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2001-06-13 16:19:45

Cook County Recorder 27.50



REQUESTED BY:

AFTER RECORDATION RETURN TO:

LANDAMERICA

450 S. Orange Avenue, Suite 170

Orlando, Florida 32801

Attn: Keren Paki

RETURN BY: MAIL (X) PICK UP ()

Bakers Square #20205/Rolling Meadows, Cook County, Illinois

MEMORANDUM OF LEASE

THIS MEMORANDUM OF LEASE is made as of May 14, 2001, by and between **CNL FUNDING 2001-A, LP**, a Delaware limited partnership with principal office and place of business at CNL Center at City Commons, 450 South Orange Avenue, Orlando, Florida 32801-3336 ("Landlord"), and **VICORP RESTAURANTS, INC.**, a Colorado corporation, with a mailing address of 400 West 48th Avenue, Denver, Colorado 80216 ("Tenant").

In consideration of TEN AND NO/100 DOLLARS (\$10.00) and other valuable consideration paid by Tenant to Landlord and the mutual covenants contained in that certain Lease Agreement between the parties hereto dated on even date herewith (hereinafter called the "Lease"), Landlord has leased and does hereby lease to Tenant, and Tenant has leased and does hereby lease from Landlord, upon the terms and conditions set forth in said Lease, the real property more particularly described in Exhibit "A" attached hereto and made a part hereof (the "Premises").

The term of the Lease is twenty (20) years commencing on the date hereof and ending on May 31, 2021. Said Lease provides for options to renew for four (4) successive five (5) year terms. Tenant shall not allow any mechanic's lien or similar type of lien to be filed against the Premises. Tenant has the first right of refusal to purchase the Premises during the term of the Lease and any renewals or extensions thereof upon the terms and conditions set forth in the Lease. In the event of any conflict between the terms and provisions of this Memorandum of Lease and the Lease, the terms and provisions of the Lease shall prevail.

IN WITNESS WHEREOF, Landlord and Tenant have caused this Memorandum of Lease to be executed and sealed as of the date first above written.

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"LANDLORD"

Signed, Sealed and Delivered
in the presence of:

Catherine Walker
Name: CATHERINE WALKER

Carmen Burgos
Name: CARMEN BURGOS

CNL FUNDING 2001-A, LP, a Delaware
limited partnership

BY: CNL FUNDING 2001-A, INC., a
Delaware corporation, as General
Partner

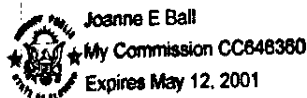
By: John L. Farren
John L. Farren, as Vice President
(CORPORATE SEAL)

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me on this 10th day of May, 2001, by John L. Farren, as Vice President of CNL FUNDING 2001-A, INC., a Delaware corporation, as General Partner of CNL FUNDING 2001-A, LP, a Delaware limited partnership on behalf of the corporation and limited partnership. He is personally known to me and did not take an oath.

WITNESS my hand and official seal.

(NOTARY SEAL)



Joanne E. Ball
Notary Public, State of Florida
Printed Name: _____
Notary Commission No. _____
My Commission Expires: _____

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"TENANT"

Signed, Sealed and Delivered
in the presence of:

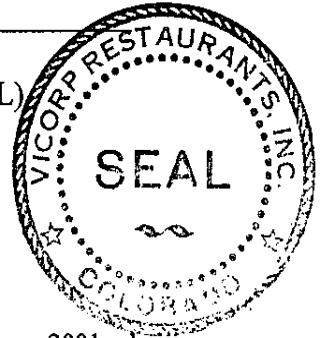
VICORP RESTAURANTS, INC., a
Colorado corporation

Gary F. Burke
Name: Gary F. Burke

By: Stanley Erickson, Jr.
Name: STANLEY ERIKSON, JR
As Its: S.V.P.

Trace L. Tapp
Name: Trace L. Tapp

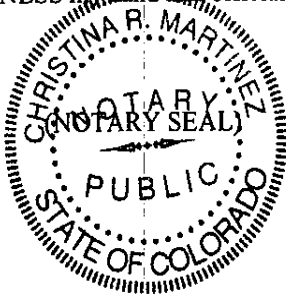
(CORPORATE SEAL)



STATE OF COLORADO
COUNTY OF Denver

The foregoing instrument was acknowledged before me this 9th day of May, 2001, by Stanley Erickson, Jr the S.V.P. of VICORP RESTAURANTS, INC., a Colorado corporation, on behalf of the corporation.

WITNESS my hand and official seal.



Christina R. Martinez
Notary Public, State of Colorado
Printed Name: _____
Notary Commission No. _____
My Commission Expires: _____

Christina R. Martinez, Notary Public
State of Colorado
My Commission Expires 8/25/2002

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LEGAL DESCRIPTION:

That part of Lot 4 in 58-62 Venture Subdivision of part of Section 8 and 9, Township 41 North, Range 11, East of the Third Principal Meridian, described as follows: Beginning at the most Northerly corner of Lot 4 in Said 58-62 Venture Subdivision; thence South 12 degrees, 10 minutes, 10 seconds, West 271.97 feet to a point being 297.66 feet Easterly of the Southwestly corner of Lot 6 in said 58-62 Venture Subdivision; thence continuing South 12 degrees, 10 minutes, 10 seconds, West a distance of 20.03 feet; thence South 64 degrees, 18 minutes, 39 seconds, East 123.39 feet; thence North 21 degrees, 25 minutes, 20 seconds, East for a distance of 297.37 feet to a point in the Northeasterly line of Lot 4 in said 58-62 Venture Subdivision, said line being an arc of circle convex Northeasterly having a radius of 2,814.79 feet; thence Northwesterly along said arc for a distance of 170.02 feet to the place of beginning, in Cook County, Illinois.

NOTE: The above description is the record description contained in the deed; the subject premises described above may also be described as follows:

That part of Lot 4 in 58-62 Venture Subdivision of part of Sections 8 and 9, Township 41 North, Range 11, East of the Third Principal Meridian, described as follows: Beginning at the most Northerly corner of Lot 4 in 58-62 Venture Subdivision aforesaid; thence South 19 degrees, 41 minutes, 49 seconds West along the Northwesterly line of said Lot 4 and its extension for a distance of 292.0 feet to a point; thence South 56 degrees, 47 minutes 00 seconds East 123.39 feet, to a point; thence North 28 degrees, 56 minutes, 34 seconds, East 297.38 feet to a point in the Northeasterly line of Lot 4 in 58-62 Venture Subdivision aforesaid, said line being an arc of a circle convex Northeasterly, having a radius of 2614.79 feet; thence Northwesterly along said arc for a distance of 170.02 feet to the place of beginning; in Cook County, Illinois.

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