

MEMORANDUM OF LEASE BETWEEN THE SOUTHLAND CORPORATION AND

0138/0128 51 001 Page 1 of 3 1998-06-17 16:00:20 Cook County Recorder 25.50

LOCATION # 32655

SPACE ABOVE THIS LINE FOR RECORDER'S USE

This is a Memorandum of Lease by and between Midwest Trust Services, a Texas corporation, hereinafter called Landlord and The Southland Corporation, a Texas corporation, hereinafter called Tenant, of 2711 N. Haskell Avenue, Dallas, Texas. Landlord hereby grants, demises and leases the premises described below to Tenant upon the following terms:

Legal Description of Leased Premises: See Attached

Common Address: 2600 South Harlem, Chicago, Illinois

Permanent Index Number: 07-26-204-013

Date of Lease: May 20, 1998

Date of Commencement:

Initial Term: Twenty (20) years

Renewal Options: Three (3) five (5) year options

Purchase Option(s): Right of First Refusal

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.

(SEAL)

Attest:

[Signature of J. Halliday]

(SEAL)

Attest:

[Signature of Assistant Secretary]

Assistant Secretary

SEE EXHIBITORY TERMS ATTACHED TO AND MADE PART HEREOF.

LANDLORD: Midwest Trust Services, Inc. 0119 98 6 2327

By: [Signature]

TENANT: THE SOUTHLAND CORPORATION

By: [Signature] Vice President or Attorney-in-Fact

(Individual)
STATE OF ILLINOIS
COUNTY OF COOK

UNOFFICIAL COPY 8813557

On _____ before me, the undersigned, a Notary Public in and for said State, personally appeared _____ to be the person _____ whose name _____ subscribed to the within instrument and acknowledged that _____ executed the same.

WITNESS my hand and official seal.

Signature _____
Name (Typed or Printed)

(This area for official notarial seal)

(Corporation)
STATE OF ILLINOIS)
COUNTY OF COOK)

On 6-8-98 before me, the undersigned, a Notary Public in and for said State, personally appeared James J. Bratcher known to me to be the President or Attorney-in-fact, and Alta Holliday known to me to be the Secretary of the corporation that executed the within Instrument, known to me to be the persons who executed the within Instrument on behalf of the corporation therein named, and acknowledged to me that such corporation executed with within Instrument pursuant to its by-laws or a resolution of its board of directors.

WITNESS my hand and official seal.

Signature Kimberly A. Muich
Name (Typed or Printed)

"OFFICIAL SEAL"
Kimberly A. Muich
Notary Public, State of Illinois
My Commission Expires Jan. 8, 2002

(This area for official notarial seal)

(Corporation)
STATE OF TEXAS)
COUNTY OF DALLAS)

On May 22, 1998, before me, the undersigned, a Notary Public in and for the State of Texas, personally appeared Krista Fuller, known to me to be the Vice President and Gary Fullington known to me to be the Assistant Secretary of The Southland Corporation that executed the foregoing Memorandum of Lease, known to me to be the person, who executed the Memorandum of Lease on behalf of The Southland Corporation and acknowledged to me that The Southland Corporation executed the Memorandum of Lease pursuant to its by-laws or a resolution of its board of directors.

WITNESS my hand and official seal.

Signature Dianna C. Perry
Name (Typed or Printed)

Dianna C. Perry
Notary Public, State of Texas
My Commission Expires 03/01/01

(This area for official notarial seal)

This Instrument was prepared by:

Mail To:

Michael J. Wall
55 West Monroe Street
Suite 3900
Chicago, IL 60603

The Southland Corporation
Attn: Corporate Real Estate
2711 North Haskell Avenue
Dallas, TX 75204



UNOFFICIAL COPY

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THIS RIDER IS ATTACHED TO AND MADE PART OF CERTAIN MEMORANDUM OF
OF LEASE BY LESSEE/CONSENT BY LESSOR DATED May 22, 1998, AND
EXECUTED BY MIDWEST TRUST SERVICES, INC., UNDER TRUST AGREEMENT
#98-6-7327:

It is expressly understood and agreed by and between the parties hereto that each and all of the warranties, indemnities, representations, covenants, and undertakings and agreements herein made on the part of the trustee are made and intended, not as personal warranties, indemnities, representations, covenants, undertakings and agreements of Midwest Trust Services, Inc. but are made and intended for the sole purpose of binding the trust property, and this document is executed and delivered by said Midwest Trust Services, Inc., not in its' own right, but as trustee solely in the exercise of the power that conferred upon it as such trustee and no personal liability or personal responsibility is assumed by, nor shall at any time be asserted or be enforceable against Midwest Trust Services, Inc., on account of any warranties, indemnities, representations, covenants, undertaking or agreement therein contained, whether expressed or implied, all such personal liability, if any, being expressly waived and released by the parties hereto and by all persons claiming by, through and under them.

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