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3. Successors. The covenants, conditions and agreements made and entered into by the parties hereto shall be binding upon and inure to the benefit of their respective

2. Exclusive Operation Privilege. The Lease provides that Tenant shall enjoy the sole and exclusive privilege in the shopping center located on the property (but only to the extent that Landlord or its beneficial or their affiliates own such property), to operate a pharmacy, drugstore and health and beauty aids store subject only to the rights of certain tenants of the shopping center as set forth in the Lease to engage in similar operations.

1. Term. The term of the Lease is for a period of fifteen years, commencing on the commencement date (as established in the Lease based upon the substantial completion of the improvements upon the property.) Thereafter, Tenant has the right under the Lease to renew and extend the term of the Lease for three (3) successive periods of five (5) years each.

Landlord and Tenant have entered into a Lease (the "Lease") dated 12/27/1989, whereby Landlord has leased to Tenant a portion of the real property (the "Property"), in the City of Chicago, Cook County, Illinois, the legal description of which Property is set forth on Exhibit "A" attached hereto. The Lease contains provisions and rights appurtenant to the Property, some of which are as follows:

WITNESSETH:

This Memorandum of Lease is made as of the 27th day of ~~the~~ 1989, between NBD TRUST COMPANY OF ILLINOIS, successor trustee to NBD Highland Park Bank, N.A., formerly known as First National Bank of Highland Park, not individually, but as Trustee under Trust Agreement known as Trust No. 4172/ whose address is c/o Imperial Realty Company, 4747 West Peterson Avenue, Chicago, Illinois 60646 (hereinafter referred to as "Landlord"), and PHAR-MOR, INC., a Pennsylvania corporation, with its principal place of business at 20 Federal Plaza West, Youngstown, Ohio 44503 (hereinafter referred to as "Tenant").

MEMORANDUM OF LEASE

90197307

DEPT-01 RECORDING  
143333 TRAN 5656 05/01/90 09:20:00  
#1935 # C \*--90-197307  
COOK COUNTY RECORDER

\$16.25

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Property of Cook County Clerk's Office

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heirs, administrators, executors, representatives, successors and assigns.

4. Miscellaneous. All the terms and conditions of the Lease are hereby incorporated herein by reference as if fully set forth herein.

This Memorandum of Lease is solely for notice and recording purposes and shall not be construed to alter, modify, expand, diminish or supplement the provisions of the Lease. In the event of any inconsistency between the provisions of this Memorandum of Lease and the provisions of the Lease, the provisions of the Lease shall govern.

This Memorandum of Lease is executed by the undersigned trustee, NBD Trust Company of Illinois, successor trustee to NBD Highland Park Bank, N.A., formerly known as First National Bank of Highland Park (the "Bank"), not individually but solely as trustee under a Trust Agreement known as Trust No. 4172//3 and it is expressly understood and agreed by the parties hereto, anything contained herein to the contrary notwithstanding, that each and all of the covenants, undertakings, representations and agreements herein made are made and intended, not as personal covenants, undertakings, representations and agreements of the Bank, individually, or for the purpose of binding it personally, but this Memorandum of Lease is executed and delivered by the trustee solely in the exercise of the powers conferred upon it as such trustee under said agreements and no personal liability or personal responsibility is assumed by, nor shall at any time be asserted or enforced against Bank or the beneficiary of said trusts on account hereof, or on account of any covenant, undertaking, representation, warranty or agreement herein contained, either expressed or implied, all such personal liability, if any, being hereby expressly waived and released by the parties hereto, and by all persons claiming by or through or under said parties, Landlord, and anyone claiming by, through or under Landlord and any successor to Landlord's interest hereunder and under the Lease, shall look solely to the assets of said trusts.

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NBD TRUST COMPANY OF ILLINOIS Successor  
Trustee to NBD Highland Park Bank, N.A.  
formerly known as First National Bank of Highland Park

IN WITNESS WHEREOF, this Memorandum of Lease has  
been duly executed by the parties hereto as of the day and  
year first above written.

