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# **UNOFFICIAL COPY**



PREPARED BY, RECORDING REQUESTED BY, AND WHEN RECORDED MAIL TO: Doc#: 0410442267
Eugene "Gene" Moore Fee: \$28.00
Cook County Recorder of Deeds
Date: 04/13/2004 12:16 PM Pg: 1 of 3

Robert J. Likes Stinson Morrison Hecker LLP 1299 Farnam Street Omaha, NE 68102

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

## MEMORANDUM OF SUBLEASE

THIS MEMORANDUM OF SUBLEASE is made as of the 26 day of MARCH 2004, between Q LUBE, INC., whose address is 700 Milam Street, Houston, Texas 77002 (hereinafter referred to as "Landlord"), and HEARTLAND AUTOMOTIVE SERVICES II, INC., with its principal place of business at 11308 Davenport Street, Omaha, NE 68154 (hereinafter referred to as "Tenant").

Landlord has subleased to Tenant or Tenant's predecessor the real property and improvements as described in Exhibit "A" attached hereto and made a part hereof, pursuant to the terms of that certain Sublease Agreement between Landlord and Tenant dated August 5, 1999 (the "Sublease").

The initial term of the Sublease shall terminate on Septiment 20, 2012. In addition, Tenant is given two (2) options to extend the initial term of the Sublease for five (5) years each.

The rentals to be paid by Tenant and all of the rights and obligations of the parties with respect to the above-described property are set forth in the Sublease.

This instrument is a memorandum of the aforesaid Sublease and is subject to all of the terms and conditions thereof.

This instrument may be executed in any number of counterparts, each of which shall be considered an original for all purposes; provided however, that all such counterparts shall constitute one and the same instrument.

IN WITNESS WHEREOF, the parties have executed this Memorandum of Sublease as of the day and year first above written.

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**STORE No.: 2507** 

ADDRESS: 6645 WEST 95TH STREET, OAK LAWN, IL

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| LANDLORD:   | TENANT:   |
|---|---|
| Q LUBE, INC.  | HEARTLAND AUTOMOTIVE SERVICES II, INC.                          |
| By: M Xn  Name: KEVIN M. LYNG  Title: VICE PRESIDENT  | By: Brian D. Clark Title: CFO                                   |
| STATE OF TEXAS ) COUNTY OF HACKES )   |   |
| Subscribed and sworn to before me by KEVIN M. LYA'S , the VICE PRISIDENT on behalf of Q LUBE, INC., on this 12th day of MARCH, 2004.  PAULA JEANE FLOECK Notary Public, State of Texas My Commission Expires October 15, 2006  October 15, 2006 |   |
| STATE OF NEBRASKA )   | Ž   |
| on behalf of HEART INC., on this 186 day of wach, 2004.   | by Bylon D. Clark, the CLAND AUTOMOTIVE SERVICES II, ary Public |

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### Exhibit A

The West 75 feet of Lot 2 in Block 1 in Lode's Resubdivision of Blocks 2, 7 and 10 (recorded as vacated May 22, 1897 in Book 5900 on Page 108 in the Recorder's Office of Cook County, Illinois (except the North 17 feet of Block 2 heretofore conveyed for public highway) in Dearborn Heights a Subdivision of the West 1/2 of the Northeast 1/4 in Section 7, Township 37 North, Range 13 East of the Third Principal Meridian, in Cook County, Illinois



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