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This instrument was prepared by and after recording is to be returned to:

92628538

Caryn R. Stafford, Esq.  
Davis Polk & Wardwell  
450 Lexington Avenue  
New York, New York 10017

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## SECOND AMENDMENT TO MEMORANDUM OF RESTATED GROUND LEASE

AMENDMENT (this "Amendment"), dated as of July 22, 1992 between MORGAN GUARANTY TRUST COMPANY OF NEW YORK, a New York corporation, as Trustee under Declaration of Trust dated December 9, 1960 for the Commingled Pension Trust Fund (Special Situation Investments - Real Estate), having an address at 522 Fifth Avenue, New York, New York 10036 ("Lessor"), and ROUSE-RANDHURST SHOPPING CENTER, INC., a Maryland corporation having an address at 10275 Little Patuxent Parkway, Columbia, Maryland 21044 ("Lessee").

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WITNESSETH:

DEPT-11 \$37.50  
1#7777 TRAN 1185 08/25/92 10:31:00  
#2388 # \*-92-628538  
COOK COUNTY RECORDER

WHEREAS\*:

A. Reference is hereby made to that certain Restated Ground Lease dated as of October 27, 1988 between Lessor and Lessee (the "Lease") and that certain Memorandum of Restated Ground Lease dated as of October 27, 1988 between Lessor and Lessee which was recorded on October 31, 1988 in the Office of the Recorder of Cook County, Illinois (the "Recorder") as Document No. 88501075 and registered in the Office of the Registrar of Titles for said County (the "Registrar") as Document No. LR3750217, as amended by that certain First Amendment to Restated Ground Lease dated as of October 10, 1990 between Lessor and Lessee and that certain First Amendment to Memorandum of Restated Ground Lease dated as of October 10, 1990 between Lessor and Lessee which was recorded on October 23, 1990 in the Office of the Recorder as

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\* Capitalized terms not otherwise defined herein are defined in Section 1.

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Document No. 90517773 and registered in the Office of the Registrar as Document No. LR3921155 (the "Memorandum"), which Lease affects the Land described therein and in Exhibit A hereto.

B. Reference is also hereby made to that certain Second Amendment to Ground Lease dated as of the date hereof between Lessor and Lessee (the "Second Amendment to Lease") whereby the Lessor and Lessee made certain amendments to the Lease effective as of the date thereof.

C. Lessor and Lessee desire to record this Amendment as a memorandum of the Second Amendment to Lease and to amend the Memorandum as set forth herein and to record this Amendment as a memorandum of the Lease and the Second Amendment on the date hereof in the Office of the Recorder and in the Office of the Registrar.

NOW, THEREFORE, in consideration of the premises, in consideration of the covenants and agreements set forth in the Lease, and intending to be bound by the Lease and hereby, the parties hereby agree that the Memorandum is hereby amended as follows:

SECTION 1. Capitalized terms used, but not defined, in this Amendment are defined in, or by reference in, Section 1.1 of the Lease as amended by the Second Amendment to Lease and have the same meanings herein as therein.

SECTION 2. Lessor and Lessee intend that this Amendment shall constitute a memorandum of the Second Amendment to Lease which amends certain provisions of the Lease.

SECTION 3. Except as specifically amended by the Second Amendment to Lease and hereby all of the provisions of the Memorandum shall remain in full force and effect and are hereby ratified and confirmed and from and after the effective dates of the Second Amendment to Lease, all of the terms, covenants, conditions and other provisions of the Lease as amended by the Second Amendment to Lease all are incorporated in this Amendment by reference and the Lease, the Second Amendment to Lease, the Memorandum and this Amendment shall be deemed to be a single document.

SECTION 4. No provision of this Amendment shall be modified, waived or terminated, except by an instrument in writing, signed by the party against whom enforcement of such modification, waiver or termination is to be enforced.



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SECTION 5. This Amendment shall be governed by and construed in accordance with the laws of the State of Illinois.

SECTION 6. This Amendment may be signed in any number of counterparts, each of which shall be deemed to be an original, with the same effect as if the signatures thereto and hereto were upon the same instrument, and it shall not be necessary in making proof hereof to produce or account for more than one such counterpart.

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IN WITNESS WHEREOF, Lessor and Lessee have caused this Amendment to be duly executed as of the date first above written.

LESSOR:

MORGAN GUARANTY TRUST COMPANY  
OF NEW YORK, as Trustee  
under Declaration of Trust  
dated December 9, 1960 for  
the Commingled Pension Trust  
Fund (Special Situation  
Investments - Real Estate)

By: James M. Walsh

Name: JAMES M. WALSH  
Title: Vice President

[Corporate Seal]

Attest:

Sheryl M. Crostare  
Name: Sheryl M. Crostare  
Title: Assistant Secretary

LESSEE:

ROUSE-RANDJURST SHOPPING  
CENTER, INC.

By: Ronald C. Wickwire

Name: Ronald C. Wickwire  
Title: Vice President

[Corporate Seal]

Attest:

Kathleen E. Barry  
Name: Kathleen E. Barry  
Title: Assistant Secretary

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ORDER OF THE BOARD OF SUPERVISORS OF COOK COUNTY

RESOLUTION

WHEREAS, the Board of Supervisors of Cook County, Illinois, has the honor to receive from the Board of Directors of the Cook County Employees' Retirement System, a report of the activities of the Board of Directors for the year ending December 31, 1968, and

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and whereas, the Board of Supervisors of Cook County, Illinois, has the honor to receive from the Board of Directors of the Cook County Employees' Retirement System, a report of the activities of the Board of Directors for the year ending December 31, 1968, and

and whereas, the Board of Supervisors of Cook County, Illinois, has the honor to receive from the Board of Directors of the Cook County Employees' Retirement System, a report of the activities of the Board of Directors for the year ending December 31, 1968, and

COOK COUNTY CLERK



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IN WITNESS WHEREOF, Lessor and Lessee have caused this Amendment to be duly executed as of the date first above written.

