

# UNOFFICIAL COPY

Document prepared by and  
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Bruce A. Neumann  
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Chicago, IL 60601

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95862997

DEPT-01 RECORDING 837.5  
147777 TRM 4839 12/12/95 13159100  
45705 + JJ \*-95-862997  
COOK COUNTY RECORDER

~~DEPT-18 PENALTY 434.0~~

MEMORANDUM OF LEASE

BY AND BETWEEN

SEGER ENTERPRISES, INC.

("LANDLORD")

AND

PROGRESSIVE BEGEL CONCEPTS, INC.

("TENANT")

DATED NOVEMBER 9, 1995

95862997

Property of Cook County Clerk's Office



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LOCATION: 208 S. Cook St.  
Barrington, IL

STORE NO.: 1468

## RECORDING REQUESTED BY AND WHEN RECORDED RETURN TO:

Bruce A. Neumann  
Pedersen & Houpt  
161 North Clark Street  
Suite 3100  
Chicago, Illinois 60601

## MEMORANDUM OF LEASE

This Memorandum of Lease is by and between Seger Enterprises, Inc., a corporation ("Landlord") and Progressive Bagel Concepts, Inc., a Delaware corporation ("Tenant"), pursuant to which Landlord has demised to Tenant, and Tenant has accepted such demise from Landlord, the Leased Premises (later defined) upon the following terms:

Date of Lease: November 9, 1955.

Legal Description of See Exhibit A attached hereto.

Description of Leased Premises: 2,250 square feet located Property (as defined in the Lease) and commonly known as 208 S. Cook Street, Barrington, Illinois.

Commencement Date: The Term of this Lease shall begin 60-120 days after Tenant obtains all Authorizations and Permits (as defined in the Lease).

Expiration Date: Sixty (60) full calendar months after Commencement Date.

Term: Sixty (60) full calendar months.

Extension(s): Two (2), five (5) year renewal options.

Exclusive: As a material inducement for Tenant to enter into the Lease, Landlord acknowledges and agrees that during the Term and any Extension, Tenant shall have the exclusive right to sell bagels and bagel-related products and gourmet coffees for on or off-premises consumption at the Shopping Center Property.

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Building Restrictions: Tenant has entered into this Lease in reliance upon representations by Landlord that no part of the Shopping Center shall be used as a massage parlor or spa, blood bank, abortion clinic, or an adult book or adult video tape store (which are defined as stores in which any portion of the inventory is not available for sale or rental to children under 18 years old because such inventory explicitly deals with or depicts human sexuality).

The purpose of this Memorandum of Lease is to give record notice of the Lease and of the rights created thereby, all of which are hereby confirmed.

IN WITNESS WHEREOF, the parties have executed this Memorandum of Lease as of the dates set forth in their respective acknowledgments.

WITNESSES:

TENANT

Progressive Bagel Concepts, Inc.

Shari K. Gold  
A. Huleg

By: David G. Stanchak  
Name: DAVID G. STANCHAK  
Its: VICE PRESIDENT

WITNESSES:

LANDLORD

SEGER ENTERPRISES, INC.

Leonard A. Boyer  
Rebecca A. Hillard

By: Rayette Seger-Boshell  
Name: RAYETTE SEGER BOSHELL  
Its: PRESIDENT

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## PROGRESSIVE BAGEL CONCEPTS, INC. ACKNOWLEDGMENT

State of Colorado  
County of Jefferson

The foregoing instrument was acknowledged before me on November 9, 1995, by David L. Spaulding, Vice President of PBCI on behalf of the Corporation.

Jane P. Jantz Commission expires: 7/22/98  
Notary Public



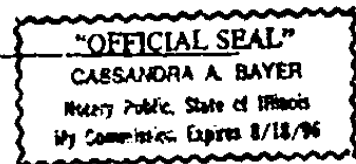
## ACKNOWLEDGMENT FOR CORPORATION

State of ILLINOIS  
County of LAKE

The foregoing instrument was acknowledged before me on NOVEMBER 13, 1995, by RAIETTE SEGER-BOSHELL, PRESIDENT of SEGER ENTERPRISES, INC. on behalf of the Corporation.

