

UNOFFICIAL COPY

LEASE AGREEMENT (SHORT FORM)

THIS INSTRUMENT, made and entered into as of the 15th day of September, 1994, by and between ORIX TMK NORTHBROOK VENTURE ("Landlord"), an Illinois general partnership, having its offices at c/o ORIX Real Estate Equities, Inc., 100 N. Riverside Plaza, Chicago, Illinois 60606, and BERTUCCI'S RESTAURANT CORP. ("Tenant"), a Massachusetts corporation, having its offices at 14 Audubon Road, Wakefield, Massachusetts 01880,

DEPT-01 RECORDING \$29.50
T80003 TRAN 7876 10/19/94 15:49:00
\$2115 + RB *-94-896254
COOK COUNTY RECORDER

WITNESSETH:

1. Landlord, in consideration of the rents reserved and the terms, covenants, agreement and conditions contained in that certain lease agreement ("the Lease") dated as of the date hereof between Landlord and Tenant, has leased and demised and does hereby lease and demise to Tenant certain premises (the "Premises") consisting of approximately 6,325 square feet of space in the Market Space of Northbrook Center (the "Property") located on Skokie Boulevard south of Lake-Cook Road in the Village of Northbrook, Illinois. The Property is legally described in Exhibit A attached hereto and incorporated herein by this reference. Tenant accepts the Premises subject to the terms and conditions of the Lease.

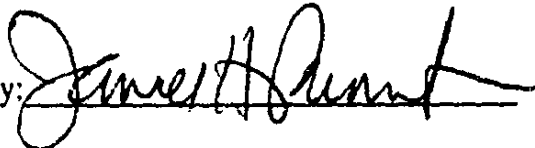
2. The term of the Lease is fifteen (15) years, commencing 120 days after Landlord has completed construction of certain buildings and improvements on the Property, as more specifically set forth in the Lease. Tenant has options to extend the term of the Lease for three (3) additional periods of five (5) years each.

Other terms and provisions are fully set forth in the Lease. In the event of conflict between the terms of this instrument and the terms and provisions of the Lease, the terms and provisions of the Lease shall be controlling.

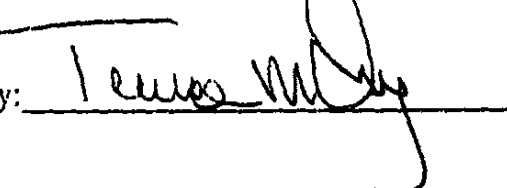
IN WITNESS WHEREOF, Landlord and Tenant have caused this Lease Agreement (Short-Form) to be executed by their respective duly-authorized officers as of the day and year first above written for the purpose of providing an instrument for recording.

ORIX TMK NORTHBROOK VENTURE

By ORIX EDENS INC., General Partner

By: 

By TMK DEVELOPMENT OF NORTHBROOK, INC., General Partner

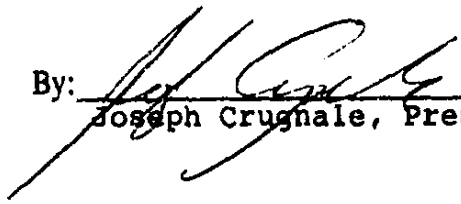
By: 

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2950
2/2/94

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BERTUCCI'S RESTAURANT CORP.

By: 
Joseph Crughale, President

This instrument prepared by
(and return after recording to)
James A. Winkler, Esq.
Foley & Lardner
One IBM Plaza
Suite 3400
Chicago, IL 60611
(312) 755-1900

ORIXJAV40942,AG



Property of Cook County Clerk's Office

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STATE OF ILLINOIS)

) SS

COUNTY OF COOK)

The foregoing instrument was acknowledged before me this 23rd day of September, 1994 by James H. Purinton, Executive Vice President of ORIX Edens, Inc., an Illinois corporation and a general partner of ORIX TMK Northbrook Venture, an Illinois general partnership, on behalf of the corporation and the partnership.

James A. Winkler
Notary Public
"OFFICIAL SEAL"
JAMES A. WINKLER
Notary Public, State of Illinois
My Commission Expires Feb. 29, 1996

My commission expires: 2/29/96

STATE OF ILLINOIS)

) SS

COUNTY OF COOK)

The foregoing instrument was acknowledged before me this 23rd day of September, 1994 by Terence M. King, President of TMK Development of Northbrook, Inc., an Illinois corporation and a general partner of ORIX TMK Northbrook Venture, an Illinois general partnership, on behalf of the corporation and the partnership.

James A. Winkler
Notary Public
"OFFICIAL SEAL"
JAMES A. WINKLER
Notary Public, State of Illinois
My Commission Expires Feb. 29, 1996

My commission expires: 2/29/96

COMMONWEALTH OF MASSACHUSETTS)

) SS

COUNTY OF Middlesex)

The foregoing instrument was acknowledged before me this 14th day of October, 1994 by Joseph Crugnale, ~~(Vice)~~ President, of Bertucci's Restaurant Corp., a Massachusetts corporation, on behalf of the corporation.

