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SUBORDINATION, ATTORNMENT AND NON-DISTURBANCE AGREEMENT

THIS SUBORDINATION, ATTORNMENT AND NON-DISTURBANCE AGREEMENT ("Agreement") made as of this 18th day of July, 1991 between Water Tower Bank ("Mortgagee") and CHI-CHI'S USA, INC. 10200 Linn Station Road, P. O. Box 32338, Louisville, Kentucky 40232 ("Chi-Chi's");

WITNESSETH:

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WHEREAS, under certain instrument entitled Trust Deed dated June 29, 1989, recorded July 3, 1989 in the Office of the Recorder of Cook County, Mortgagee holds a mortgage, Deed of Trust, Security Deed, or other security instrument ("Mortgage") on the real property described on Exhibit A attached hereto and made a part hereof ("Premises"); and

WHEREAS, Chi-Chi's requires that it shall be furnished with a Non-Disturbance Agreement from any mortgagee to which the Premises is subject, which Agreement shall guarantee Chi-Chi's rights as Lessee to remain in the premises notwithstanding foreclosure or surrender by any Lessor of its interest;

NOW, THEREFORE, in consideration of the Premises and the sum of One Dollar (\$1.00) the receipt and sufficiency of which is hereby acknowledged, it is mutually agreed as follows:

1. Mortgagee hereby consents to the assignment of the Lease to Chi-Chi's.
2. Chi-Chi's hereby subordinates all its right, title and interest whatsoever created in the Lease to the Mortgage.
3. So long as Chi-Chi's is not in default (beyond any period given Chi-Chi's to cure such default) in the payment of rent, or additional charges or in the performance of any of the terms, covenants or conditions of the Lease on Chi-Chi's part to be performed, Chi-Chi's possession of the Premises during the term of the Lease, or any extension or renewal thereof, shall not be diminished or interfered with by Mortgagee, nor shall Chi-Chi's occupancy of the Premises be disturbed by Mortgagee during the term of the Lease or any extension or renewal thereof.
4. Mortgagee agrees to give Chi-Chi's written notice of any default or notice given to Lessee relating to the Mortgage.
5. In the event Mortgagee forecloses, or accepts a deed in lieu of foreclosure, Chi-Chi's will attorn to Mortgagee its successors or designees in accordance with the terms of this Agreement and the Lease.

BOX 78
(SHAWMUT)

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6. Wherever and whenever it shall be required or permitted that notice or demand be given or served by any party, such notice or demand shall be given or served and shall not be deemed to have been given or served unless in writing forwarded by registered or certified mail, return receipt requested, and addressed as follows:

To Mortgagee: Water Tower Bank
717 N. Michigan Avenue
Chicago, Illinois 60611
ATTN: Richard P. Thorsen, President

To Lessee: Chi-Chi's, Inc.
P. O. Box 32338
10200 Linn Station Road
Louisville, Kentucky 40232
ATTN: Legal Department

Such addresses may be changed from time to time by the respective parties serving notice as above provided.

7. This agreement may not be altered, modified or amended except in writing signed by all parties hereto.

8. This agreement shall be binding upon and inure to the benefit of the parties and their respective successors and assigns.

WATER TOWER BANK

WATER TOWER BANK

By: *Richard P. Thorsen*
Richard P. Thorsen, President

("Mortgagee")

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CHI-CHI'S OF *USA*, INC.

By: *James Padgett*
Title: *Pres*

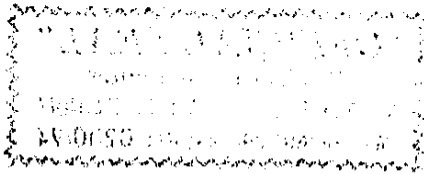
("Chi-Chi's")

THIS DOCUMENT WAS PREPARED BY: Mr. Steven H. Blumenthal
ROSENTHAL AND SCHANFIELD
55 East Monroe Street
Suite 4620
Chicago, Illinois 60603

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STATE OF KENTUCKY)
) SS
COUNTY OF JEFFERSON)

I, Bemma Howard, a Notary Public
in and for the County and State aforesaid, do hereby
certify that J. Ronald Tadjiti, (Title:
President and Michael J. [unclear] (~~Assistant~~ Secretary) of
CHI-CHI'S U.S.A., INC., a Kentucky corporation, who
are personally known to me to be the same persons whose
names are subscribed to the foregoing instrument as
such officers of said corporation, 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 corporation for the uses and purposes therein
set forth.

Given under my hand and notarial seal this
20th day of July, 1991.

Bemma Howard
Notary Public

Notary Public, State at Large, KY.
My commission expires Mar. 31, 1993

My Commission Expires:

(SEAL)

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LEGAL DESCRIPTION:

PARCEL 1:

LOT 2 IN WESTVIEW CENTER III, BEING A SUBDIVISION IN THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION TWENTY-FIVE (25), TOWNSHIP FORTY-ONE (41) NORTH, RANGE NINE (9), EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 12, 1990 AS DOCUMENT NO. 90020236 IN COOK COUNTY, ILLINOIS.

PARCEL 2:

EASEMENTS FOR INGRESS AND EGRESS FOR THE BENEFIT OF PARCEL 1, CREATED IN THE DECLARATION OF RESTRICTIONS AND EASEMENTS MADE MAY 11, 1989, BY AND BETWEEN AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, AS TRUSTEE UNDER A TRUST AGREEMENT DATED AUGUST 8, 1986, AND KNOWN AS TRUST NO. 066756-0-7, FIRST NATIONAL REALTY AND DEVELOPMENT COMPANY, INC., AND WAL-MART PROPERTIES, INC. A DELAWARE CORPORATION, RECORDED MAY 26, 1989 AS DOCUMENT NO. 89241332, AS AMENDED BY FIRST AMENDMENT TO DECLARATION OF RESTRICTIONS AND EASEMENTS RECORDED NOVEMBER 6, 1989 AS DOCUMENT 89528626.

Barrington Road and Ramblewood Drive (Northwest corner)
Outlot No. 2, Barrington Road
Streamwood, Illinois

P.I.N. 06-25-201-006-0000 (affects this and other property)

EXHIBIT A

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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/11/17 BY 60322 UCBAW/STP/STP
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