

EXHIBIT "C"

MEMORANDUM OF LEASE

This Memorandum of Lease is entered into as of the 17 day of August, 1992, by and among M & J Wilkow Management Corporation as agent for the beneficiary of AMERICAN BANK AND TRUST COMPANY OF CHICAGO, a national banking association, not personally but as Trustee under Trust Agreement dated December 1, 1988 and known as Trust No. 107183-02, by and through its agent M & J Wilkow Management Corporation, whose mailing address is 180 North Michigan Avenue, Suite 2000, Chicago, Illinois 60601 (hereinafter, "Lessor"), and BURGER KING CORPORATION, a Florida corporation, whose mailing address is P. O. Box 520783, General Mail Facility, Miami, Florida 33152 (hereinafter, "Lessee").

WITNESSETH:

That for the rents and upon the terms, covenants and provisions set forth in that certain In-Line Store Lease dated effective August 17, 1992 (hereinafter, the "Lease"), by and between Lessor and Lessee, Lessor did demise and lease unto Lessee certain space shown on Exhibit "A" attached hereto and made a part hereof contained in a building located within certain property located in the City of Chicago, County of Cook, State of Illinois, more particularly described on Exhibit "B" attached hereto and made a part hereof (hereinafter, the "Shopping Center"), and all of the rights, ways, privileges, servitudes, appurtenances and advantages thereunto belonging or in anywise appertaining (hereinafter, the "Premises").

The Lease is made for the rentals and upon each and all of the terms, covenants and provisions thereof, all of which are by this reference incorporated herein and made a part hereof, the same as though fully set forth herein.

The Lease is for a term of five (5) years commencing on the earlier of (a) the date Lessee commences business on the Premises or (b) 120 days after Lessor delivers vacant possession thereof to Lessee, with one (1) option to renew or extend the term of the Lease for a period of five (5) years, all in accordance with the terms of the Lease.

The Lease further provides that Lessee shall have a non-exclusive license over, upon and across the parking areas, driveways, exits and entrances the Shopping Center, which parking areas, driveways, exits and entrances may not be materially reduced and/or relocated without Lessee's consent, which shall not be unreasonably withheld. Said Lease also grants Lessee a non-exclusive license for the purpose of tying into, using, operating and maintaining any and all utility lines and related facilities, including without limitation, heating, ventilation and air conditioning and/or venting Lessee's equipment, over and above the Shopping Center, wherever said utility lines may be located (the foregoing described licenses hereinafter collectively, the "Licenses"). Said Licenses shall be for the term of the Lease and any extensions thereof.

BKC A#9172(C)  
August 13, 1992

PIN: 14-29-403-003  
14-29-404-001  
14-29-404-002  
14-29-404-003  
14-29-404-004  
14-29-404-005  
14-29-404-006  
14-29-404-007  
14-29-404-008

7382049 D-1

92635500

COOK COUNTY, ILLINOIS  
FILED FOR RECORD

1992 AUG 27 PM 12:48

92635500

3100

# UNOFFICIAL COPY

000530E

PROPERTY OF COOK COUNTY CLERK'S OFFICE

PROPERTY OF COOK COUNTY CLERK'S OFFICE

[Faint, illegible text covering the majority of the page, likely a document or form.]

Property of Cook County Clerk's Office

05222200

# UNOFFICIAL COPY

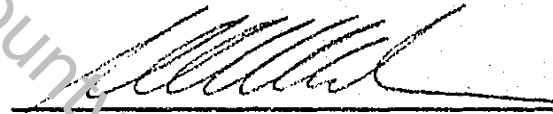
9 2 6 3 5 5 0 0

The Lease further provides that Lessor will not materially interfere with visibility of the Premises or add any additional levels to the building in which the Premises is located, nor shall Lessor permit the installation of any kiosks within fifty (50') feet from the front of the Premises.

Lessor agrees that no part of the Shopping Center described on Exhibit "B" attached hereto and made a part hereof shall be sold, leased, use or occupied during the term or any extensions of this Lease to a business which primarily sells hamburgers, except that such covenant shall not apply to any circumstance where it is violative of applicable laws and said covenant shall not apply to existing tenants of the Shopping Center as of the date of this Memorandum.

IN WITNESS WHEREOF, Lessor has executed this Memorandum of Lease on the 14  
day of August, 1992.

**M & J Wilkow Management Corporation,  
as Agent for the beneficiary of  
AMERICAN BANK AND TRUST  
COMPANY OF CHICAGO, not personally  
but as Trustee under Trust Agreement  
dated December 1, 1988 and known as  
Trust No. 107183-02,**

  
BY: Marc R. Wilkow  
TITLE: Executive Vice President

BKC A#9172(C)  
August 13, 1992

92635500

# UNOFFICIAL COPY

all the rights and interests in the property described herein shall be held and enjoyed by the said parties and their heirs and assigns forever.

Witness my hand and seal of office this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_.

Notary Public in and for the State of Illinois.

and I hereby certify that the foregoing is a true and correct copy of the original as the same appears from the records of the Clerk of the County of Cook, Illinois.

Notary Public in and for the State of Illinois.

Property of Cook County Clerk's Office

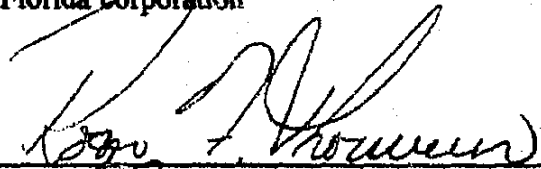
00002200

# UNOFFICIAL COPY

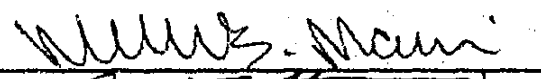
9 2 6 3 5 5 0 0

IN WITNESS WHEREOF, Lessor has executed this Memorandum of Lease on the 17<sup>th</sup>  
day of August, 1992.

**BURGER KING CORPORATION, a  
Florida corporation**



BY: Roger F. Thompson  
TITLE: Sr. Vice President



BY: ~~Roger F. Thompson~~  
TITLE: Michael S. Maxwell  
Assistant Secretary

Property of Cook County Clerk's Office

92635500

# UNOFFICIAL COPY

Not to be used by anyone other than the original owner.

PROPERTY OF COOK COUNTY CLERK'S OFFICE

Property of Cook County Clerk's Office

0022200

# UNOFFICIAL COPY

9 2 6 3 5 5 0 0

STATE OF FLORIDA  
COUNTY OF DADE

BEFORE ME, the undersigned authority, personally appeared Roger F. Thomson and Michael B. Marvin to me well known and known to me to be the individuals described in and who executed the foregoing instrument as Vice President and Assistant Secretary of BURGER KING CORPORATION, a Florida corporation, and severally acknowledged to and before me that they executed such instrument as such Vice President and Assistant Secretary respectively of said corporation, and that said instrument is the free act and deed of said corporation.

WITNESS my hand and official seal this 17 day of August, 1992.

(SEAL)

Jimmie Allen Jr  
Notary Public  
My Commission Expires:

NOTARY PUBLIC, STATE OF FLORIDA,  
MY COMMISSION EXPIRES: NOV. 10, 1993,  
BONDED THROUGH NOTARY PUBLIC UNDERWRITERS

BKC A#9172(C)  
August 13, 1992

92635500

# UNOFFICIAL COPY

... ..  
... ..  
... ..  
... ..  
... ..

Property of Cook County Clerk's Office

00225450



UNOFFICIAL COPY

9 2 8 3 5 5 0 0

STATE OF Illinois  
COUNTY OF Cook

BEFORE ME, the undersigned authority, personally appeared Mark R. Wilkow  
and n/a to me well known and known to me to be the individuals described  
in and who executed the foregoing instrument as Executive Vice President and n/a  
n/a Secretary of M & J Wilkow Management Corp., a Illinois  
corporation, and severally acknowledged to and before me that they executed such instrument  
as such Executive Vice President and n/a Secretary respectively of  
said corporation, and that said instrument is the free act and deed of said corporation.

WITNESS my hand and official seal this 14 day of August,  
1992.

(SEAL)



Lisa Kate Rauschenbush  
Notary Public  
My Commission Expires: April 96

http://www.bkc.com/online/chicago/olark/usa/soo.off/ea00

PREPARED BY: Tom McAlister  
MAIL TO: McGlinchey, Stafford, Bellini &  
Lang  
643 MAGAZINE STREET  
New Orleans, LA 70130

92635500

BKC A#9172(C)  
August 13, 1992

# UNOFFICIAL COPY

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

\_\_\_\_\_  
Clerk of Cook County, Illinois

Property of Cook County Clerk's Office

00228200

# UNOFFICIAL COPY

9 2 6 3 5 5 0 0

PARCEL 1:

LOTS 19 TO 23, BOTH INCLUSIVE, AND LOT 24 (EXCEPT THAT PART THEREOF CONVEYED TO CLARENCE BOCKINGHAM BY DEED DATED SEPTEMBER 17, 1895 AND RECORDED OCTOBER 7, 1895 AS DOCUMENT 228080 IN BOOK 5532, PAGE 148) AND LOT 27 IN BLOCK 1 IN BERGMAN AND OTHERS SUBDIVISION OF THE WEST 3/4 OF BLOCK 9 IN CANAL TRUSTEE'S SUBDIVISION OF THE EAST 1/2 OF SECTION 29, TOWNSHIP 40 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 2:

LOTS 28 AND 29 IN BERGMAN AND OTHERS SUBDIVISION OF THE WEST 3/4 OF BLOCK 9 IN CANAL TRUSTEE'S SUBDIVISION OF THE EAST 1/2 OF SECTION 29, TOWNSHIP 40 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 3:

LOTS 1 AND 2 IN EDSON'S SUBDIVISION OF THE EAST 1/2 OF BLOCKS 10 AND 13 IN THE CANAL TRUSTEE'S SUBDIVISION OF THE EAST 1/2 OF SECTION 29, TOWNSHIP 40 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Addr: 949 W. Siversey, Chicago

92635500

UNOFFICIAL COPY

Property of Cook County Clerk's Office

00000000