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Lawyers Title Insurance

One First National Plaza

94309811

10 South Dearborn, Suite 3250

Chicago, IL 60603-2093

Case No. CHI-NS-4154

Ashland Ave.
Chicago, IL
(Unit) #

MEMORANDUM OF LEASE AND SUBLEASE FOR RECORDATION

THIS MEMORANDUM OF LEASE AND SUBLEASE (hereinafter the "Memorandum") is made the 31st day of March, 1994, by and between Lunan Family Restaurants Limited Partnership, an Illinois limited partnership, having offices at c/o Lunan Corporation, 414 N. Orleans Street, Suite 402, Chicago, IL 60610, Attn: Michael Schulson (hereinafter "Landlord" and "Subtenant"), and Marriott Family Restaurants, Inc., a Maryland corporation, having its principal offices at 10400 Fernwood Road, Bethesda, Maryland 20817 (hereinafter "Tenant").

WITNESSETH:

THAT, by Lease ("Lease") dated March 31, 1994 Landlord leased to Tenant and Tenant leased from Landlord a certain premises located at and more fully described on Exhibit A attached hereto and hereby made a part hereof (the "Premises"), and by Sublease Agreement ("Sublease") dated March 31, 1994, Tenant subleased back to Landlord as Subtenant therein the Premises, of which Lease and Sublease this document is a memorandum for recordation.

TO HAVE AND TO HOLD unto the Tenant for a lease term commencing on March 31, 1994 and terminating on April 30, 2014 with the optional right to extend the term of such Lease for two additional periods of five years each, which if both optional renewals are exercised would cause the Lease to terminate on April 30, 2024; and

Document Prepared By:

Michael D. Renner
Michael D. Renner, Esq.
Baldwin Renner, Attorneys at Law
992 Old Eagle School Road, Suite 905
Wayne, PA 19087

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TO HAVE AND TO HOLD unto the Subtenant for a sublease term commencing on March 31, 1994 and terminating on March 31, 2014, with the optional right to extend the term of the Sublease for two renewal terms of five years each, which if both renewal terms are exercised would cause the Sublease to terminate on March 31, 2024.

SUBJECT TO the Landlord's optional right to terminate the Sublease as more fully set forth in the Lease and Sublease. Reference is hereby made to the Lease and Sublease for the particulars thereof.

IN WITNESS WHEREOF, this Memorandum is executed by the parties hereto on the date first set forth above.

Attest:

By: _____
Title: _____

Attest:

By: _____
Title: _____

Landlord:
LUNAM FAMILY RESTAURANTS LIMITED
PARTNERSHIP

By: [Signature]
Title: _____

Tenant:
MARRIOTT FAMILY RESTAURANTS, INC.

By: [Signature]
Title: an attorney in fact

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CORPORATE ACKNOWLEDGMENT

STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

On the 30th day of March, 1994, before me personally appeared Michael D. Renner, known to me or proved to me on the basis of satisfactory evidence to be Attorney in Fact of Marriott Family Restaurants, Inc., the corporation that executed the foregoing instrument, who, being duly sworn, acknowledged that he resides at 699 West Valley Road, Wayne, PA 19087; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by the order of the Board of Directors of said corporation; and that he signed his name thereto by like order.

Kay Sutton
Notary Public

My commission expires **OFFICIAL SEAL**
KAY SUTTON
Notary Public, State of Illinois
My Commission Expires 10/22/97

STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

I, Kay Sutton, a Notary Public in and for said County, in the State aforesaid, do hereby certify that Michael Schultzen, the President of Lunan Family Restaurants, Inc., which is the general partner of Lunan Family Restaurants Limited Partnership, an Illinois limited partnership, personally known to me to be the same person whose name is subscribed to the foregoing instrument as such President, appeared before me this day in person and acknowledged that he signed and delivered said instrument as his own free and voluntary act and as the free and voluntary act of said corporation on behalf of said partnership, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 30th day of March, 1994.

Kay Sutton
Notary Public

My commission expires **OFFICIAL SEAL**
KAY SUTTON
Notary Public, State of Illinois
My Commission Expires 10/22/97

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LAWYERS TITLE INSURANCE CORPORATION

Exhibit B - Case Number: T-00397

PARCEL 1:

