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Recording Requested by and When Recorded Return to:

Feiwell Galper & Lasky, Ltd. 30 North LaSalle Street Suite 2400 Chicago, Illinois 60602 Attention: Robert J. Lasky, Esq.

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COOK COUNTY RECORDER

MEMORANDUM OF OPTION TO PURCHASE AND LEASE

THIS MEMORANDUM OF OPTION TO PURCHASE ("Memorandum") is made as of this 19 day of June, 1990 by and between 4500 Kolin Limited Partnership, an Illinois limited partnership ("Seller") and Rogal Inc., a Illinois corporation, Colorcoat Corporation, an Illinois corporation, and Magnet Industries, Inc., an Illinois corporation (collectively, "Buyer").

The parties agree as follows:

- 1. Seller and Buyer have this date entered into that certain Land and Building Lease and Real Estate Option Agreement (the "Lease") providing for a lease term commencing on July 9, 1990 containing extensions that could extend the term until September 30, 2004 and Seller has further granted to Buyer an option to purchase that certain real property located in Cook County, Illinois, more particularly described on Exhibit "A" attached hereto and made a part hereof (the "Land") and all easements and rights appurtenant thereto, all as more particularly described in the Lease.
- 2. The parties have executed and recorded this Memorandum for the purpose of imparting notice of the Lease and the Option to Purchase and the respective rights and obligations of Buyer and Seller. The purchase price for the Land and other terms and conditions of the parties' agreement are set forth in the unrecorded Lease, all of the terms, covenants and conditions of which are incorporated herein by reference as though set forth fully herein. In the event of any inconsistency between the terms and conditions of the Lease, the terms and conditions of the Lease shall govern and control.
- 3. If the sale shall not have occurred prior to April 15, 1992, Buyer shall have no further rights to purchase the Land, and as to the Option to Purchase only, this Memorandum shall be null,

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void and be of no further force and effect and no person who thereafter acquires an interest in the Land shall take subject to or have any duty to inquire regarding the Option to Purchase.

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

4500 KOLIN LIMITED PARTNERSHIP, an Illinois limited partnership

4500 Kolin Corporation, an By:

Illinois Corporation

080 By:

DOOP COOP I ROGAL INC., an Illinois

corporation

By:

COLORCOAT CORPORATION an Jlings corporation

MAGNATE INDUSTRIES, INC.,

an Illinois corporation

UNOFFICIAL COPY ...

FILE NUMBER: 90-519

EXHIBIT A

SCHEDULE A CONTINUED

LEGAL DESCRIPTION:

PARCEL 1:

THAT PART OF LOT 'B' IN THE CIRCUIT COURT PARTITION OF THE SOUTH 1/2 AND THAT PART OF THE FORTH WEST 1/4 LYING SOUTH OF THE ILLINGIS AND MICHIGAN CANAL RESERVE OF SECTION 3, TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT OF SAID CIRCUIT COURT PARTITION RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS OF COOK COUNTY, ILLINOIS IN BOOK 67 OF PLATS PAGE 44 ON APRIL 29, 1897 AS DOCUMENT 2530529, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF WEST 45TH STREET (A PRIVATE STREET) SAID SOUTH LINE OF WEST ASTH STREET BEING 1,366.32 FEET SOUTH OF AND PARALLEL TO THE EAST AND WEST CENTER LINE OF SECTION 3 HEREINAFTER DEFINED, SAID POINT BEING 1.93 FEET EAST OF THE NORTH AND SOUTH CENTER LINE OF SECTION 3 (HEREINAFTER DEFINED); THENCE EAST ALONG SAID SOUTH LINE OF WEST 45TH STREET TO A POINT ON THE WIST LINE OF SOUTH KOLIN AVENUE (A PRIVATE STREET) SAID WEST LINE BEING 236.93 FEET EAST OF AND PARALLEL TO SAID NORTH AND SOUTH CENTER LINE OF SECTION 3; THENCE SOUTH ALONG SAID WEST LINE OF SOUTH KOLIN AVENUE TO A POINT IN A LINE 1,666.32 FEET SOUTH OF AND PARALLEL TO SAID EAST AND WEST CENTER LINE OF SECTION 3; THENCE WEST ALONG SAID LAST DESCRIBED PARALLEL LINE TO A POINT 201.07 FEET WEST OF THE SAID NORTH AND SOUTH CENTER LINE OF SECTION 3, THENCE NORTHEASTERLY ALONG A STRAIGHT LINE TO A POINT IN A LINE 1.93 FEET EAST OF AND PARALLEL TO SAID NORTH AND SOUTH CENTER LINE OF SECTION 3, SAID POINT BEING 1,644.22 FEET SOUTH OF SAID EAST AND WEST CENTER LINE; THENCE NORTH ADONG LAST DESCRIBED PARALLEL LINE 277.9 FEET MORE OR LESS TO THE POINT OF BEJINNING, IN COOK COUNTY, ILLINOIS.

