On this the 22 day of June, 1989, before me, a Notary Public duly authorized in and for the said County in the State aforesaid to take acknowledgments, personally appeared Daniel Benzaquen, to me known and known to me to be a General Partner of Ridge Road Partnership, the partnership described in the foregoing instrument, and acknowledged that as such partner, being authorized so to do, he executed the foregoing instrument on behalf of said partnership by subscribing the name of such partnership by himself as such partner as his free and voluntary act, and as the free and voluntary act of said partnership for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

My Commission Expires:
.....


Notary Public

STATE OF Texas
COUNTY OF Dallas } ss.
 "OFFICIAL SEAL"
MERNA C. BTERNFELD
Notary Public, State of Illinois
My Commission Expires 7/28/92

This instrument was acknowledged before me on the 1st day of August, 1989 by Michael Lowenkron, Director of Real Estate Operations of J. C. PENNEY COMPANY, INC., a Delaware corporation, on behalf of said corporation.

ROBERT J. KELLER
VICE PRESIDENT

 CAROL JEAN MILDEBRANDT
MY COMMISSION EXPIRES
November 14, 1992


Notary Public, State of Texas

893390204

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EXHIBIT A

LEGAL DESCRIPTION OF DEMISED PREMISES AND ENTIRE PREMISES

DEMISED PREMISES

The Demised Premises consists of approximately 2,000 square feet of floor area which is marked as J. C. Penney space on Exhibit B to this Memorandum of Lease, being a portion of the Entire Premises, and situated in the City of Homewood, County of Cook, and State of Illinois, said Entire Premises being more particularly described as follows:

ENTIRE PREMISES

Lots 1 and 2 in Richard Hoffman Subdivision being a Subdivision in the Northwest Quarter of the Southwest Quarter of the Southwest Quarter of Section 33, Township 36 North, Range 14 East of the Third Principal Meridian in Cook County, Illinois.

Property of Cook County Clerk's Office

Attached to and forming part of Memorandum of Lease, dated as of 22 June, 1989, by and between Ridge Road Partnership, an Illinois general partnership, as Landlord, and J. C. Penney Company, Inc., as Tenant, covering premises at Washington Park Center East.

Initialed for
identification
for Landlord:

By: [Signature].....

Initialed for
identification
for Tenant:

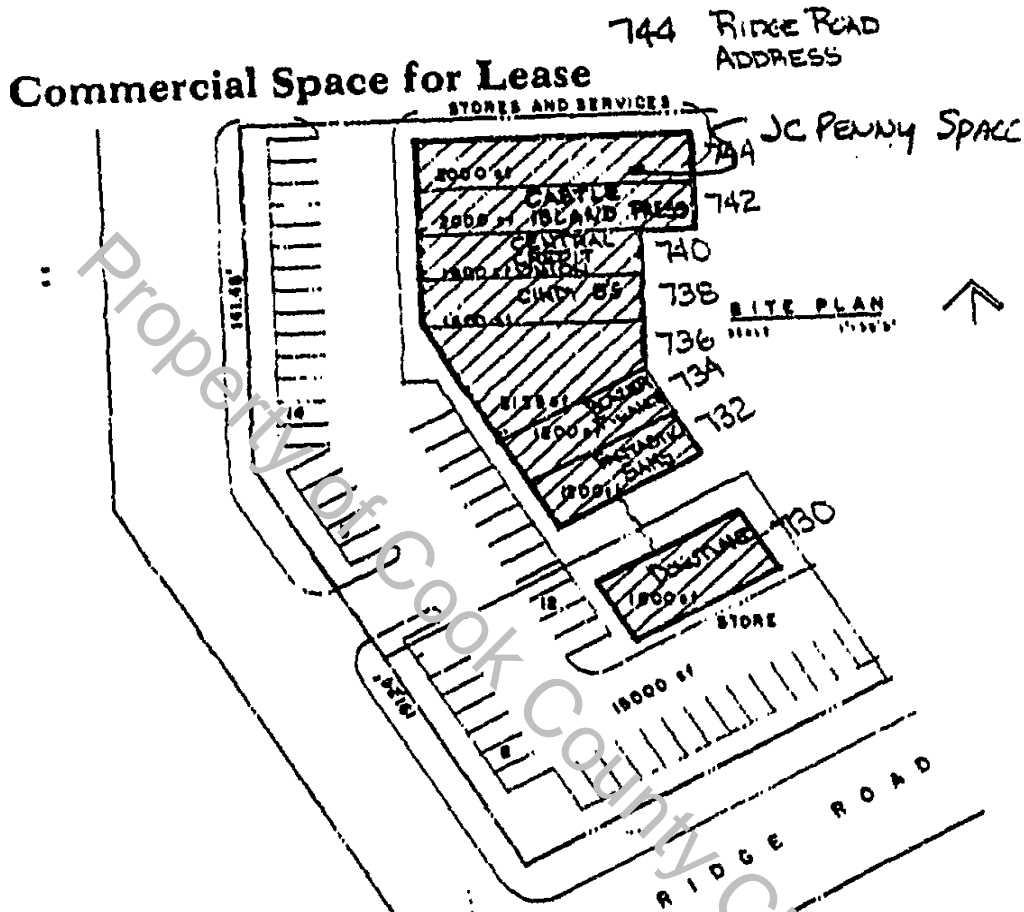
By: ka.....
Attorney

99330204

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EXHIBIT B

PLAT OF THE ENTIRE PREMISES



Attached to and forming part of Memorandum of Lease, dated as of 22 June, 1989, by and between Ridge Road Partnership, an Illinois general partnership, as Landlord, and J. C. Penney Company, Inc., as Tenant, covering premises at Washington Park Center East.

Initialed for identification for Landlord:

By [Signature]

Initialed for identification for Tenant:

By [Signature] Attorney

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Return Recorded Document To:
J. C. Penney Company Inc.
P. O. Box 2405
Dallas, Tx. 75221
Attention: Real Estate Department