That part of the South Five (5) acres of the East Half (1/2) of the Northeast Quarter (1/4) of the Northeast Quarter (1/4) of Section 30, Township 40 North, Range 14, East of the Third Principal Meridian, (except that part thereof taken for Streets and Highways and also except the East 50 feet thereof) bounded and described as follows: Commencing at the intersection of the North line of the South 1/2 of the Southeast 1/4 of the Northeast 1/4 of the Northeast 1/4 of Section 30, Township 40 North, Range 14, with the East line of Section 30, Township 40 North, Range 14, thence running West along said North line 50.00 feet; thence running South along a line 50.00 feet West of and parallel with said East line, being the West right-of-way line of North Ashland Avenue, 33.00 feet to its intersection with the South right-of-way line of West Nelson Street, being a line 33.00 feet South of and parallel with said North line of the South 1/2 of the Southeast 1/4 of the Northeast 1/4 of the Northeast 1/4 for a point of beginning; thence continuing South along said West right-of-way line 100.00 feet; thence running West 100.00 feet along a line 133.00 feet South of and parallel with said North line of the South 1/2 of the Southeast 1/4 of the Northeast 1/4 of the Northeast 1/4; thence running North 100.00 feet along a line 150.00 feet West of and parallel with said East line of Section 30, Township 40 North, Range 14, to its intersection with the South right-of-way line of West Nelson Street; thence running East 100.00 feet along said South right-of-way line to the place of beginning, in Cook County, Illinois.

PARCEL 2:

Easements and rights appurtenant to and for the benefit of Parcel 1 as created and existing by Easement Grant dated March 15, 1983 and filed March 25, 1983 as Document Number LR 3299769 made by LaSalle National Bank, as Trustee under Trust Agreement dated January 19, 1982 and known as Trust No. 104632, of Walgreen Co., an Illinois corporation, and its successors and assigns, as follows:

(a.) Non-exclusive easements for vehicular parking and for vehicular and pedestrian passage, ingress to and egress from said Parcel 1 to and from adjacent streets, highways, roads and right of ways over and across all driveways, entranceways, roadways, walking areas, parking areas and improvements as now or hereafter existing within the area outlined in brown on Exhibit C attached thereto and as legally described on Exhibit D attached thereto and described below, and for the purpose of connection to and use of and maintaining and repairing existing and future drainage and utility facilities and constructing new utility facilities located within the area outlined in brown on Exhibit C attached thereto and as legally described on Exhibit D attached thereto and described below, as follows:

Commencing at the intersection of the North line of the South 1/2 of the Southeast 1/4 of the Northeast 1/4 of the Northeast 1/4 of Section 30, Township 40 North, Range 14 with the East line of Section 30, Township 40 North, Range 14, run West along said North line 50.00 feet; then run South along a line 50.00 feet West of and parallel with said East line, being the West right-of-way line of North Ashland

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LAWYERS TITLE INSURANCE CORPORATION

Exhibit B - Continued

Avenue, 33.00 feet to its intersection with the South right-of-way line of West Nelson Street for a point of beginning; thence continue South along said West right-of-way line of North Ashland Avenue 266.27 feet to its intersection with the North line of West Wellington Street; then run Westerly along the North line of West Wellington Street 577.47 feet to its intersection with the East line of North Paulina Street; then run Northerly along the East line of North Paulina Street 266.36 feet to its intersection with the South line of West Nelson Street; then run Easterly along the South line of West Nelson Street 577.17 feet to its intersection with the West line of North Ashland Avenue being the place of beginning, excepting the following parcels therefrom: the North 100 feet of the Easterly 100 feet, the South 100 feet of the Easterly 80 feet, the West 234.20 feet of the East 349.05 feet of the South 70.10 feet, and the West 175.00 feet, all in Cook County, Illinois;

(b.) Non-exclusive easement for ingress and egress for the purpose of relocation of the driveway, restriping the parking areas, and constructing, erecting, installing, maintaining and repairing all parking, lighting, curbs, islands, sidewalks, landscaping and other improvements and other facilities, in, over, under and across the area outlined in red on Exhibit C attached thereto and legally described on Exhibit A attached thereto, described as follows: Commencing at the intersection of the North line of the South 1/2 of the Southeast 1/4 of the Northeast 1/4 of the Northeast 1/4 of Section 30, Township 40 North, Range 14 with the East line of Section 30, Township 40 North, Range 14, run West along said North line 50.00 feet; then run South along a line 50.00 feet West of and parallel with said East line, being the West right-of-way line of North Ashland Avenue, 33.00 feet to its intersection with the South right-of-way line of West Nelson Street for a point of beginning; thence continue South along said West right-of-way line of North Ashland Avenue 166.27 feet; then run Westerly along a line parallel with the South right-of-way line of West Nelson Street 170.00 feet; then run Northerly 166.27 feet along a line parallel with the West right-of-way line of North Ashland Avenue to its intersection with the South right-of-way line of West Nelson Street; then run Easterly 170.00 feet along the South right-of-way line of West Nelson Street to its intersection with the West right-of-way line of North Ashland Avenue, being the place of beginning, excepting the Northerly 100.00 feet of the Easterly 100.00 feet therefrom, all in Cook County, Illinois;

(c.) Exclusive easement for the purpose of installing, maintaining, operating and servicing the 3 light standards containing high/mast luminaries shown within the area outlined in red on Exhibit C-1 attached to said Easement Grant.

TORRENS: Premises in question is registered under "An Act Concerning Land Titles". (Affects Parcels 1 and 2)

More commonly known as: 3020 N. Ashland Ave., Chicago, IL

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