3494502

### MEMORANDUM OF LEASE

THIS MEMORANDUM OF LEASE, made and entered into as of this 3/s+ day of <u>Presures</u>, 1985, by and between LUCKY STORES, INC., a California corporation ("Landlord"), and AMALGAMATED TRUST AND SAVINGS BANK, as Trustee under a Trust Agreement dated December 30, 1985 and known as Trust Number 5107 ("Tenant").

### WITNESSETH

Landlord hereby subleases, demises and sublets unto Tenant, and Tenant hereby subleases and takes from Landlord, that certain real property situate in the Village of Arlington Heights, County of Cook, State of Illinois, more particularly described in Exhibit A attached hereto and made a part hereof, together with the buildings and other improvements now or hereafter existing thereon (including without limitation, all heating, ventilating and air conditioning equipment, plumbing fixtures, lighting fixtures, electrical wiring and distribution panels), and with all ingress and egress and other rights appurtenant thereto.

It is expressly understood and agreed that this Memorandum of Lease is for the purpose of (iving notice of that certain Lease (the "Lease") of even date her with between Landlord and Tenant relating to said property, and is subject to all of the rentals, terms, conditions and provisions contained therein. In the event of any inconsistency between the terms and provisions of this Memorandum of Lease and the Lease, the terms and provisions of the Lease shall prevail.

The term of the Lease shall commence on the earlier of (1) the ninety-first (91st) day following the date of this Memorandum of Lease and (ii) the date on which Tenant opens for business with the public, and shall continue for twenty-five (25) years thereafter, unless sooner terminated pursuant to the terms and provisions of the Lease.

Said Lease further provides that the rights of the parties thereto under such Lease are subject and subordinate to the terms and conditions of that certain Lease dated December 5, 1972 by and between DSL Service Company, a California corporation, as lessor, and Landlord, as lessee, relating to the real property described in Exhibit A.

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### **UNOFFICIAL COPY**

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IN WITNESS WHEREOF, upon the day and year first hereinabove written, the respective parties hereto have executed and delivered this Memorandum of Lease by officers or agents thereunder duly organized.

> LUCKY STORES, INC., a California corporation

By:

CHRISTOPHER MALAIN

VICE PRESIDENT AND SECRETARY

By:

Attent:

It AMALGAMATED TRUST AND SAVINGS BANK, as Trustee under Trust Number 5107

Olyna Clerks Office

THIS DOCUMENT PREPARED BY: AND ACTUKN TO!

Thomas H. Page Barack, Ferrazzano & Kirschbaum 333 West Wacker Drive Suite 1120 Chicago, Illinois 60602 (312) 781-6900

# UNOFFICIAL COPY 0 3 4 9 4 5 5 %

State of	) ) SS
County of	)
The foregoing instrument was this day of y as and a California corporation,	, 1985 President
	NOTARY PUBLIC
My commission expires:	
<u> </u>	
	C:
State of 11/1015	) ) ss
County of Cook	
the County and State aforesaid,	do namely certify
that Edward C. Surmand . as	President of
Amalgamated Tsust and Savings Ba as Bank, personally known to me to	of Amalgameted Trust and Savings
are subscribed to the foregoing	instrument as
such V(( President respectively, appeared before me	this day in person and
acknowledged that they signed an	d delivered said instrument as
their own free and voluntary act	, and as the free and voluntary
act of said Bank, as Trustee, fo	or the uses and purposes therein did also then and
set forth; and said	istodian of the corporate seal of
said Bank, did affix the corpora	ite seal of said Bank to said
instrument as his own free and v	oluntary act, and as the free and
voluntary act of said Bank, as T	rustee, for the uses and purposes
therein set forth.	

## **UNOFFICIAL COPY**

State of California	On this the day ofDecember 1995_, before m	JARO J,
County of Alameda St.	Ruth Etingoff	
RUTH ETINGOFF  NOTARY PUBLIC  ALAMEDA COUNTY, CALIFORNIA  My commission expires Oct. 11, 1988  Authoritementalian decimal action of the commission of the co	the undersigned Notary Public, personally appeared  R. C. Biagi, Vice-President  Christopher Notary-President & Secretary  personally known to me  proved to me on the besis of satisfactory evidence to be the person(s) who executed the within instrument as as noted shove or on behalf of the corporation thereigned, and executed to me that the corporation executed it.  WITNESS my hard and official seal.  Notary's Signature	2021612
1900 1900 1900 1900 1900 1900 1900 1900	HATTONAL HOTARY ABSOCIATION / THE VANIUS BINE + RO. Box 4888 + Wording Hills. C	) (100) (100)
		**************************************

## UNOFFICIAL COPY 3 4 9 4 5 5 2 2

Given under my hand and notarial seal as of this day of \_\_\_\_\_\_\_, 1986.

Marin E. Grawn

My commission expires:

Aroberty of Cook County Clerk's Officer. My Commission Expires April 23, 1989

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### EXHIBIT A

#### Legal Description

Lots 1 through 5 inclusive and Lots 7 through 14 inclusive of C. H. Taylor's Arlington Heights Acres, being a subdivision of that part of the Northwest 1/4 of the Southwest 1/4 of Section 21, Township 42 North, Range 11 East of the Third Principal Meridian, in Cook County, Illinois.

Common Street Address: 1700 East Rand Road, Arlington Heights, Illinois

Permanent Tax Numbers: 03-21-300-003; 03-21-300-004; 03-21-300-005 ; 03-21-300-006; 03-21-300-007; 03-21-300-008; 03-21-300-009;

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