ALSO

PARCEL 2:

THAT PART OF LOT 'B' IN CIRCUIT COURT PARTITION OF THE SOUTH 1/2 AND THAT PART OF THE NORTH WEST 1/4 LYING SOUTH OF THE ILLINOIS AND MICHIGAN CANAL RESERVE OF SECTION 3, TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID CIRCUIT COURT PARTITION RECORDED IN OFFICE OF RECORDS OF COOK COUNTY, ILLINOIS ON APRIL 29, 1897 IN BOOK 67 OF PLATS PAGE 44 AS DOCUMENT 2530529 BEING DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF WEST 45TH STREET (A PRIVATE STREET) SAID SOUTH LINE OF WEST 45TH STREET BEING 1,366.32 FEET SOUTH OF

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SCHEDULE A CONTINUED

AND PARALLEL TO EAST AND WEST CENTER LINE OF SECTION 3 SAID POINT BEING 458.07 FEET WEST OF THE NORTH AND SOUTH CENTER LINE OF SECTION 3; THENCE EAST ALONG SAID SOUTH LINE OF WEST 45TH STREET TO A POINT IN A LINE PARALLEL TO AND 1.93 FEET EAST OF SAID NORTH AND SOUTH CENTER LINE OF SECTION 3; THENCE SOUTH ALONG THE LAST DESCRIBED PARALLEL LINE TO A POINT 1,644.22 FEET SOUTH OF SAID EAST AND WEST CENTER LINE OF SECTION 3; THENCE SOUTHWESTERLY TO A POINT IN A LINE 1,666.32 FEET SOUTH OF AND PARALLEL TO SAID EAST AND WEST CENTER LINE OF SECTION 3, SAID POINT BEING 201.07 FEET WEST OF SAID NORTH AND SOUTH CENTER LINE OF SECTION 3; THENCE WEST ALONG LAST DESCRIBED PARALLEL LINE TO A POINT OF CURVE 552.97 FEET WEST OF SAID NORTH AND SOUTH CENTER LINE; THENCE NORTHWESTERLY ALONG A CURVE CONVEX TO THE SOUTH WEST HAVING A RADIUS OF 326.85 FEET, AN ARC DISTANCE OF 131.21 FEET MORE OR LESS TO A POINT OF COMPOUND CURVE 1,640.34 FEET SOUTH OF SAID EAST AND WEST CENTER LINE AND 680.53 FEET WEST OF SAID NORTH AND SOUTH CENTER LINE; THENCE CONTINUING NORTHWESTERLY ALONG A CURVE CONVEX TO THE SOUTH WEST HAVING A RADIUS OF 755.49 FEET AN ARC DISTANCE OF 65.93 FEET MORE OR LESS TO A POINT 1,611.96 FEET SOUTH OF SAID EAST AND WEST CENTER LINE AND 739.85 FEET WEST OF SAID NORTH AND SOUTH CENTER LINE; THENCE SOUTHEASTERLY ALONG A CURVE CONVEX TO THE SOUTH WEST HAVING A RADIUS OF 310.62 FEET, AN ARC DISTANCE OF 151.80 FEET MORE OR LESS TO A POINT IN A LINE PARALLEL TO AND 1,648.32 FFFT SOUTH OF SAID EAST AND WEST CENTER LINE SAID POINT BEING 594.24 FEET WEST OF SAID NORTH AND SOUTH CENTER LINE; THENCE EAST ALONG THE LAST DESCRIBED PARALLEL LINE TO A POINT IN A LINE PARALLEL TO AND 458.07 FEET WEST OF SAID NORTH AND SOUTH CENTER LINE; THENCE NORTH ALONG THE LAST DESCRIBED PARALLEL LINE TO THE PLACE OF BEGINNING; IN COOK COUNTY, ILLINOIS.

