

UNOFFICIAL COPY

90324574

LEASE

90324574

THIS INDENTURE, made and entered into this 12th day of December, 1989, by and between AMERICAN NATIONAL BANK & TRUST COMPANY, as Trustee under Trust No. 109606-07, dated November 10, 1989, owner of the herein described premises, and hereinafter designated as "Landlord" and EAGLE FOOD CENTERS, INC., a Delaware corporation, hereinafter designated as "Tenant."

W I T N E S S E T H :

Landlord hereby leases, demises and lets unto Tenant, and Tenant hereby leases and takes from Landlord, a portion of that certain real property situated in the City of Country Club Hills, County of Cook, State of Illinois, more particularly described in Exhibit A attached hereto and made a part hereof, which portion is shown as cross-hatched on the plat which is Exhibit B, attached hereto and made a part hereof.

This lease is made upon all the terms and conditions set forth in that certain lease agreement of even date herewith between Landlord and Tenant relating to said property, all of which terms and conditions are made a part hereof.

The term of this lease shall be twenty (20) years commencing on the opening of Tenant's store on the demised premises or sixty (60) days after delivery of possession of the premises to Tenant, whichever first occurs.

This lease also grants to Tenant the option to extend the term thereof for five (5) consecutive terms of five (5) years each, upon notice from Tenant to Landlord as therein provided.

This lease also grants to Tenant, its customers and invitees certain parking privileges, and contains restrictions affecting the ratio between the parking area and the building area, the operation of business enterprises competitive with Tenant herein, and establishes requirements concerning the nature of construction of buildings, on the real property described in Exhibit A hereto.

IN WITNESS WHEREOF upon the day and year first hereinabove written, the respective parties hereto have executed these presents personally, or by officers or agents thereunto duly authorized.

LANDLORD

AMERICAN NATIONAL BANK & TRUST COMPANY, as Trustee under Trust No. 109606-07

ATTEST:

By: [Signature]

Its [Signature]

By: [Signature]

Its [Signature]

TENANT

EAGLE FOOD CENTERS, INC., a Delaware corporation

By: [Signature]

Its [Signature]

This instrument is executed by the undersigned Land Trustee, not personally but solely as Trustee in the exercise of the power and authority conferred upon and vested in it as such Trustee. It is expressly understood and agreed that all of the warranties, indemnities, representations, covenants, conditions and agreements herein made on the part of the Trustee are undertaken by it solely in its capacity as Trustee and not personally. No personal liability or personal responsibility is assumed by or shall at any time be asserted or enforceable against the Trustee on account of any warranty, indemnity, representation, covenant, undertaking or agreement of the Trustee in this instrument.

THIS INSTRUMENT WAS PREPARED BY: & Return to:
WILLIAM J. SNYDER
P.O. BOX 3700
ROCK ISLAND, IL 61204-3700
(309) 786-8497

90324574

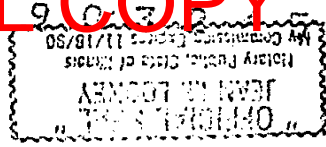
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ENCLOSURE

Property of Cook County Clerk's Office

(309) 786-8851
ROCK ISLAND, IL 61204-3100
P.O. BOX 3100
WILLIAM J. SHYDER
THIS INSTRUMENT WAS PREPARED BY:

UNOFFICIAL COPY



7 4

NOTARY PUBLIC
Jean M. Looney

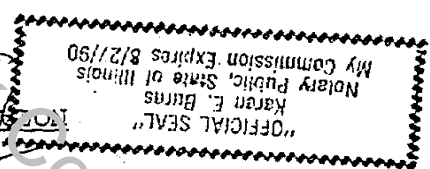
Given under my hand and notarial seal this 13th day of December, A.D. 1989.

The undersigned, a Notary Public in and for the County and State aforesaid, DOES HEREBY CERTIFY that Michael Whelan, personally known to me to be the of EAGLE FOOD CENTERS, INC., a Delaware corporation, and 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 severally acknowledged that he signed and delivered the said instrument as Michael Whelan of said Corporation, and caused the corporate seal of said Corporation to be affixed thereto, pursuant to authority given by the Board of Directors of said Corporation, as his free and voluntary act and as the free and voluntary act and deed of said Corporation for the uses and purposes therein set forth.

STATE OF ILLINOIS)
COUNTY OF ROCK ISLAND)
SS)

90324574

COOK COUNTY RECORDER
1585 F * 90-324574
TRAN 0698 07/06/90 13:25:00



NOTARY PUBLIC
Karen E. Burns

GIVEN under my hand and notarial seal this 19 day of December, A.D. 1989.