NBD TRUST COMPANY OF ILLINOIS,  
successor trustee to NBD  
Highland Park Bank, N.A., not  
individually, but as Trustee  
under Trust Agreement known  
as Trust No. 4172-HP

ATTEST:

*Frances W. Wright*  
Its ASSISTANT SECRETARY

By:

*William H. Keenan*  
Its PRESIDENT & TRUST DIRECTOR

PHAR-MOR, INC., a Pennsylvania  
corporation,

ATTEST:

*Christy Johnson*  
Its CHIEF FINANCIAL OFFICER  
ASSISTANT SECRETARY

By:

*Richard H. Nishi*  
Its RICHARD H. NISHI  
VICE PRESIDENT

Instrument drafted by and  
when recorded return to:

Michael Z. Margolies, Esq.  
JENNER & BLOCK  
One IBM Plaza  
Chicago, Illinois 60611

KMR9616A-348/mer

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IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Court at Chicago, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Clerk of the Court

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001939A

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STATE OF Illinois )  
COUNTY OF Lake )

NBD TRUST COMPANY OF ILLINOIS Successor  
Trustee to NBD Highland Park Bank, N.A.  
formerly known as First National Bank of Highland Park

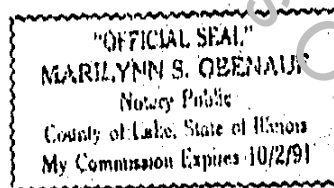
I, MARILYNN S. OBENAUF a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that William H. Killeen personally known to me to be the VICE-President of NBD TRUST COMPANY OF ILLINOIS, successor trustee to NBD Highland Park Bank, N.A. a national banking association, as Trustee as aforesaid, and Bachale Wright personally known to me to be the ASST-Secretary of said bank, and personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that as such VICE-President and ASST-Secretary, they signed and delivered the said instrument as VICE-President and ASST-Secretary of said bank, and caused the corporate seal of said bank to be affixed thereto, pursuant to authority given by the Board of Directors of said bank as Trustee as aforesaid, as their free and voluntary act, and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 9th day of August, 1989.

Marilynn S. Obenauf  
Notary Public

My commission expires:

10/2/91



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2025/03/04



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STATE OF PENNSYLVANIA )  
 )  
COUNTY OF ALLEGHENY )

I, Josephine L. McCordle, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Richard H. Nantz, personally known to me to be the Vice -President of PHAR-MOR, INC., a Pennsylvania corporation, and Clarey J. Tompa, personally known to me to be the secretary of said corporation and personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that they signed and delivered the said instrument as Vice -President and Asst. -Secretary of said corporation, pursuant to authority given by the Board of Directors of said corporation, as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 6th day of September, 1989.

Josephine L. McCordle  
Notary Public

My commission expires:

Notary Public  
Josephine L. McCordle  
My Commission Expires on 20, 1993  
Member, Pennsylvania Association of Notaries

Clerk's Office

90197307

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M2M96592

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Chicago, Illinois

4600 West DIVERSEY

Street Address:

13-27-110-039; 040; 13-27-102-001; 002;  
003; 004; 005; 006; 007; 008; 009  
13-27-102-010; 13-27-103-001; 002; 003;  
005; 007; 010

Permanent Index Numbers:

The East 1/2 of the South West 1/4 of  
the North West 1/4 (except the North 33  
feet thereof) and except the West 169  
feet of the North 1/2 thereof and except  
that part conveyed from right of way of  
the Chicago and Northwestern Railroad  
and except the West 33 feet and except  
the North 33 feet of the West 169 feet  
of the South 1/2 (except Diversey  
Avenue) in Section 27, Township 40  
North, Range 13 East of the Third  
Principal Meridian, in Cook County,  
Illinois.