Cassandra A. Bayer  
Notary Public

Commission expires: \_\_\_\_\_



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## EXHIBIT A

### LEGAL DESCRIPTION

LOTS 5 AND 6 IN BLOCK 2 IN THE VILLAGE OF BARRINGTON IN SECTION 1,  
TOWNSHIP 42 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN,  
COOK COUNTY, ILLINOIS.

PIN #: 01-01-104-003-000  
01-01-104-004-000  
01-01-104-005-000

Building Address: 208 S. Cook St.  
Barrington, Illinois

This instrument was prepared by and should be  
returned to:

Bruce A. Neumann  
Pedersen & Houpt  
161 North Clark Street  
Suite 3100  
Chicago, Illinois 60601

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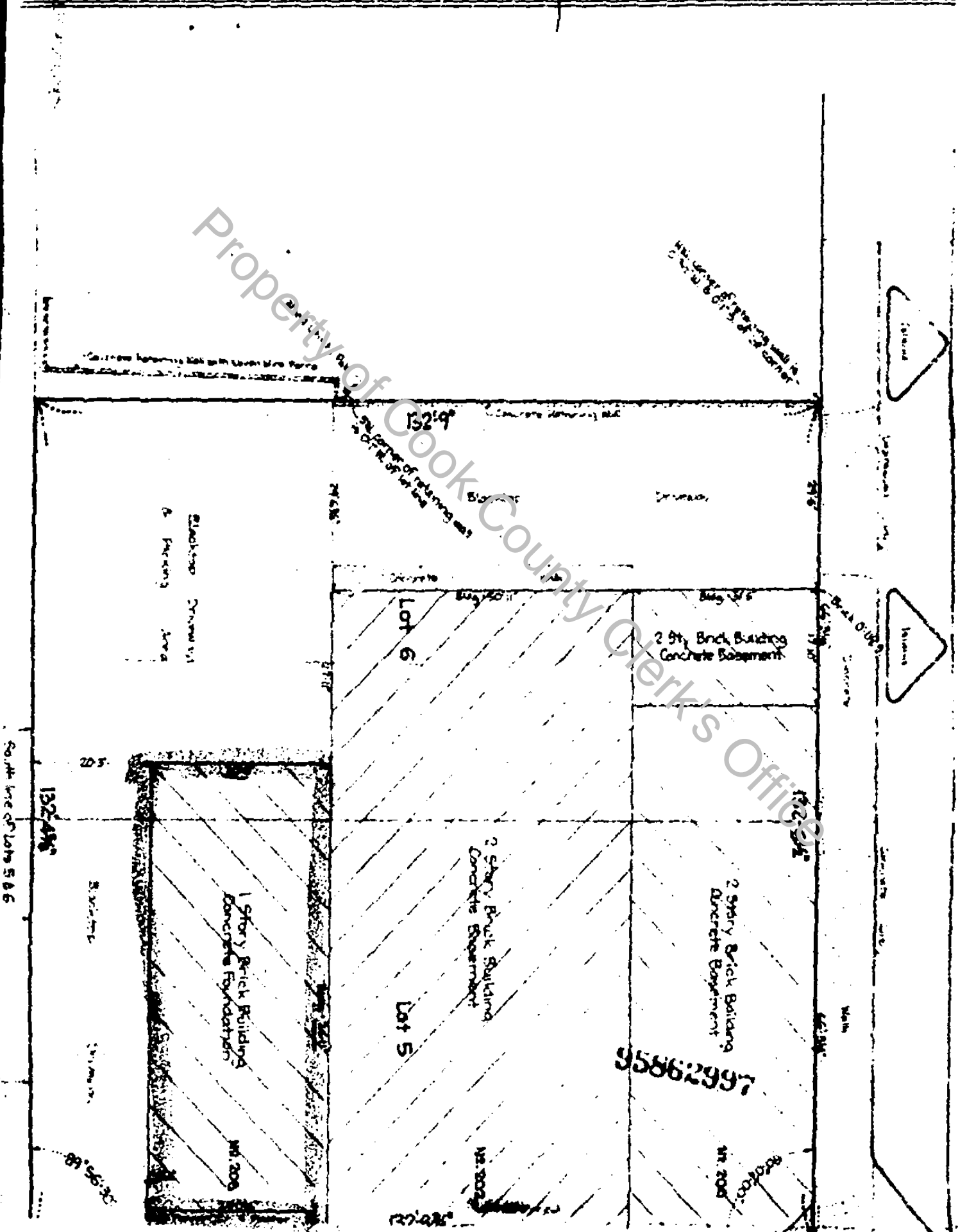
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Surveyor, as  
property described  
is constructed

