

UNOFFICIAL COPY

96840090

F 35.50
F
T 35.50
L 35.50

DEPT-01 RECORDING \$35.50
786666 TRAN 7365 08/20/96 15:14:00
#6639 # LM *-96-640090
COOK COUNTY RECORDER

After recording please return to:

Stacie Taylor
Commonwealth Land Title Company
14643 Dallas Parkway, Suite 100
Dallas, Texas 75240

PROPERTY NO.: 6444
CITY: Evanston
STATE: Illinois
STREET ADDRESS: 2450 Main Street
TAX PARCEL NO. 10-24-300-051-0000
10-24-300-055-0000
10-24-300-052-0000

MAIL TO

MEMORANDUM OF LEASE

MEMORANDUM OF LEASE, dated as of August 15, 1996, between WARES DELAWARE CORPORATION, a Delaware corporation having an address at c/o Wal-Mart Stores, Inc., as Administrator, 702 S.W. 8th Street, Bentonville, Arkansas 72716 ("Lesser") and WAL-MART STORES, INC., a Delaware corporation having an address at 702 S.W. 8th Street, Bentonville, Arkansas 72716 ("Lessee").

WITNESSETH:

1. Lessor, pursuant to a Lease (as such Lease may be amended from time to time, the "Lease"), dated of even date herewith, has demised and leased to Lessee, and Lessee has leased from Lessor, upon and subject to the terms, covenants and conditions set forth therein, Lessor's right, title and interest in the parcel of land (the "Land Parcel") situated in the City of Evanston, County of Cook, State of Illinois, and more particularly described on Exhibit A annexed hereto.

05005306

1455-0575

UNOFFICIAL COPY

Property of Cook County Clerk's Office

95840380

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

IN WITNESS WHEREOF, this Memorandum of Lease has been duly executed and delivered pursuant to proper authority duly granted by Lessor and Lessee as of the date first written above.

LESSOR:

WARES DELAWARE CORPORATION

ATTEST:

By: [Signature]
Name: [Signature]
Title: [Signature]

By: [Signature]
David Ledy,
Vice President

LESSEE:

WAL-MART STORES, INC.

Attest:

[Signature]
Allison Garrett,
Assistant Secretary

By: [Signature]
J.J. Fitzsimmons,
Senior Vice President

THIS INSTRUMENT PREPARED BY:

Hughes & Luce, L.L.P.
1717 Main Street (Suite 2800)
Dallas, Texas 75201
Attn: Anthony G. Soards

03/16/2006

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

STATE OF NEW YORK)
)
) ss:
COUNTY OF NEW YORK)

Know all men by these presents that before me, the below-named Notary Public in and for the State and County named above duly commissioned to take acknowledgments, there personally appeared David Ledy, who is personally known to me to be a person named in and who signed the legal instrument to which this acknowledgment is attached and which was produced to me in the State and County aforesaid, and being by me first duly sworn did acknowledge before me, depose and say to me that he is, Vice President of Wares Delaware Corporation, a Delaware corporation; that he knows the seal of said corporation; that the seal imprinted on the legal instrument to which this acknowledgment is attached is an imprint of the true seal of said corporation; that after being duly informed of the contents and import of such legal instrument he had signed and caused the seal of such legal instrument as the officer of such corporation indicated above; that he had signed and sealed the same in the name of and on behalf of such corporation in such capacity by the authority, order and resolution of its Board of Directors; that he had signed his name thereto on behalf of said corporation in such capacity by like order; that the execution of said legal instrument was the free and voluntary act and deed of said corporation in such capacity for the consideration, purposes, and uses set forth in such legal instrument, that he had delivered such legal instrument to the other parties in such capacity he had received a true copy of such legal instrument without charge.

IN WITNESS WHEREOF, I have signed and imprinted my official notarial seal on this acknowledgment in the State and County named above on the 21 day of August, 1996.

My commission expires: June 30, 1998

Bernadette M. Sullivan
Notary Public

Print Name: Bernadette M. Sullivan

BERNADETTE M. SULLIVAN
Notary Public, State of New York
No. 01SU4813940
Qualified in New York County
Commission Expires June 30, 1998

UNOFFICIAL COPY

Property of Cook County Clerk's Office

908871000

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

EXHIBIT "A"

DEMISED PREMISES

[Legal Description]

Permanent Tax Parcel Nos.: 10-24-300-051-0000

10-24-300-055-0000

10-24-300-052-0000, Volume 55

Street Address: 2450 Main Street

Property of Cook County Clerk's Office

A-1 of 3

05249.0019:0183620.02

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

EXHIBIT A

Legal Description

PARCEL 1:

Lot 1 and Lot 3 (except the East 15.50 feet of the North 78.27 feet of Lot 3) in Main Street Commons Subdivision being a subdivision in the Southwest quarter (1/4) of Section 24, Township 41 North, Range 13, East of the Third Principal Meridian, according to the Plat of said Main Street Commons Subdivision recorded March 15, 1993 as Document Number 93193389, in Cook County, Illinois.

