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2002-02-22 14:50:15

Cook County Recorder

31.50

MEMORANDUM OF LEASE



STATE OF ILLINOIS

COUNTY OF COOK

THIS MEMORANDUM OF LEASE is made and entered into by and between VILLAGE LOFTS, L.L.C., an Illinois limited liability company ("Landlord"), and MAGGIANO'S/CORNER BAKERY, INC., an Illinois corporation ("Tenant").

WITNESSETH:

Landlord hereby demises and leases to Tenant, and Tenant hereby takes from Landlord, that certain premises consisting of approximately 3,200 square feet, located at NEC 83 and Northwest Highway, in the City of Mount Prospect, County of Cook, State of Illinois, the same being more particularly described on Exhibit E-1 attached hereto and made a part hereof, together with all improvements erected or to be erected therein, and together with the non-exclusive use of all rights, privileges, easements, and appurtenances belonging or in any way pertaining to said premises (all of the foregoing hereinafter collectively referred to as the "Premises"), TO HAVE AND TO HOLD the same for a primary term of ten (10) years (commencing as provided in the Lease described hereafter), with two (2) renewal term(s) of five (5) years, all pursuant and subject to the terms, conditions, and stipulations contained in that certain Lease Agreement dated September 24, 2001 (the "Lease"), by and between Landlord and Tenant, to which reference is made for all purposes of which it is intended hereby to give notice.

The Premises is situated in and constitutes a part of a shopping center known or to be known as The Shops at Village Centre (the "Center"), the same being more particularly described on Exhibit E-2 attached hereto and made a part hereof.

The terms of the Lease provide that Landlord shall not sell or lease space in the Center to another user selling baked goods, salads, or sandwiches.

Tenant agrees to subordinate its Memorandum of Lease to Landlord's condo declaration provided nothing in the condo declaration shall affect Tenant's Exclusive.

This Memorandum of Lease is not intended to alter or supersede the Lease, and in the event of any conflict between this Memorandum of Lease and the Lease, the provisions of the Lease shall control.

DEC T1407CC Lewisville

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LANDLORD'S ADDRESS:

7458 North Harlem Avenue  
Chicago, IL 60631  
Attn: Company Manager

TENANT'S ADDRESS:

6820 LBJ Freeway  
Dallas, Texas 75240  
Attn: General Counsel

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PREPARED BY:

Noah C. Pollack, Esq.  
Brinker International, Inc.  
6820 LBJ Freeway  
Dallas, Texas 75240

AFTER RECORDING, RETURN TO:

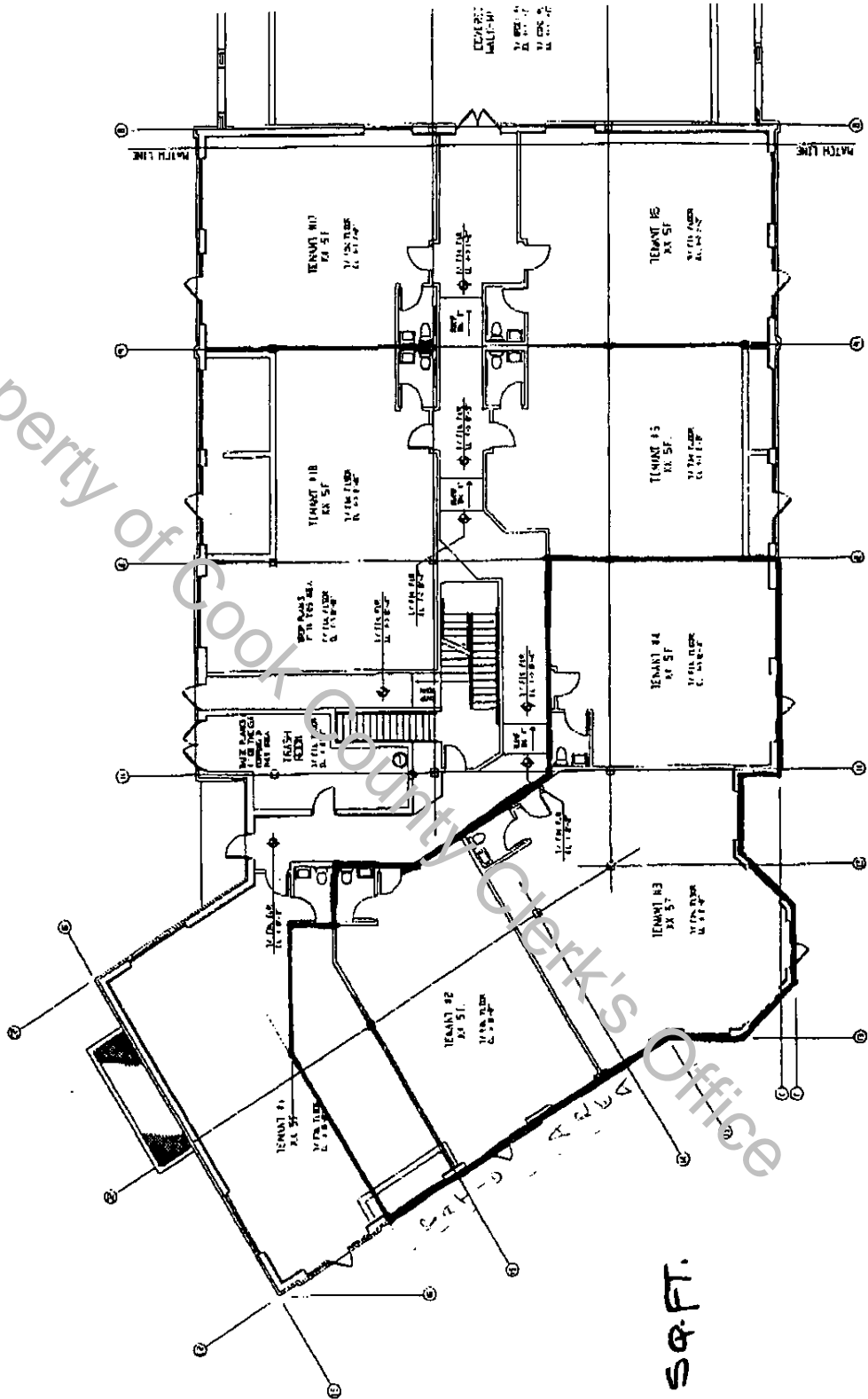
Jennifer Hicks  
Brinker International, Inc.  
6820 LBJ Freeway  
Dallas, Texas 75240