of Surveyor,  
specify describe  
correctly

A.D. 1978

Property of Cook County Clerk's Office



South line of Lots 5 & 6



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100000

100000

100000

132°48'

89°56'35"

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6174 NORTHWEST HIGHWAY  
CHICAGO 31, ILLINOIS

Tel. ROdney 3-6066

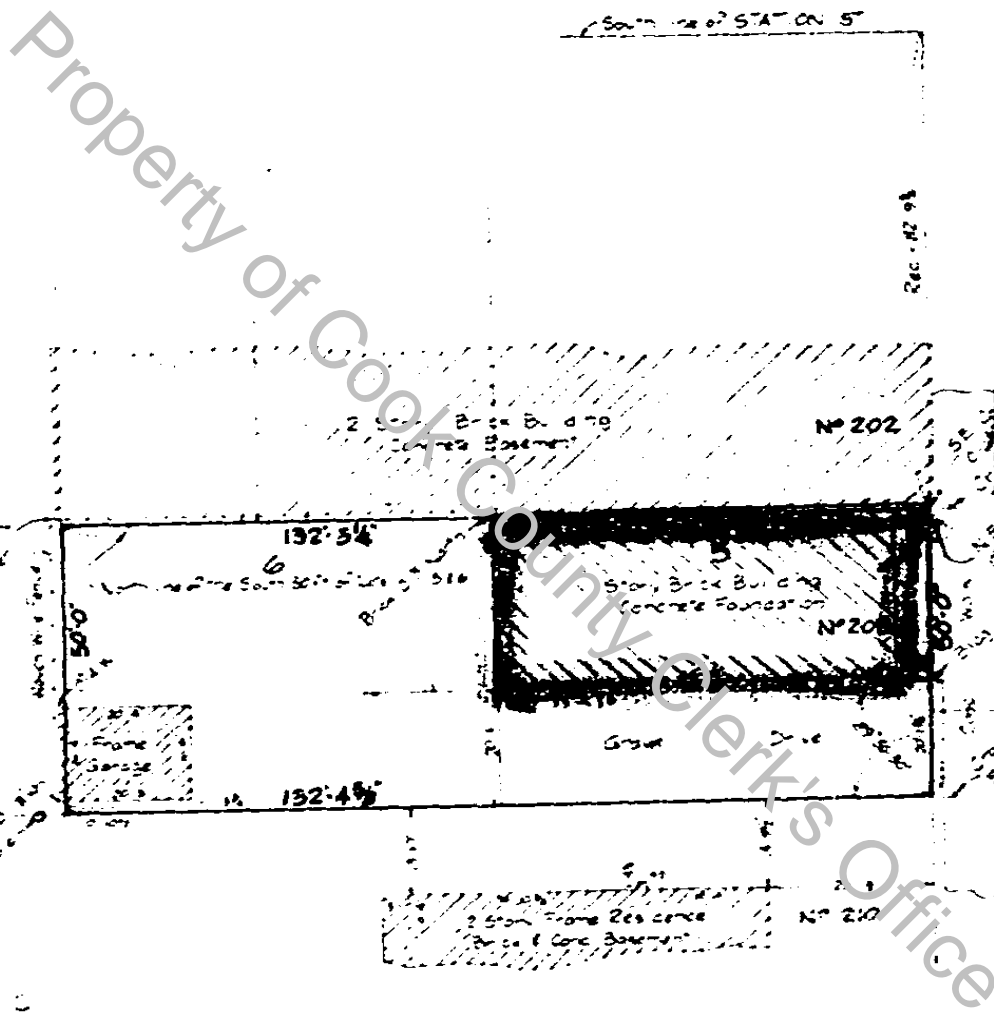
N

# PLAT OF SURVEY

—BY—

**NELSON, HARKER AND MOLLOY, Inc.**  
REGISTERED LAND SURVEYORS  
OF

The South 50.0 feet of Lot 5 and the South 50.0 feet of Lot 6 in Block 2  
in the Village of Barrington in Section 1, Township 42 North, Range 9 East  
of the 1st Principal Meridian, in Cook County, Illinois.



**BARRINGTON REALTY CO.**

SCALE 1 inch equals 20 feet

Please use the Order No. in future references to this survey

Order No. 070642

Block No. 42-9 Page 50

Building lines, if any, shown herein are building feet shown

I, Nelson Harker & Molloy, Inc. hereby certify that a survey has been made of the property described herein and that the buildings constructed on said property are located as shown herein.

I, Nelson Harker & Molloy, Inc. hereby certify that a survey has been made under my direction by a Registered Illinois Land Surveyor of the property described herein and that the buildings shown on a correct representation of said survey



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APPLICATION NO (1)-7026 (2)-8927  
DOCUMENT NO. 232302 F)  
2329931 ) C-F  
2327948 )

VOLUME 2125-2 PAGE 297  
CERTIFICATE NO. 1080593  
OWNER LaSalle National Bank, as  