Christen Lynn Baize
Notary Public

My commission expires: My Commission Expires May 18, 2001

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EXHIBIT A LEGAL DESCRIPTION OF SHOPPING CENTER

PARCEL 1:

LOT 1 IN DAGGITTS SUBDIVISION, A SUBDIVISION OF PART OF THE WEST 1/2 OF GOVERNMENT LOT 1 OF THE NORTHEAST 1/4 OF SECTION 2, TOWNSHIP 42 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 2A:

THAT PART OF LOT 2 IN DAGGITTS SUBDIVISION, A SUBDIVISION OF PART OF THE WEST 1/2 OF GOVERNMENT LOT 1 OF THE NORTHEAST 1/4 OF SECTION 2, TOWNSHIP 42 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST SOUTHERLY CORNER OF LOT 2; THENCE 166.54 FEET NORTHWESTERLY ALONG THE SOUTHWESTERLY LINE OF SAID LOT; THENCE NORTHEASTERLY 237.35 FEET TO A POINT ON THE SOUTHEASTERLY EXTENSION OF THE NORTHEASTERLY LINE OF LOT 3 IN SAID SUBDIVISION SAID POINT BEING 100 FEET SOUTHEASTERLY FROM THE MOST EASTERLY CORNER OF SAID LOT 3; THENCE SOUTHEASTERLY ALONG SAID EXTENDED LINE TO A POINT ON THE SOUTHEASTERLY LINE OF SAID LOT 2; THENCE SOUTHWESTERLY TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

PARCEL 2B:

THAT PART OF LOT 2 IN DAGGITTS SUBDIVISION, A SUBDIVISION OF PART OF THE WEST 1/2 OF GOVERNMENT LOT 1 OF THE NORTHEAST 1/4 OF SECTION 2, TOWNSHIP 42 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST SOUTHERLY CORNER OF LOT 2; THENCE 166.54 FEET NORTHWESTERLY, ALONG THE SOUTHWESTERLY LINE OF SAID LOT FOR A POINT OF BEGINNING OF THE FOLLOWING DESCRIBED TRACT; THENCE NORTHEASTERLY 237.35 FEET TO A POINT ON THE SOUTHEASTERLY EXTENSION OF THE NORTHEASTERLY LINE OF LOT 3 IN SAID SUBDIVISION SAID POINT BEING 100 FEET SOUTHEASTERLY FROM THE MOST EASTERLY CORNER OF SAID LOT 3; THENCE NORTHWESTERLY ALONG SAID EXTENDED LINE 100 FEET TO THE MOST EASTERLY CORNER OF SAID LOT; THENCE WESTERLY ALONG THE LINE BETWEEN LOTS 2 AND 3 TO THE MOST WESTERLY CORNER OF SAID LOT 2; THENCE SOUTHEASTERLY 160.06 FEET MORE OR LESS, TO THE HEREIN DESIGNATED POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

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PARCEL 3:

THAT PART OF LOT 2 WHICH LIES EASTERLY OF THE EASTERLY LINE OF LOT 3 AND SAID EASTERLY LINE OF LOT 3 PRODUCED SOUTH AND WHICH LIES SOUTHEASTERLY OF A LINE DRAWN PERPENDICULAR TO THE NORTHEASTERLY LINE OF LOT 2 AT A POINT 117.90 FEET NORTHWESTERLY OF THE MOST EASTERLY CORNER OF LOT 2, IN DAGGITT'S SUBDIVISION, A SUBDIVISION OF PART OF THE WEST 1/2 OF GOVERNMENT LOT 1 OF THE NORTHEAST 1/4 OF SECTION 2, TOWNSHIP 42 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 4:

A PARCEL OF LAND IN THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 2, TOWNSHIP 42 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, ADJACENT TO THE SOUTHERLY AND EASTERLY LIMITS OF DAGGITT'S SUBDIVISION, AS RECORDED MAY 21, 1959 AS DOCUMENT NO. 17544757, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 1 OF DAGGITT'S SUBDIVISION; THENCE NORTH 64 DEGREES 40 MINUTES 14 SECONDS EAST 69.33 FEET ALONG THE SOUTH LINE OF LOT 1 IN DAGGITT'S SUBDIVISION; THENCE SOUTH 72 DEGREES 16 MINUTES 8 SECONDS EAST 386.36 FEET; THENCE NORTH 64 DEGREES 10 MINUTES 12 SECONDS EAST 45.73 FEET ALL ALONG THE SOUTHERLY LINE OF SAID LOT 1; THENCE NORTH 25 DEGREES 57 MINUTES 30 SECONDS WEST 803.80 FEET ALONG THE EAST LINE OF DAGGITT'S SUBDIVISION; THENCE NORTH 64 DEGREES 2 MINUTES 30 SECONDS EAST 70.00 FEET; THENCE SOUTH 26 DEGREES 57 MINUTES 30 SECONDS EAST 848.96 FEET ALONG A LINE 70 FEET EAST OF AND PARALLEL TO THE EAST LINE OF DAGGITT'S SUBDIVISION; THENCE SOUTH 64 DEGREES 10 MINUTES 12 SECONDS WEST 133.68 FEET; THENCE NORTH 72 DEGREES 16 MINUTES 8 SECONDS WEST 357.21 FEET; THENCE SOUTH 64 DEGREES 40 MINUTES 14 SECONDS WEST 68.66 FEET TO THE EAST RIGHT-OF-WAY LINE OF SKOKIE BOULEVARD; THENCE NORTHERLY ON A CURVE CONVEX TO THE EAST HAVING A RADIUS OF 8851.06 FEET, AN ARC DISTANCE OF 65.14 FEET, AND A CHORD BEARING OF NORTH 29 DEGREES 6 MINUTES 19 SECONDS WEST TO THE PLACE OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

P.I.N. 04-02-202-032
04-02-202-042
04-02-202-041

STREET ADDRESS:
303 N. SKOKIE BLVD.
NORTHBROOK, ILLINOIS

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