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EXHIBIT E-1

Premises



TOTAL - 3206 SQ. FT.

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## EXHIBIT F-2

### Center

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Lot 1 in Village Centre Phase 1-B, being a subdivision of part of the Northwest Quarter of Section 12, Township 41 North, Range 11 East of the Third Principal Meridian according to the plat thereof recorded December 6, 2001 as Document Number 0011155055, in Cook County, Illinois.

Pin 08-12-196-001

08-12-108-006

08-12-108-010

08-12-108-011

08-12-108-012

08-12-108-023

08-12-108-025

08-12-108-027

08-12-108-028

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08-12-108-036

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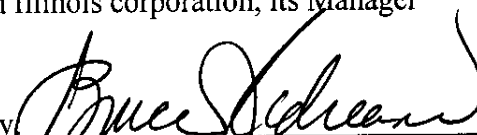
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IN WITNESS WHEREOF, the Landlord and Tenant have executed this Memorandum of Lease to be effective as of the latest of the dates set forth below.

LANDLORD:

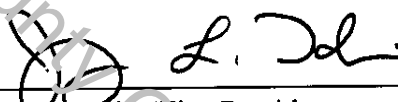
VILLAGE LOFTS, L.L.C.,  
an Illinois limited liability company

By: Norwood Construction, Inc.,  
an Illinois corporation, its Manager

By:   
Title: President  
Date: Sept 19, 2001

TENANT:

MAGGIANO'S/CORNER BAKERY, INC.,  
an Illinois corporation

By:   
Jay L. Tobin, Vice President  
and Assistant Secretary  
Date: 9/24/01

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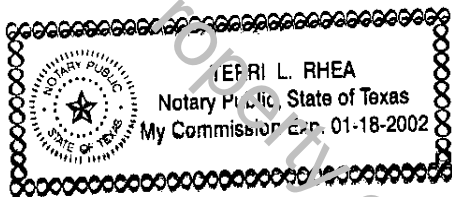
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## ACKNOWLEDGMENT

STATE OF TEXAS

COUNTY OF DALLAS

This instrument was acknowledged before me on this 24<sup>th</sup> day of September, 2001, by Jay L. Tobin, Vice President and Assistant Secretary of Maggiano's/Corner Bakery, Inc., an Illinois corporation, on behalf of said corporation.



Tere L. Rhea  
NOTARY PUBLIC, STATE OF TEXAS

My Commission Expires:  
\_\_\_\_\_

## ACKNOWLEDGMENT

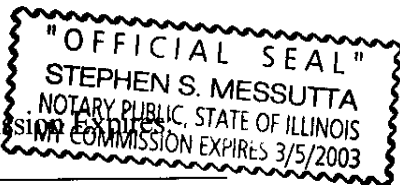
STATE OF ILLINOIS

COUNTY OF COOK

This instrument was acknowledged before me on this 19<sup>th</sup> day of September, 2001, by Bruce J. Adreani, a President of Norwood Construction, Inc., an Illinois Corporation, as Manager of Village Lofts, L.L.C., an Illinois limited liability company, on behalf of said corporation.

[Signature]

NOTARY PUBLIC, STATE OF ILLINOIS



My Commission Expires:  
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