Trustee Trust No. 35429  
OWNERS DUPLICATE

Trapp & Kramer Inc.  
101 W. Monroe St.  
Chicago, Ill.

The First National Bank and Trust  
Company of Chicago  
103 South Park Street  
Chicago, Illinois 60610

## CERTIFICATE OF TITLE

Date Of First Registration

(1) NOVEMBER TWENTY-FIFTH (25th)----1914  
(2) FEBRUARY TWENTY-SIXTH (26th)----1917

TRANSFERRED FROM 1022526  
CERTIFICATE NO.

to  
be  
inc  
des  
wil  
and

STATE OF ILLINOIS )  
COOK COUNTY ) S.S.

*I Sidney R. Olsen Regu  
and for said County, in the State aforesaid, do he*

LA SALLE NATIONAL BANK, a National Banking Association,  
Trustee, under the Provisions of a Trust Agreement, dated the  
day of May, 1967, known as Trust Number 35429.

of the CITY OF CHICAGO County of COOK and State of  
IS the owner of an estate in fee simple, in the p  
land situated in the County of Cook and State of Illin.

### DESCRIPTION OF LAND

- (1)-The North Thirty-Two (32) feet of LOT FIVE-----
- (1)-LOT FIVE (except the South Fifty (50) feet thereof; and except the  
North Thirty-Two (32) feet of Lot Five (5)-----
- (2)-The South Fifty (50) feet of LOT FIVE-----
- (1)-LOT SIX (Except the South Fifty (50) feet thereof; and except the North Thir  
feet of the East Thirty-Seven (37) feet of Lot Six (6)-----
- (1)-The North Thirty-Two (32) feet of the East Thirty-Seven (37) feet  
of LOT SIX (6)-----
- (2)-The South Fifty (50) feet of LOT SIX-----

In Block Two (2), in THE VILLAGE OF BARRINGTON, in part of Section 1, Township 42 Nor  
Third Principal Meridian.

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