ALSO

PARCEL 3:

THAT PART OF LOT 'B' IN THE CIRCUIT COURT PARTITION OF THE SOUTH 1/2 AND THAT PART OF THE NORTH WEST 1/4 LYING SOUTH OF THE ILLINOIS AND MICHIGAN CANAL RESERVE OF SECTION 3, TOWNSHIP 38 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS ACCORDING TO THE PLAT OF SAID CIRCUIT COURT PARTITION RECORDED IN THE OFFICE OF THE RECORDER OF COOK COUNTY, ILLINOIS IN BOOK 67 OF PLATS PAGE 44 ON APRIL 29, 1897, AS DOCUMENT 2530529, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTH LINE OF WEST 45TH STREET (A PRIVATE STREET) AND A LINE PARALLEL TO AND 458.07 FEET WEST OF THE NORTH AND SOUTH CENTER LINE OF SAID SECTION 3, SAID PARALLEL LINE BEING THE WESTERLY BOUNDARY LINE OF THE LAND CONVEYED BY THE FIRST NATIONAL BANK OF CHICAGO TO THE THEN TRUSTEES OF THE CENTRAL MANUFACTURING DISTRICT BY DEED DATED JANUARY 7, 1947 AND RECORDED IN THE RECORDER'S OFFICE OF COOK COUNTY, ILLINOIS ON FEBRUARY 6, 1947 IN BOOK 41948 AT PAGE 150 AS DOCUMENT 13990515; THENCE SOUTH ALONG THE LAST DESCRIBED PARALLEL LINE TO ITS INTERSECTION WITH A LINE PARALLEL TO AND 1,648.32 FEET SOUTH OF THE EAST AND WEST CENTER LINE OF SAID SECTION 3; THENCE WEST ALONG THE LAST DESCRIBED PARALLEL LINE TO A POINT 594.24 FEET WEST OF SAID NORTH AND SOUTH CENTER LINE OF SECTION 3; THENCE NORTHWESTERLY ALONG A CURVE CONVEX TO THE

SCHEDULE A CONTINUED

SOUTH WEST, HAVING A RADIUS OF 310.62 FEET, AN ARC DISTANCE OF 151.80 FEET. MORE OR LESS, TO A POINT 1,611.96 FEET SOUTH OF SAID EAST AND WEST CENTER LINE OF SECTION 3 AND 739.85 FEET WEST OF SAID NORTH AND SOUTH CENTER LINE OF SECTION 3, THE TWO LAST MENTIONED COURSES BEING THE NORTHERLY AND NORTHEASTERLY BOUNDARY LINE, AT THIS POINT OF THE SAID LAND CONVEYED BY THE NATIONAL BANK OF CHICAGO TO THE THEN TRUSTEES OF MANUFACTURING DISTRICT BY DEED DATED JANUARY 7, 1947 AND RECORDED IN THE RECORDERS OFFICE OF COOK COUNTY, ILLINOIS, ON FEBRUARY 6, 1947 IN BOOK 41948 AT PAGE 150 AS DOCUMENT 13990515; THENCE CONTINUING NORTHWESTERLY ALONG SAID CURVE, CONVEX TO THE SOUTH WEST HAVING A RADIUS OF 310.62 FEET AN ARC DISTANCE OF 267.89 FEET MORE OR LESS TO ITS INTERSECTION WITH THE WESTERLY BOUNDARY LINE, AT THIS POINT, OF THE PARCEL OF LAND CONVEYED BY THE CHICAGO RIVER AND INDIANA RAILROAD COMPANY TO THE FIRST NATIONAL BANK OF CHICAGO, BY DEED DATED MARCH 6, 1951, AND RECORDED IN THE RECORDER'S OFFICE OF COOK COUNTY, ILLINOIS ON MARCH 8, 1951, IN BOOK 46556, AT PAGE 458 AS DOCUMENT 15026337, SAID POINT OF INTERSECTION BEING 1,405.38 FEET SOUTH OF SAID EAST AND WEST CENTER LINE OF SECTION 3; THENCE NORTH ALONG THE LAST DESCRIBED LINE TO ITS INTERSECTION WITH THE SOUTH LINE OF WEST 45TH STREET; THENCE EAST ALONG THE SOUTH LINE OF WEST STREET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