LESSOR:

MORGAN GUARANTY TRUST COMPANY  
OF NEW YORK, as Trustee  
under Declaration of Trust  
dated December 9, 1960 for  
the Commingled Pension Trust  
Fund (Special Situation  
Investments - Real Estate)

By: \_\_\_\_\_

Name:

Title: Vice President

[Corporate Seal]

Attest:

\_\_\_\_\_  
Name:

Title: Assistant Secretary

LESSEE:

ROUSEL-RANDHURST SHOPPING  
CENTER, INC.

By: \_\_\_\_\_

Name: Ronald C. Wickwire

Title: Vice President

[Corporate Seal]

Attest:

Kathleen E. Barry  
Name: Kathleen E. Barry

Title: Assistant Secretary

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ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE BY THE MARKINGS ON THIS DOCUMENT.

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STATE OF NEW YORK     )  
                                  )     ss. :  
COUNTY OF NEW YORK    )

I, Deborah A. Demajo a Notary Public in and for said County in the State aforesaid, do hereby certify that James M. Walsh, personally known to me to be a Vice President of MORGAN GUARANTY TRUST COMPANY OF NEW YORK, a New York corporation, and Sheryl M. Crosland, personally known to me to be an Assistant 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 said Vice President and Assistant Secretary, respectively, and said Assistant Secretary caused the Corporate Seal of said corporation to be affixed thereto, pursuant to authority given by the Board of Directors of said corporation, as their 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 29 day of July, 1992.

Deborah A. Demajo

Notary Public

[Notary Seal]

Commission Expires:

DEBORAH A. DEMAJO  
NOTARY PUBLIC, State of New York  
No. 03-4881346  
Qualified in Bronx County  
Certificate Filed in New York County  
Commission Expires 12/22/92

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COOK COUNTY CLERK'S OFFICE  
110 N. LAUREL ST. CHICAGO, IL 60602  
TEL: (312) 603-4000 FAX: (312) 603-4001  
WWW.COOKCOUNTYCLERK.COM

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STATE OF Md )  
COUNTY OF Howard ) SS.:

I, Crystal J. Hack a Notary Public in and for said County in the State aforesaid, do hereby certify that Ronald C. Wickwire, personally known to me to be a Vice President of ROUSE-RANDHURST SHOPPING CENTER, INC., a Maryland corporation, and Kathleen E. Barry, personally known to me to be an Assistant 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 said Vice President and Assistant Secretary, respectively, and said Assistant Secretary caused the Corporate Seal of said corporation to be affixed thereto, pursuant to authority given by the Board of Directors of said corporation, as their 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 23rd day of July, 1992.

Crystal J. Hack  
Notary Public

[Notary Seal]

Commission Expires:

5/1/96

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## EXHIBIT A

### Description of the Land

Lots One and Two in Randhurst Center Resubdivision - No. 1, being a resubdivision of Lot One in Randhurst Center, being a subdivision of part of the Southeast 1/4 of Section 27, Township 42 North, Range 11 East of the 3rd Principal Meridian, Cook County, Illinois, according to the Plat of said Randhurst Center Resubdivision - No. 1 recorded in the Office of the Recorder of Deeds of Cook County, Illinois as Document No. 87408581 and registered in the Office of the Registrar of Titles of said County as Document No. 3637429.

LESS AND EXCEPTING from Said Lot One that part of the West 1/2 of the South East 1/4 of Section 27, Township 42 North, Range 11, East of the Third Principal Meridian, (except that part thereof falling in a 100 foot strip conveyed to the County of Cook by Daed recorded May 6, 1941 as Document 12674702 and filed May 5, 1941 as Document 1r. 895623) described as following: Beginning at the South West corner of the South East 1/4 of said Section 27; thence on an assumed bearing of North 00 degrees 00 minutes 33 seconds East along the West line of said South East 1/4 259.99 feet; thence South 89 degrees 59 minutes 27 seconds East 50.00 feet to the Easterly right of way line of Elmhurst Road as dedicated per Plat recorded September 24, 1928 as Document 10155704 in said County; thence South 34 degrees 48 minutes 52 seconds East 99.76 feet; thence South 45 degrees 31 minutes 35 seconds East 168.13 feet; thence South 17 degrees 48 minutes 12 seconds East 74.96 feet to the Northerly right of way line of Kensington Road (Foundry Road); thence South 00 degrees 10 minutes 27 seconds West 32.88 feet to the South line of the South East 1/4 of said Section 27; thence North 89 degrees 49 minutes 33 seconds West along said South line 296.28 feet to the Point of Beginning).

TOGETHER WITH AND SUBJECT TO that certain Declaration of Reciprocal Easements dated as of July 21, 1987 by LaSalle National Bank, as Trustee under Trust Agreement dated May 5, 1981 and known as Trust No. 103910, and recorded in the Office of the Recorder of Deeds of Cook County, Illinois

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as Document No. 87408582 and registered in the Office of the Registrar of Titles of said County as Document No. 3637430.

PIN: 03-27-401-077

Common Street Address: Rand Road and Elmhurst Road  
Mt. Prospect, Illinois

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BOOK TRANSFER AND DEED ORDER

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