Also,

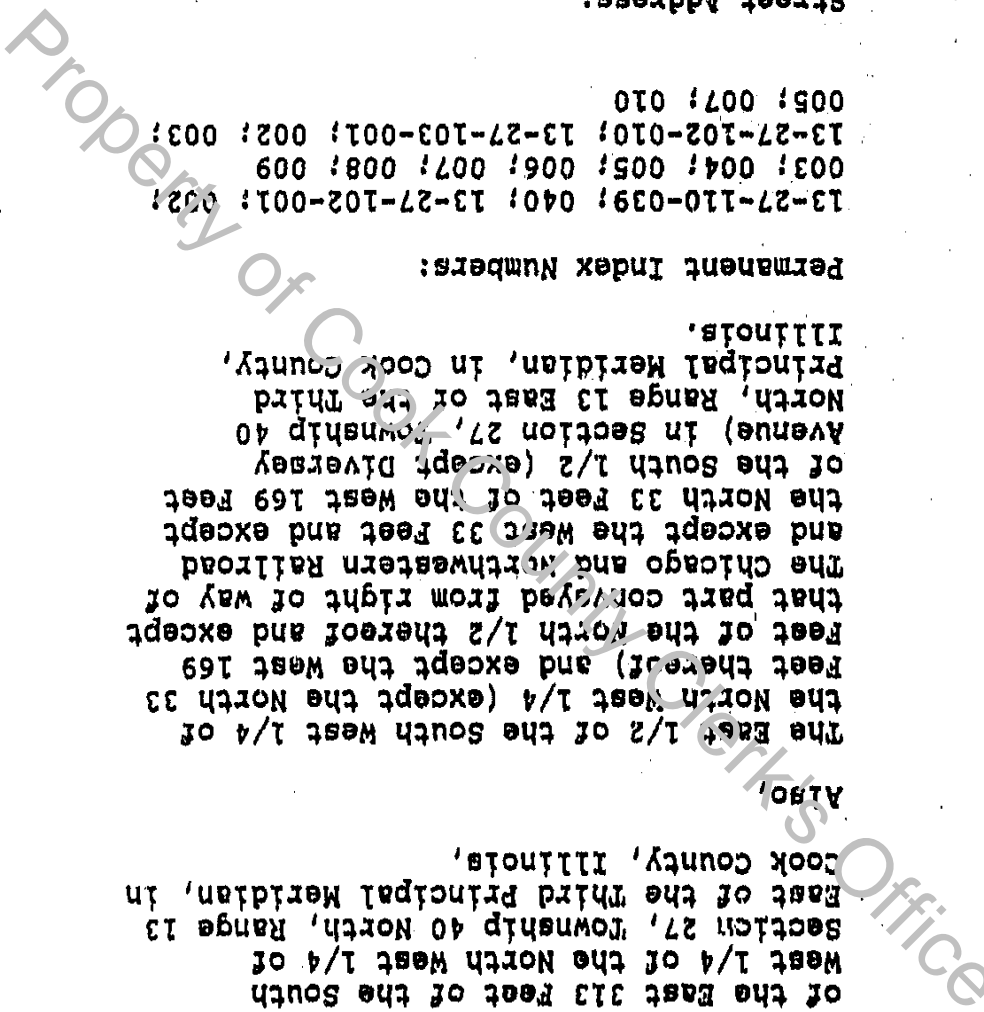
The North 33 feet of the West 213 feet  
of the East 313 feet of the South  
West 1/4 of the North West 1/4 of  
Section 27, Township 40 North, Range 13  
East of the Third Principal Meridian, in  
Cook County, Illinois,

Also,

The South 80 feet of the West 213 feet  
of the East 313 feet of the North  
West 1/4 of the North West 1/4 of  
Section 27, Township 40 North, Range 13  
East of the Third Principal Meridian, in  
Cook County, Illinois.

LEGAL DESCRIPTION

EXHIBIT "A"



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11/27/2011