The undersigned, a Notary Public in and for the County and State aforesaid, DOES HEREBY CERTIFY that Michael Whelan, personally known to me to be the of AMERICAN NATIONAL BANK AND TRUST COMPANY OF ILLINOIS, as Trustee under a Trust Agreement dated 12/15/89 and known as Trust Number 12/15/89 and Antia M. Lutkus, personally known to me to be the ASSISTANT SECRETARY, and Antia M. Lutkus, personally known to me to be the VICE PRESIDENT, they signed and delivered the said instrument as Antia M. Lutkus and Antia M. Lutkus 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 aforesaid, as their free and voluntary act and as the free and voluntary act and deed of said bank, for the uses and purposes therein set forth.

COOK COUNTY RECORDER
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TRAN 0698 07/06/90 13:25:00

STATE OF ILLINOIS)
COUNTY OF ROCK ISLAND)
SS)

Antia M. Lutkus

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That part of Block 20, vacated Flossmoor Parkway and Park Avenue and the Public Park bounded by Solert Drive, Flossmoor Parkway and Park Avenue, bounded and described as follows: Commencing at a point in the South line of Block 14 which point is 140.00 feet West of the Southeast corner of said Block 14; thence North 355.00 feet parallel with the West line of Crawford Avenue, to the point of beginning of the property herein described; thence North 89°-59'-04" West 347.20 feet parallel with the North line of 183rd Street, to the Southeast line of Solert Drive; thence Northeastly 96.63 feet along said Southeastly line being the arc of a circle of 520.00 feet radius convex

and also:

That part of Block 14 bounded and described as follows: Beginning at a point in the South line of said Block 14 which point is 140.00 feet West of the Southeast corner of said Block 14; thence North 130.00 feet parallel with the West line of Crawford Avenue; thence South 89°-59'-04" East 200.00 feet; thence South 130.00 feet, to the herein designated point of beginning; all in Flossmoor Terrace, being a subdivision of part of the Southeast 1/4 of Section 34, Township 36 North, Range 13 East of the Third Principal Meridian, in Cook County, Illinois.

and also:

That part of Block 14 and of vacated Flossmoor Parkway bounded and described as follows: Beginning at a point in the South line of said Block 14 which point is 70.00 feet West of the Southeast corner of said Block 14; thence North 0°-01'-29" East 130.00 feet parallel with the East line of said Block 14; thence South 89°-59'-04" East 100.00 feet parallel with said South line of Block 14, to the center line of said vacated Flossmoor Parkway; thence South 0°-01'-29" West 130.00 feet along said center line, to the North line of 183rd Street; thence North 89°-59'-04" West 100.00 feet, to the herein designated point of beginning; all in Flossmoor Terrace, being a subdivision of part of the Southeast 1/4 of Section 34, Township 36 North, Range 13 East of the Third Principal Meridian, in Cook County, Illinois.

and also:

That part of Block 14, 20, 21, 22, various vacated streets adjoining said blocks, and the Public Park bounded by Solert Drive, Flossmoor Parkway and Park Avenue, bounded and described as follows: Beginning at a point in the South line of said Block 21, said point being 200.00 feet West of the Southeast corner of said Block 21; thence North 89°-59'-04" West 330.00 feet along said South line of Block 21, to the Southeast corner of Lot 25 in said Block 21; thence North 0°-01'-29" East 130.00 feet along the East line of said Lot 25 and said East line extended, to the North line of the South 1/2 of the vacated alley lying North of and adjoining said Lot 25, thence North 89°-59'-04" West 184.31 feet along said North line of the South 1/2 of the vacated alley; thence South 0°-01'-29" West 130.00 feet, to the South line of said Block 14; thence North 89°-59'-04" West 70.00 feet along said South line; thence North 525.00 feet parallel with the West line of Crawford Avenue; thence North 61°-28'-42" East 230.25 feet; thence South 89°-59'-04" East 582.00 feet, to said West line of Crawford Avenue; thence South 435.00 feet along said West line; thence North 89°-59'-04" West 200.00 feet; thence South 200.00 feet, to the herein designated point of beginning; all in Flossmoor Terrace, being a subdivision of part of the Southeast 1/4 of Section 34, Township 36 North, Range 13 East of the Third Principal Meridian, in Cook County, Illinois.

