

# UNOFFICIAL COPY

95-439851

## MEMORANDUM OF LEASE

THIS MEMORANDUM OF LEASE (herein so called) is made and entered into as of this 30th day of June, 1995 by and between LUTHER VILLAGE OWNERS CORPORATION, an Illinois corporation ("Lessor"), and LUTHER VILLAGE LIMITED PARTNERSHIP, an Illinois Limited partnership ("Lessee").

5879

Recitals:

- DEPT-01 RECORDING \$29.00
- T00012 TRAN 5052 07/07/95 09159100
- #2608 + JM \*--95-439851
- COOK COUNTY RECORDER
- DEPT-10 PENALTY \$26.00

29<sup>n</sup>  
26<sup>p</sup>  
2,5<sup>n</sup>

A. Lessor and Lessee have heretofore entered into that certain proprietary lease dated as of the date hereof ("Lease") with respect to unit number 1311 (the "Unit") located at 1311 Luther Lane (B34/C3) Arlington Heights, Illinois, which Unit is in a building located on certain land legal described on Exhibit A attached hereto and by this reference made a part hereof. Any and all defined terms used herein shall have the same meaning as set forth in the Lease, except as otherwise provided herein.

B. Lessor and Lessee have agreed to enter into this Memorandum of Lease for purposes of giving notice of Said Lease and certain of its terms, covenants and conditions.

NOW, THEREFORE, in consideration of the covenants hereinafter contained and for other good and valuable consideration and in consideration of the Rent reserved and the covenants and conditions more particularly set forth in the Lease, Lessor and Lessee do hereby covenant and agree as follows:

75,600/2  
Kelly D 90

Permanent Tax Index Number:  
03 19 400 005

This Instrument Prepared by  
and after recorded return to:

Address of Premises:  
Oakton Avenue & Kennicott  
Arlington Heights, Illinois

Patricia Needham, Esq.  
Skadden, Arps, Slate,  
Meagher & Flom  
333 West Wacker Drive  
Suite 2100  
Chicago, Illinois 60606

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BOX 333-CTI

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1. Lease of Unit. Lessor does hereby demise and lease to Lessee and Lessee hereby leases from Lessor the Unit for the term hereinafter provided, on and subject to the terms and conditions of the Lease.

2. Term. The term of the Lease commences on June 30, 1995 ("Commencement Date") and shall continue until 11:59 p.m. on November 7, 2088, unless sooner terminated or further extended as provided in the Lease.

3. Notice. This Memorandum of Lease does not set forth all of the material terms or conditions of the Lease. This Memorandum of Lease is not intended to, and does not and shall not, amend, modify, diminish or affect in any way the Lease or the construction or interpretation thereof or any rights or obligations of any of the parties thereto. The sole purpose of this Memorandum of Lease is to give notice of said Lease and of certain of its terms, covenants and conditions.

4. Miscellaneous. This Memorandum of Lease shall be binding upon and inure to the benefit of the parties hereto, their respective heirs, executors, administrators, successors and assigns.

IN WITNESS WHEREOF, the parties hereto have executed this Memorandum of Lease as of the date and year first above written.


LESSOR:  
LUTHER VILLAGE OWNERS CORPORATION,  
an Illinois corporation

By:   
Name: Thomas R. Prescott  
Its: Vice President

LESSEE:  
LUTHER VILLAGE LIMITED PARTNERSHIP,  
an Illinois limited partnership

By: CHS Arlington Associates  
Limited Partnership,  
an Illinois limited  
partnership,  
General Partner

By: CHS Arlington, Inc.,  
a Delaware corporation,  
General Partner

By:   
Name: Thomas R. Prescott  
Its: Vice President

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Exhibit A

PAD 34

THAT PART OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID WEST 1/2 OF THE SOUTHEAST 1/4; THENCE NORTH 0°00'00" EAST ALONG THE WEST LINE OF SAID WEST 1/2 OF THE SOUTHEAST 1/4, 32.99 FEET; THENCE EAST ALONG A LINE NORMAL TO THE LAST DESCRIBED COURSE, 40.00 FEET TO THE EAST LINE OF KENNICOTT BOULEVARD; THENCE NORTH 0°00'00" EAST ALONG SAID EAST LINE OF KENNICOTT BOULEVARD, 1464.88 FEET; THENCE SOUTH 90°00'00" EAST, 285.84 FEET TO THE POINT OF BEGINNING; THENCE NORTH 06°11'55" EAST, 136.20 FEET; THENCE SOUTH 86°34'12" EAST, 139.58 FEET; THENCE SOUTH 06°11'55" WEST, 149.68 FEET; THENCE NORTH 81°01'53" WEST, 139.58 FEET TO THE POINT OF BEGINNING, CONTAINING 0.457 ACRES, MORE OR LESS.

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FOR LESSOR

STATE OF ILLINOIS )  
                                  ) ss  
COUNTY OF LAKE )

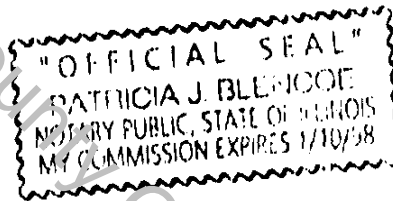
I, the undersigned, a notary public in and for said County, in the State aforesaid, DO HEREBY CERTIFY THAT Thomas R. Prescott, personally known to me to be the vice president of LUTHER VILLAGE OWNERS CORPORATION, an Illinois corporation and personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that as such vice president of said corporation he signed and delivered the said instrument pursuant to proper authority given by the Board of Directors of said corporation as his free and voluntary act, and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

June, 1996 GIVEN under my hand and notarial seal this 20<sup>th</sup> day of

Patricia J. Blencoe  
NOTARY PUBLIC

My Commission expires:

1-10-98



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EQB 115511

STATE OF ILLINOIS )  
                                  ) SS  
COUNTY OF LAKE )

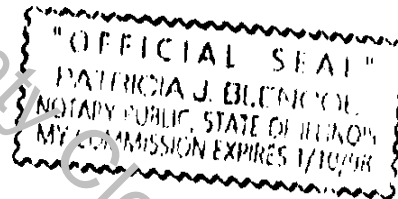
I, the undersigned, a notary public in and for said County, in the State aforesaid, DO HEREBY CERTIFY THAT Thomas R. Prescott, personally known to me to be the vice president of CBS Arlington, Inc., a Delaware corporation, General Partner of CBS Arlington Associates Limited Partnership, an Illinois Limited partnership, General Partner of LUTHER VILLAGE LIMITED PARTNERSHIP, an Illinois Limited partnership, and 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 acknowledged that as such vice president of said corporation he signed and delivered the said instrument pursuant to proper authority given by the Board of Directors of said corporation as his free and voluntary act, and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 30<sup>th</sup> day of June, 1998.

Patricia J. Blencoe  
Notary Public

My Commission expires:

1-10-98



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