THIS DOCUMENT PREPARED BY:

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COOK COUNTY RECORDER

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LEASE AND SUBLEASE TERMINATION AGREEMENT

THIS LEASE AND SUBLEASE TERMINATION AGREEMENT is made as of April 3, 1996 by and between the CITY OF ROLLING MEADOWS, an Illinois municipal corporation ("Lessor"), PAGLE FOOD CENTERS; INC., a Delaware corporation ("Lessee/Sublesser") and DOMINICK'S FINER FOODS, INC., an Illinois corporation ("Sublessee").

WHEREAS, Chicago National Bank as Trustee under Trust 16675 ("Chicago National") and Meadows Eagle, Nnc. ("Meadows") entered into a certain Lease dated June 13, 1960, (the "Lease") covering the premises described in Exhibit "A" attached hereto (the "Premises"); and

BOX 333-CTI

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WHEREAS, to evidence the Lease, Chicago National and Meadows also entered into a certain Memorandum of Lease dated June 13, 1960, which was filed on July 1, 1960 with the Registrar of Titles of Cook County, Illinois as Document No. 1933361 (the "Memorandum of Lease"); and

whereas, Eagle Food Centers, Inc., a Maryland corporation ("Eagle-Maryland") entered into a certain Sublease dated June 8, 1965 with Sublease covering the Premises (the "Sublease"); and

WHEREAS, to evidence the Sublease, Eagle-Maryland and Subleasee also entered into a certain Memorandum of Sublease dated June 8, 1965, which was recorded on November 3, 1965 with the Recorder of Deeds of Cook County, Illinois as Document No. 1963870 (the "Memorandum of Sublease"); and

WHEREAS, Lessor has succeeded to the interests of Chicago National as the landlord under the Lease; and

WHEREAS, Lessee/Sublessor has succeeded to the interests of Eagle-Maryland as tenant and sublandlord under the Lease, and

WHEREAS, Lessor and Lessee/Sublessor desire to terminate the Lease and the Memorandum of Lease as hereinafter provided; and

WHEREAS, Lessee/Sublessor and Sublessee desire to terminate the Sublease and the Memorandum of Sublease as hereinafter provided.

NOW, THEREFORE, in consideration of the premises and other good and valuable considerations, the receipt and sufficiency of which are acknowledged by the parties hereto, it is agreed as follows:

- 1. The Lease and the Memorandum of Lease are terminated as of April 5, 1996 as if said date were the expiration date originally set forth in the Lease.
- 2. The Sublease and the Memorandum of Sublease are terminated as of April 5, 1996 as if said date were the expiration date originally set forth in the Sublease.
- 3. Lessee/Sublessor and Sublessee agree that possession of the Premises will be delivered to Lessor on April 5, 1996.
- 4. This Lease and Sublease Termination Agreement may be executed in two (2) or more counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.

### **UNOFFICIAL COPY**

IN WITNESS WHEREOF, the parties hereto have executed this Lease and Sublease Termination Agreement as of the day and year first above written.

	CITY OF ROLLING MEADOWS
ATTEST:  By: Flexy Freshor  Its: City Rierz	By: X Showing Mengel  Its: MAYOR
J-Ox	EAGLE FOOD CENTERS, INC.
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	COMINICK'S FINER FOODS, INC., an Illinois corporation
	By: Its.

### UNOFFICIAL COPY

STATE OF	)			
COUNTY OF	)			
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EAGLE FOOD CE	NTER, INC., a De	, as elaware corpora	, a Notary Publisaid, DO HERERY CERTIF	f Y
known to me to foregoing instantion, that he signs and voluntary	o be the same patrument as such appeared before and delivered	erson whose had a me this day in the said instant the free and	me is subscribed to th  President of Hai  person and acknowledge rument as his own fre voluntary act of sai	d d
GIV April, 1996.	EN under my han	nd and notarial	l seal this day o	£
		Notary E	rublic .	-
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### **UNOFFICIAL COPY**

IN WITNESS WHEREOF, the parties hereto have executed this Lease and Sublease Termination Agreement as of the day and year first above written.

	CITY OF ROLLING MEADOWS
ATTEST:  By:  Its:	By:
Or Or	EAGLE FOOD CENTERS, INC.
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	an Illinois corporation  By:
	Its:
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### UNOFFICIAL COPY

IN WITNESS WHEREOF, the parties hereto have executed this Lease and Sublease Termination Agreement as of the day and year first above written.

	CITY OF ROLLING MEADOWS
ATTEST: By:	By:
<i>5</i> 0,	EAGLE FOOD CENTERS, INC.
	By: Ics:
	DOMINICK'S FINER FOODS, INC., an Illinois corporation
	By: Chartauch, Its: Jis Ardident
	CV.

#### UNOFFICIAL COPY.

STATE OF JLLINOIS )
COUNTY OF COOK )

in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Chery A Murphy, as President of DOMINICK'S FINER FOODS, INC., an Illinois corporation, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument as such President of said Corporation, appeared before me this day in person and acknowledged that he signed and delivered the said instrument as his own free and voluntary act and as the free and voluntary act of said Corporation, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 4th day of April, 1996.

OFFICIAL SEAL
JUDITH C ROGERS
NOTARY PUBLIC STATE OF ILL P.C.'S
MY COMMISSION EXP. AUG. 31,1 99

Notary Public

#### EXHIBIT "A"

#### Legal Description of Property

That part of Lot "S", in Rolling Meadows Unit No. 8, hereinafter described, described as follows: Commencing at a point on the Northerly line of said Lot "S", 300.0 feet Westerly of the North Easterly corner of said Lot "S", thence Southerly at right angles to the Northerly line of said Lot "S", 310.0 feet; thence Westerly parallel to the Northerly line of Lot "S", 129.62 feet; thence South Westerly on a line drawn at right angles to the Southerly line of said Lot "S" and the Northerly line of fots 1361 to 1371 inclusive, in said Rolling Meadows Unit No. 6 from a point 457.99 feet North Westerly of angle corner in South line of Lot "S", 250.77 feet to the Southerly line of said out "S", thence North Westerly along said Southerly line of Lot 3, and the Northerly line of said Lots 1361 to 1371 inclusive, 180.0 feet to a point 27.85 feet South Easterly of the North Westerly corner of said Lot 1371; thence North Easterly at right angles to said Southerly line of Lot "S", 253.78 feet to an intersection with a line drawn at right angles to the Northerly line of said Lot "S" from a point 600.0 feet Westerly of the North Easterly corner of Lot "S", thence Northerly along said line drawn at right angles to the Northerly line of Lot "S", 251.88 feet to the Northerly line of Lot "S", thence Easterly along the Northerly line of Lot "S", 300.0 feet to the place of beginning; in Rolling Meadows Unit No. 8, being a Subdivision in that part of the West half of Section 36, Township 42 North, Range 10 East of the Third Principal Meridian lying South of Kirchoff Road, according to the plat thereof registered in the Office of the Registrar of Titles of Cook be Copy of the Co County, Illinois, on July 19, 1955, and as document LR 1608437, all in Cook County, Illinois.