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COOK COUNTY RECORDER

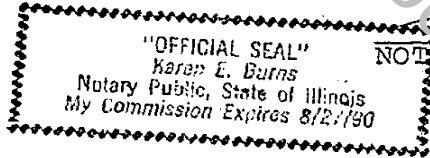
STATE OF Ill)
COUNTY OF Cook) SS

DEPT-01 RECORDING 1118.00
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#1585 # F *-90-324574
COOK COUNTY RECORDER

The undersigned, a Notary Public in and for the County and State aforesaid, DOES HEREBY CERTIFY that J. MICHAEL WHELAR VICE PRESIDENT, personally known to me to be the _____ of _____ of American National Bank and Trust Company of Chicago, as Trustee under a Trust Agreement dated _____, and known as Trust Number _____ and Anita M. Lutkus ASSISTANT SECRETARY, personally known to me to be the _____ 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 ASSISTANT SECRETARY, they signed and delivered the said instrument as VICE PRESIDENT and ASSISTANT 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 aforesaid, as their free and voluntary act and as the free and voluntary act and deed of said Bank, for the uses and purposes therein set forth.

DEC 05 1989

GIVEN under my hand and notarial seal this _____ day of _____, A.D., 19 _____



[Handwritten Signature]
NOTARY PUBLIC

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COOK COUNTY RECORDER

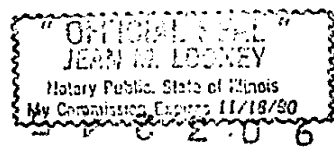
STATE OF ILLINOIS)
COUNTY OF ROCK ISLAND) SS



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The undersigned, a Notary Public in and for the County and State aforesaid, DOES HEREBY CERTIFY that Thomas J. Tuttle, personally known to me to be the President of EAGLE FOOD CENTERS, INC., a Delaware corporation, and 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 severally acknowledged that he signed and delivered the said instrument as President of said Corporation, and caused the corporate seal of said Corporation to be affixed thereto, pursuant to authority given by the Board of Directors of said Corporation, as his 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 12th day of December, A.D. 19 89.



[Handwritten Signature]
NOTARY PUBLIC
[Handwritten Signature]

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Property of Cook County Clerk's Office

EXHIBIT A

That part of Block 14, 20, 21, 22, various vacated streets adjoining said blocks, and the Public Park bounded by Soleri Drive, Flossmoor Parkway and Park Avenue, bounded and described as follows: Beginning at a point in the South line of said Block 21, said point being 200.00 feet West of the Southeast corner of said Block 21; thence North 89°-59'-04" West 330.00 feet along said South line of Block 21, to the Southeast corner of Lot 25 in said Block 21; thence North 0°-01'-29" East 130.00 feet along the East line of said Lot 25 and said East line extended, to the North line of the South 1/2 of the vacated alley lying North of and adjoining said Lot 25, thence North 89°-59'-04" West 184.31 feet along said North line of the South 1/2 of the vacated alley; thence South 0°-01'-29" West 130.00 feet, to the South line of said Block 14; thence North 89°-59'-04" West 70.00 feet along said South line; thence North 525.00 feet parallel with the West line of Crawford Avenue; thence North 61°-28'-42" East 230.25 feet; thence South 89°-59'-04" East 582.00 feet, to said West line of Crawford Avenue; thence South 435.00 feet along said West line; thence North 89°-59'-04" West 200.00 feet; thence South 200.00 feet, to the herein designated point of beginning; all in Flossmoor Terrace, being a subdivision of part of the Southeast 1/4 of Section 34, Township 36 North, Range 13 East of the Third Principal Meridian, in Cook County, Illinois.

and also;

That part of Block 14 and of vacated Flossmoor Parkway bounded and described as follows: Beginning at a point in the South line of said Block 14 which point is 70.00 feet West of the Southeast corner of said Block 14; thence North 0°-01'-29" East 130.00 feet parallel with the East line of said Block 14; thence South 89°-59'-04" East 100.00 feet parallel with said South line of Block 14, to the center line of said vacated Flossmoor Parkway; thence South 0°-01'-29" West 130.00 feet along said center line, to the North line of 183rd Street; thence North 89°-59'-04" West 100.00 feet, to the herein designated point of beginning; all in Flossmoor Terrace, being a subdivision of part of the Southeast 1/4 of Section 34, Township 36 North, Range 13 East of the Third Principal Meridian, in Cook County, Illinois

and also;

That part of Block 14 bounded and described as follows: Beginning at a point in the South line of said Block 14, which point is 140.00 feet West of the Southeast corner of said Block 14; thence North 89°-59'-04" West 200.00 feet along said South line of Block 14; thence North 130.00 feet parallel with the West line of Crawford Avenue; thence South 89°-59'-04" East 200.00 feet; thence South 130.00 feet, to the herein designated point of beginning; all in Flossmoor Terrace, being a subdivision of part of the Southeast 1/4 of Section 34, Township 36 North, Range 13 East of the Third Principal Meridian, in Cook County, Illinois.