PARCEL 2:

Easements appurtenant to and for the benefit of Parcel 1 aforesaid, as created by construction, operation, Maintenance and Reciprocal Easement Agreement dated March 11, 1993 and recorded March 15, 1993 as Document Number 93193397 for ingress and egress, passage and parking of vehicles, and passages and accommodation of pedestrians upon the common area; for the installation, use, operation, maintenance, repair, replacement, relocation and removal of the common utility facilities; for construction and for maintaining the common foundations, under, over and upon the common areas.

Lot 2 and the East 15.50 feet of the North 78.27 of Lot 3 in Main Street Commons Subdivision, being a subdivision in the Southwest quarter (1/4) of Section 24, Township 41 North, Range 13, East of the Third Principal Meridian, according to the Plat of said Main Street Commons Subdivision recorded March 15, 1993 as Document Number 93193389 in Cook County, Illinois.

PARCEL 3:

Easement appurtenant to and for the benefit of Parcel 1 aforesaid as created by Deed of Declaration recorded June 23, 1978 as Document Number 24504249 and amended by First Amendment to Deed of Declaration dated March 11, 1993 and recorded March 15, 1993 as Document Number 93193390 for passage and use, both pedestrian and automotive, for purposes of ingress and egress, and parking over, upon and across all drives, parking areas and access ways or routes to and from the public way as there may from time to time exist on the following two parcels of land:

- (1) That part of Lot 2 of General Dynamics-Evanston Industrial Park recorded May 16, 1969 in Book 791 at Pages 47 and 48 as Document 20843500, described as follows:

Beginning at the Northeast corner of said Lot 2; thence due West 622.56 feet on the North line of said Lot 2 to a point 14.02 feet due East of the Northwest corner of the said Lot 2; thence South 02° 28' 13" West, 655.00 feet on a line parallel with the West line of said Lot 2; thence South 87° 31' 47" East, 281.00 feet; thence North 02° 28' 13" East 159.00 feet; thence South 87° 31' 47" East 294.87 feet to the Southeasterly line of said Lot 2; thence North 24° 29' 53" East 106.33 feet on the Southeasterly line of said Lot 2; thence North 39° 03' 08" East, 38.92 feet on the Southeasterly line of said Lot 2 to the East line of said Lot 2; thence due North 393.39 feet on the East line of said Lot 2 to the Point of Beginning, and all being situated in the South West quarter (1/4) of Section 24, Township 41 North, Range 13 East of the Third Principal Meridian, in Cook County, Illinois (except that part thereof falling in Parcel 1 aforesaid)

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

That part of Lot 2 of General Dynamics-Evanston Industrial Park (recorded May 16, 1969 in Book 9791 at Page 447 and 48 as Document Number 20843500) and that part of the Southwest quarter (1/4) of Section 24, Township 41 North, Range 13 East of the Third Principal Meridian, described as follows:

Commencing at the North East corner of said Lot 2; thence due West 622.56 feet (622.54 measured) on the North line of said Lot 2 to a point 14.02 feet due East of the North West corner of the said Lot 2; thence South $02^{\circ} 28' 13''$ West, 655.00 feet on a line parallel with the West line of said Lot 2 to the Point of Beginning; thence South $02^{\circ} 28' 13''$ West, 320.60 feet on a line parallel with the West line of said Lot 2; thence North $87^{\circ} 31' 47''$ West, 14.00 feet to the West line of Lot 2; thence South $02^{\circ} 28' 13''$ West 548.60 feet; thence North $66^{\circ} 13' 02''$ East 41.65 feet; thence North $24^{\circ} 29' 53''$ East 100 feet; thence North $87^{\circ} 31' 47''$ West 294.87 feet; thence South $02^{\circ} 28' 13''$ West 159 feet; thence North $66^{\circ} 13' 02''$ East 200 feet; thence North $24^{\circ} 29' 53''$ East 894.02 feet; thence North $87^{\circ} 31' 47''$ West 294.87 feet; thence South $02^{\circ} 28' 13''$ West 159 feet; thence North $87^{\circ} 31' 47''$ West 281 feet to the Point of Beginning in Cook County, Illinois, (except that part thereof falling in Parcel 1 aforesaid).

Property of Cook County Clerk's Office

05249.0019:0131148.01

UNOFFICIAL COPY

Property of Cook County Clerk's Office

06005306