THE FOREGOING DESCRIPTIONS ARE DOSED ON THE FOLLOWING DEFINITIONS:

WEST 45TH STREET (A PRIVATE STREET) IS DEFINED AS A STRIP OF LAND LYING IN LOT 'B' OF THE SUBDIVISION RECORDED ON APRIL 29, 1897 IN BOOK 67 OF PLATS PAGE 44 AS DOCUMENT 2530529, WHICH IS 66 FEET IN WIDTH, EXTENDING WESTERLY FROM THE WEST LINE OF SOUTH KOLIN AVENUE IXTENDED NORTHERLY (SAID WEST LINE OF SOUTH KOLIN AVENUE BEING 236.93 FEET EAST OF AND PARALLEL TO THE NORTH AND SOUTH CENTER LINE OF SECTION 3), TO THE WESTERLY BOUNDARY LINE (WHERE SAME EXTENDS ACROSS THE 66 FOOT STRIP) OF A PARCIL OF LAND CONVEYED BY THE CHICAGO RIVER AND INDIANA RAILROAD COMPANY TO THE FIRST NATIONAL BANK OF CHICAGO, BY DEED DATED MARCH 6, 1951 AND RECORDED IN THE RECORDERS OFFICE OF COOK COUNTY, ILLINOIS ON MARCH 8, 1951 IN BOOK 45566 AT PAGE 458 AS DOCUMENT 15026337, THE SOUTH LINE OF SAID STRIP IS A STRAIGHT LINE PARALLEL TO AND 1,366.32 FEET SOUTH OF THE EAST AND WEST CENTER LINE OF SECTION 3 THE NORTH LINE OF SAID STRIP;

THE EAST AND WEST CENTER LINE OF SAID SECTION 3 IS DEFINED AS A STRAIGHT LINE DRAWN FROM A POINT ON THE EAST LINE OF SAID SECTION 3 MEASURED 2,597.19 FEET SOUTH OF THE NORTH EAST CORNER OF SAID SECTION 3 AND MEASURED 2,669.84 FEET NORTH FROM THE SOUTH EAST CORNER OF SAID SECTION 3, TO A POINT ON THE WEST LINE OF SAID SECTION 3 MEASURED 2,598.77 FEET SOUTH FROM THE NORTH WEST CORNER OF SAID SECTION 3 AND MEASURED 2,661.19 FEET NORTH OF THE SOUTH WEST CORNER OF SAID SECTION 3;

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SCHEDULE A CONTINUED

THE NORTH AND SOUTH CENTER LINE OF SAID SECTION 3 IS DEFINED AS A STRAIGHT LINE DRAWN FROM A POINT ON THE NORTH LINE OF SAID SECTION 3 MEASURED 2,648.14 FEET WEST FROM THE NORTH EAST CORNER OF SAID SECTION 3 AND MEASURED 2,642.84 FEET EAST FROM THE NORTH CORNER OF SAID SECTION 3 TO A POINT ON THE SOUTH LINE OF SAID SECTION 3 MEASURED 2,669.37 FEET WEST FROM THE SOUTH EAST CORNER OF SAID SECTION AND MEASURED 2,668.04 FEET EAST FROM THE SOUTH WEST CORNER OF SAID SECTION 3, ALL IN COOK COUNTY, ILLINOIS.

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