and also;

That part of Block 20, vacated Flossmoor Parkway and Park Avenue and the Public Park bounded by Soleri Drive, Flossmoor Parkway and Park Avenue, bounded and described as follows: Commencing at a point in the South line of Block 14 which point is 140.00 feet West of the Southeast corner of said Block 14; thence North 355.00 feet parallel with the West line of Crawford Avenue, to the point of beginning of the property herein described; thence North 89°-59'-04" West 347.20 feet parallel with the North line of 183rd Street, to the Southeasterly line of Soleri Drive; thence Northeasterly 96.63 feet along said Southeasterly line being the arc of a circle of 520.00 feet radius convex



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• COOK COUNTY RECORDER

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Northwesterly, to a point of tangency; thence North 49°-20'-42" East 323.14 feet along the southeasterly line of said Solel Drive; thence South 89°-59'-04" East 237.30 feet; thence South 61°-28'-42" West 230.25 feet; thence South 170.00 feet, to the herein designated point of beginning; all in Blossmoor Terrace, being a subdivision of part of the Southeast 1/4 Section 34, Township 36 North, Range 13 East of the Third Principal Meridian in Cook County, Illinois.

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Property of Cook County Clerk's Office

LEASE

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THIS INDENTURE, made and entered into this 12th day of December, 1989, by and between AMERICAN NATIONAL BANK & TRUST COMPANY, as Trustee under Trust No. 109606-07, dated November 10, 1989, owner of the herein described premises, and hereinafter designated as "Landlord" and EAGLE FOOD CENTERS, INC., a Delaware corporation, hereinafter designated as "Tenant."

W I T N E S S E T H :

Landlord hereby leases, demises and lets unto Tenant, and Tenant hereby leases and takes from Landlord, a portion of that certain real property situated in the City of Country Club Hills, County of Cook, State of Illinois, more particularly described in Exhibit A attached hereto and made a part hereof, which portion is shown as cross-hatched on the plat which is Exhibit B, attached hereto and made a part hereof.

This lease is made upon all the terms and conditions set forth in that certain lease agreement of even date herewith between Landlord and Tenant relating to said property, all of which terms and conditions are made a part hereof.

The term of this lease shall be twenty (20) years commencing on the opening of Tenant's store on the demised premises or sixty (60) days after delivery of possession of the premises to Tenant, whichever first occurs.

This lease also grants to Tenant the option to extend the term thereof for five (5) consecutive terms of five (5) years each, upon notice from Tenant to Landlord as therein provided.

This lease also grants to Tenant, its customers and invitees certain parking privileges, and contains restrictions affecting the ratio between the parking area and the building area, the operation of business enterprises competitive with Tenant herein, and establishes requirements concerning the nature of construction of buildings, on the real property described in Exhibit A hereto.

IN WITNESS WHEREOF upon the day and year first hereinabove written, the respective parties hereto have executed these presents personally, or by officers or agents thereunto duly authorized.

LANDLORD

AMERICAN NATIONAL BANK & TRUST COMPANY, as Trustee under Trust No. 109606-07

ATTEST:

By: [Signature]
Its [Signature]

By: [Signature]
Its [Signature]

TENANT

EAGLE FOOD CENTERS, INC., a Delaware corporation

By: [Signature]
Its President

This instrument is executed by the undersigned Land Trustee, not personally but solely as Trustee in the exercise of the power and authority conferred upon and vested in it as such Trustee. It is expressly understood and agreed that all of the warranties, indemnities, representations, covenants, conditions and agreements herein made on the part of the Trustee are undertaken by it solely in its capacity as Trustee and not personally. No personal liability or personal responsibility is assumed by or shall at any time be asserted or enforceable against the Trustee on account of any warranty, indemnity, representation, covenant, undertaking or agreement of the Trustee in this instrument.

THIS INSTRUMENT WAS PREPARED BY: & Return to:
WILLIAM J. SNYDER
P.O. BOX 3700
ROCK ISLAND, IL 61204-3700
(309) 786-8497

90324574

UNOFFICIAL COPY

PROPERTY

Property of Cook County Clerk's Office

(302) 288-8423
ROCK ISLAND, IL 61204-3200
P.O. BOX 3200
WILLIAM J. SNYDER
THIS INSTRUMENT WAS PREPARED BY: