

UPON RECORDATION  
THIS INSTRUMENT SHOULD BE

UNOFFICIAL COPY

RETURNED TO:

PREPARED BY:

Ellen K. Munro, Esq.  
Loyola University of Chicago  
840 N. Wabash Ave.  
Chicago, Illinois 60611

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451354

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1999-08-26 11:58:54  
Cook County Recorder 35.50



RIGHT OF FIRST REFUSAL  
(Sacred Heart Premises)

TICOR TITLE INSURANCE

For Ten and No/100 Dollars (\$10) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, The Society of the Sisters of Christian Charity, Inc., an Illinois not-for-profit corporation ("Owner") hereby grants to Loyola University of Chicago, an Illinois not-for-profit corporation ("Buyer") the exclusive right of first refusal (herein sometimes called the "Right of First Refusal") to purchase the real property described on Exhibit A attached hereto and located in Wilmette, Illinois ("Property") in the event of a bona fide offer by a third party to purchase the Property, or any part thereof, which offer Owner desires to accept (the portion of the Property, being all or a part, which is subject of the bona fide offer is hereinafter referred to as the "Subject Property"). If at any time or times Owner receives a bona fide offer of purchase from a prospective purchaser as to a Subject Property, which offer Owner desires to accept, Owner agrees to give prompt written notice ("Notice of Offer") at the address set forth in, and in accordance with, the terms of Section 8 hereof, setting out the price and terms of the offer (herein called the "Offer"). The Notice of Offer shall contain term sheets, and the identity of the prospective purchaser and will give Buyer a right to review the proposed contract (if any). Upon written request, Owner shall provide to Buyer any additional information in Owner's possession concerning the Offer. Buyer shall have the right, at its option, to purchase the Subject Property on the same price and terms as are embodied in such Offer.

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1. The Right of First Refusal may be exercised by Buyer by entering into a contract with Owner in a form appropriate for comparable commercial transactions in Wilmette, Illinois within thirty (30) days following receipt of the Notice of Offer by Buyer, embodying the same terms and provisions as were contained in the Offer.
2. In the event Buyer does not timely exercise the Right of First Refusal, Owner may sell the Subject Property covered by the Offer to the proposed purchaser.
3. The Right of First Refusal shall be in effect only so long as Buyer is the owner or tenant of the real property located in Wilmette, Illinois and legally described on Exhibit B attached hereto.

4. Time is of the essence with respect to the performance of the parties under this Right of First Refusal.

5. This Right of First Refusal shall be construed under and in accordance with the laws of the State of Illinois. In the event of one or more of the provisions contained in this Right of First Refusal shall be held to be invalid, illegal or unenforceable in any respect, for any reason, such invalidity, illegality or unenforceability shall not affect any other provision hereof; and the remainder of this Right of First Refusal shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.

6. This Right of First Refusal sets forth the entire agreement between the parties hereto relating to the subject matter hereof, and no other prior written or oral statement, agreement or understanding shall be recognized or enforced. This Right of First Refusal shall be binding upon and shall inure to the benefit of the parties hereto, and their respective successors and assigns.

7. This Right of First Refusal shall not be changed, except by written agreement executed by both Buyer and Owner, or their respective successors and assigns. This Right of First Refusal shall be recorded in the real estate records of Cook County, Illinois upon the execution of this Right of First Refusal. Buyer and Seller shall execute a termination of this Right of First Refusal in recordable form upon the consummation of the sale of all of the Property to Buyer.

8. All notices and other communications required or permitted hereunder shall be in writing and shall be mailed, hand delivered, or sent by Federal Express or other recognized overnight courier service to the parties as follows:

<u>Owner:</u> The Society of the Sisters of Christian Charity, Inc. 2041 Elmwood Avenue Wilmette, Illinois Attn: Sister M. Judith Moran	<u>Buyer MAIL ADDRESS:</u> Loyola University of Chicago <del>840 N. Wabash Ave.</del> 820 N. Michigan Chicago, Illinois 60611 Attn: Ellen K. Moran, Esq. DELIVERY: 840 N. WABASH
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or to such additional or other persons, at such other address or addresses as may be designated by notice from Owner or Buyer, as the case may be, to the other. Notices by mail shall be sent by United States certified or registered mail, return receipt requested, postage prepaid, and shall be deemed given and effective upon receipt. Notices by hand delivery shall be deemed given and effective upon the delivery thereof. Notices by overnight courier shall be deemed given and effective upon receipt.

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IN WITNESS WHEREOF, the parties have caused this Right of First Refusal to be executed as of the day and year first above written.

The Society of the Sisters of Christian Charity, Inc.,  
an Illinois not-for-profit corporation

By: Sister M. Judith Moran, S.C.C.  
Name: Sister M. Judith Moran, S.C.C.  
Title: Provincial Superior

"OWNER"

Loyola University of Chicago, an Illinois not-for-profit corporation

By: John J. Pideritis  
Name: JOHN J. PIDERITIS  
Title: President

"BUYER"

Property of COOK County Clerk's Office

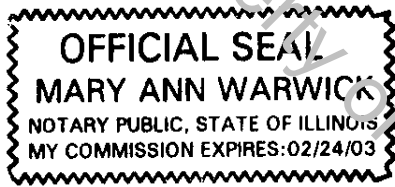
UNOFFICIAL COPY 99817284

STATE OF ILLINOIS )  
 ) SS  
COUNTY OF COOK )

I Mary Ann Warwick, notary public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Sister M. Judith Moran, S.C.C., personally known to be the Provincial Superior of The Society of the Sisters of Christian Charity, Inc., an Illinois not-for-profit 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 he/she signed and delivered the said instrument as his/her free and voluntary act and as the free and voluntary act and deed of said not-for-profit corporation for the uses and purposes therein set forth.

Given under my hand and official seal this 12<sup>th</sup> day of August, 1999.

Mary Ann Warwick  
Notary Public



My commission expires:

2-24-03

Property of Cook County Clerk's Office

# UNOFFICIAL COPY

STATE OF ILLINOIS     )  
                                  ) SS  
COUNTY OF COOK     )

99817384

I Carole A Swain, notary public in and for said County, in the State aforesaid,  
DO HEREBY CERTIFY that John J. Pedrot, S.J., personally known to be the  
President of Loyola University of Chicago, an Illinois not-for-profit  
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 he/she signed  
and delivered the said instrument as his/her free and voluntary act and as the free and voluntary act  
and deed of said not-for-profit corporation for the uses and purposes therein set forth.

Given under my hand and official seal this 24<sup>th</sup> day of August, 1999.

Carole A. Swain  
Notary Public

My commission expires:

3/02/2003



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EXHIBIT "A" (SACRED HEART PREMISES)

PART OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 28, TOWNSHIP 42 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE EAST LINE OF HUNTER ROAD AND THE SOUTH LINE OF ELMWOOD AVENUE; THENCE EAST, ALONG THE SOUTH LINE OF ELMWOOD AVENUE, 518.48 FEET; THENCE SOUTH, PARALLEL WITH THE EAST LINE OF HUNTER ROAD, 356.33 FEET; THENCE WEST, PARALLEL WITH THE SOUTH LINE OF ELMWOOD AVENUE, 384.63 FEET; THENCE NORTH, PARALLEL WITH THE EAST LINE OF HUNTER ROAD, 29.33 FEET; THENCE WEST, PARALLEL WITH THE SOUTH LINE OF ELMWOOD AVENUE, 133.85 FEET; THENCE NORTH, ALONG THE EAST LINE OF HUNTER ROAD, APPROXIMATELY 327.00 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

99817384

Property of Cook County Clerk's Office

TAX PARCEL NUMBERS: 05-28-309-013-0000 and 05-28-309-014-0000 (part of)

ADDRESS: 2221 ELMWOOD AVE, WILMETTE, ILLINOIS 60091

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EXHIBIT B

## LEGAL DESCRIPTIONS

### PARCEL 1:

THE WEST 670.00 FEET (MEASURED PERPENDICULARLY) OF THE EAST 703.00 FEET OF THE FOLLOWING DESCRIBED PARCEL, TAKEN AS A TRACT: LOT 5 (EXCEPT THE NORTH 33.00 FEET THEREOF) LOT 6, LOT 7, LOT 8 AND THE NORTH 77.00 FEET OF LOT 9, ALL IN C. LAUERMAN'S SUBDIVISION OF THE SOUTH 100 ACRES OF THE SOUTHWEST 1/4 OF SECTION 28, TOWNSHIP 42 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

AREA = 472,460.9 SQUARE FEET OR 10.846 ACRES

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### PARCEL 2:

THAT PART OF LOTS 5, 6, 7, 8 AND 9 IN C. LAUERMAN'S SUBDIVISION OF THE SOUTH 100 ACRES OF THE SOUTHWEST 1/4 OF SECTION 28, TOWNSHIP 42 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE SOUTH LINE OF THE NORTH 33.00 FEET OF LOT 5 AFORESAID WITH THE WEST LINE OF THE EAST 703.00 FEET THEREOF; THENCE SOUTH, ALONG SAID WEST LINE, 705.13 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 77.00 FEET OF SAID LOT 9; THENCE WEST, ALONG SAID SOUTH LINE, 179.05 FEET TO A POINT ON THE WEST LINE OF THE EAST 1/3 OF SAID LOT 9; THENCE NORTH, ALONG SAID WEST LINE, 77.00 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 8; THENCE WEST, ALONG SAID SOUTH LINE, 182.19 FEET TO A POINT ON THE WEST LINE OF THE EAST 1064.26 FEET OF LOTS 6, 7 AND 8 AFORESAID; THENCE NORTH, ALONG SAID WEST LINE, 482.61 FEET TO A POINT ON A LINE DRAWN 13.20 FEET SOUTH OF AND PARALLEL WITH THE SOUTH LINE OF BLOCK 2 IN JOHN D. ROWE'S SUBDIVISION OF LOT 5 (NOW VACATED) IN C. LAUERMAN'S SUBDIVISION AFORESAID; THENCE EAST, ALONG SAID PARALLEL LINE, 73.61 FEET TO A POINT ON THE SOUTHERLY EXTENSION OF THE EAST LINE OF LOT 38 IN SAID BLOCK 2; THENCE NORTH, ALONG SAID EAST LINE, 145.47 FEET TO THE NORTHEAST CORNER OF SAID LOT 38, SAID CORNER BEING ON THE SOUTH LINE OF THE NORTH 33.00 FEET OF SAID LOT 5; THENCE EAST, ALONG SAID SOUTH LINE, 287.79 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND, IN COOK COUNTY, ILLINOIS.

AREA = 229,996.8 SQUARE FEET OR 5.280 ACRES

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PARCEL 3:

THAT PART OF LOTS 6, 7 AND 8 IN C. LAUERMAN'S SUBDIVISION OF THE SOUTH 100 ACRES OF THE SOUTHWEST 1/4 OF SECTION 28, TOWNSHIP 42 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE POINT OF INTERSECTION OF THE SOUTH LINE OF THE NORTH 33.00 FEET OF LOT 5 IN C. LAUERMAN'S SUBDIVISION OF THE SOUTH 100 ACRES AFORESAID WITH THE WEST LINE OF THE EAST 703.00 FEET THEREOF; THENCE WEST, ALONG SAID SOUTH LINE, 287.79 FEET TO THE NORTHEAST CORNER OF LOT 38 IN BLOCK 2 IN JOHN D. ROWE'S SUBDIVISION OF LOT 5 (NOW VACATED) IN C. LAUERMAN'S SUBDIVISION AFORESAID; THENCE SOUTH, ALONG THE EAST LINE OF LOT 38 AFORESAID AND ITS SOUTHERLY EXTENSION, 145.47 FEET TO A POINT ON A LINE DRAWN 13.20 FEET SOUTH OF AND PARALLEL WITH THE SOUTH LINE OF BLOCK 2 AFORESAID; THENCE WEST, ALONG SAID PARALLEL LINE, 73.61 FEET TO A POINT ON THE WEST LINE OF THE EAST 1064.26 FEET OF LOTS 6, 7 AND 8 AFORESAID, SAID POINT ALSO BEING THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL OF LAND; THENCE CONTINUING WEST, ALONG SAID PARALLEL LINE, 81.74 FEET TO A POINT ON THE WEST LINE OF THE EAST 1146.00 FEET OF LOTS 6, 7 AND 8 AFORESAID; THENCE SOUTH, ALONG SAID WEST LINE, 482.61 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 8; THENCE EAST, ALONG SAID SOUTH LINE, 81.74 FEET TO A POINT ON THE WEST LINE OF THE EAST 1064.26 FEET OF LOTS 6, 7 AND 8 AFORESAID; THENCE NORTH ALONG SAID WEST LINE, 482.61 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND, IN COOK COUNTY, ILLINOIS.

AREA = 39,447.6 SQUARE FEET OR 0.906 ACRES

Known as: 1041 Ridge Road, Wilmette, Illinois

P.I.N. Numbers 05-28-309-013-0000  
05-28-309-014-0000

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