

635 Chicago Avenue  
Evanston, Illinois

UNOFFICIAL COPY

93577228

22RM EVANGSTN, NDA  
07/22/93

93577228

NON-DISTURBANCE AGREEMENT

WHEREAS, the undersigned, PROVIDENT LIFE AND ACCIDENT INSURANCE COMPANY, as Mortgagee, is the holder of a certain Note in the principal sum of \$ 1,970,000.00, secured by that certain Mortgage Deed granted by AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, as Trustee under Trust Agreement dated November 1, 1984 and known as Trust No. 59155 ("Landlord") dated \_\_\_\_\_, as Document No. 27409565, in the Office of the Cook County, Illinois Recorder of Deeds, covering the property legally described on Exhibit "A" attached hereto and made a part hereof; and by Assignment from Provident National Assurance Company effective July 1, 1992.

WHEREAS, Landlord and BOND DRUG COMPANY OF ILLINOIS, an Illinois corporation as Tenant have executed a certain lease dated July 1, 1993, and recorded by Memorandum of Lease of even date on July 20, 1993, as Document No. 93579814, in the Office of the Cook County, Illinois Recorder of Deeds, ("said Lease") covering certain premises therein described and known as 635 Chicago Avenue, Evanston, Illinois, and legally described on said Exhibit "A";

NOW, THEREFORE, in consideration of the premises and other good and valuable consideration, the undersigned, as Mortgagee, does hereby covenant, and agree that it or any party acquiring title or right of possession under or by virtue of said Mortgage, foreclosure or otherwise shall be bound by said Lease and all of Tenant's rights thereunder, provided that Tenant is not in default, after notice, in the payment of rent or otherwise under the terms of said Lease and the terms of said Mortgage, the terms of said Lease shall prevail.

This Agreement shall bind the successors and assigns of the undersigned.

IN WITNESS WHEREOF, the undersigned has caused this Instrument to be executed and delivered this 13<sup>th</sup> day of August, 1993.

PROVIDENT LIFE AND ACCIDENT INSURANCE COMPANY

By Thomas A. Caldwell  
MORTGAGE LOAN OFFICER

DEPT-01 RECORDING \$27.50  
T#8888 TRAN 7325 10/29/93 13:15:00  
#4526 # \* -93-877228  
WITNESSES: COOK COUNTY RECORDER

Attest:

N/A

~~Assistant Secretary~~

(This instrument prepared by R. N. Silverman, 200 Wilnot Road, Deerfield, IL 60015)

STATE OF TENNESSEE )  
COUNTY OF HAMILTON ) SS

I, W.W. HAZLIP, a Notary Public, do hereby certify that Thomas A. Caldwell, III, Mortgage Loan Officer, ~~Assistant Secretary~~ of PROVIDENT LIFE AND ACCIDENT INSURANCE COMPANY 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 as such Mortgage Loan Officer ~~Assistant Secretary~~ he signed and delivered the said instrument for the uses and purposes therein set forth.

Given under my hand and notarial seal, this 13<sup>th</sup> day of August, 1993.

My Commission Expires:

MY COMMISSION EXPIRES JANUARY 12, 1997.

W.W. Hazlip  
Notary Public

2350  
2750

RETURN DOCUMENT TO:  
Mary N. Butler - Law Dept.  
Falgreens  
200 Wilnot Road  
Deerfield, IL 60015

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Property of Cook County Clerk's Office

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EXHIBIT "A"

Lot 1 of the southpoint consolidation of Lots 11 to 18, both inclusive in Block 2 in Kedzie and Keeney's addition to Evanston, in the W 1/2 of the SE 1/4 of Section 19, Township 41 North, Range 14, East of the Third Principal Meridian, in the city of Evanston, Cook County, Illinois.

Comonly known as Southpoint Plaza, 635 Chicago Avenue, Evanston, Illinois

P.I.N. 11-19-407-028

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