Prepared By:

Ellew F. Fulton UNOFFICIAL COPY
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105 West Adams, 26th Floor
Chicago IL. 60603

Mail to:

Thickner Properties, Die.

399 Wall Street, Unit H Elevable Meignts, IL. 60139



Doc#: 0421645156 Eugene "Gene" Moore Fee: \$36.00 Cook County Recorder of Deeds Date: 08/03/2004 02:36 PM Pg: 1 of 7



Doc#: 0423039071 Eugene "Gene" Moore Fee: \$36.00 Cook County Recorder of Deeds Date: 08/17/2004 12:10 PM Pg: 1 of 7

### MEMORANDUM OF LEASE

STORE #9007, 4200 S. First Avenue, Lyons

This Memorandum of Lease ("Memorandum") is made as of July 39th, 2004, by and between Heidner Properties, Inc., an Illinois corporation ("Lessor"), as lessor, and White Hen Pantry, Inc., a Delaware corporation ("Lessee"), as lessee.

Lessor hereby leases to Lesso e and Lessee hereby lets from Lessor, upon the terms and conditions fully described in that certain unrecorded lease of even date herewith by and between Lessor and Lessee (the "Lease"), certain land and improvements located in the City of Lyons, County of Cook, State of Illinois, as more particularly described in Exhibit A attached hereto (the "Premises").

TO HAVE AND TO HOLD all and singular, the Premises for an initial term of twenty (20) years commencing on the date hereof, subject to Lessee's option is renew such term for up to six (6) consecutive 5-year renewal terms.

The purpose of this Memorandum is to give record notice of the Lease and of the rights created thereby, all of which are hereby confirmed. This Memorandum does not and shall not modify the terms and conditions of the Lease. In the event of any inconsistency or conflict between the provisions of this Memorandum and the provisions of the Lease, the provisions of the Lease shall govern.

This Memorandum may be executed in any number of counterparts, all of which together shall constitute but one and the same instrument.

[SIGNATURE PAGE FOLLOWS]

A-1

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IN WITNESS WHEREOF, the parties hereto have executed this Memorandum of Lease as of the date and year first above written.

#### **LESSOR**

Heidner Properties, Inc., an Illinois corporation

By: Heidner Property Management Company, Inc., an Illinois corporation, its authorized agent

By: Name: Rick E. Heidner

Title: President

### LESSEE

DOOD OF COO. WHITE HEN PANTRY, INC., a Delaware corporation

> By: Name: Joseph A. Sullivan

Title: Vice resident -left's Office

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IN WITNESS WHEREOF, the parties hereto have executed this Memorandum of Lease as of the date and year first above written.

#### **LESSOR**

Heidner Properties, Inc., an Illinois corporation

By: Heidner Property Management Company, Inc., an Illinois corporation, its authorized agent

By: \_\_\_\_\_ Name: Title:

### LESSEE

DOOD OF CO

WHITE HEN PANTRY, INC., a Delaware corporation

By: Name: Joseph Y. Sullivan -16/4'S OFFICE

Title: Vice President

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State of IZ	
County of Defree ) ss:	
whose name is subscribed to the foregoing is acknowledged that as such recompany, he authority given by the Borne of said free and voluntary act and deed of said company, Inc., an Illinois corp.	in and for the County and State aforesaid, DO HEREBY nown to me to be the <b>Pes</b> of Heidner Property poration, and personally known to me to be the same person instrument, appeared before me this day in person and e/she signed and delivered the said instrument pursuant to as his/her free and voluntary act, and as the exp , for the uses and purposes therein set forth.
WITNESS my hand and official seal	l. 1 = 1 = 1
9	Thirty Stuly
Ox	Notary Public in and for said County and State
C	
My commission expires $2-3$	OFFICIAL SEAL
	CHRISTOPHER J. GOLUBA NOTARY PUBLIC, STATE OF ILLINOIS MY COMMISSION EXPIRES 2-15-2005
State of)	
County of) ss:	7)×,
L the underection to as	70
Pantry, Inc., a Delaware corporation, and person subscribed to the foregoing instrument, appears such Vice President, he/she signed and delivered board of directors of said corporation, as his/he and deed of said corporation, for the uses and person subscribed in the said corporation.	and for the County and State aforesaid, DO HEREBY known to me to be the Vice President of White Hen onally known to me to be the same person whose name is ed before me this day in person and acknowledged that as ed the said instrument pursuant to authority given by the er free and voluntary act, and as the free and voluntary act purposes therein set forth.
WITNESS my hand and official seal.	
	Notary Public in and for said County and State
My commission expires	

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State of)	
County of)	8s:
Management Company, Inc., ar whose name is subscribed to the acknowledged that as such authority given by the free and voluntary act and deed	otary Public in and for the County and State aforesaid, DO HEREBY personally known to me to be the of Heidner Property Illinois corporation, and personally known to me to be the same person e foregoing instrument, appeared before me this day in person and, he/she signed and delivered the said instrument pursuant to, as his/her free and voluntary act, and as the of said, for the uses and purposes therein set forth.
WiTNFSS my hand and	d official seal.
15 October 19 October	
	Notary Public in and for said County and State
My commission expires	
State of Olynon )  County of Cook )	· Colphi
Pantry, Inc., a Delaware corporat subscribed to the foregoing instrusuch Vice President, he/she signe poard of directors of said corporations.	ary Public in and for the County and State aforesaid, DO HEREBY an, personally known to me to be the V.cc President of White Hen ion, and personally known to me to be the same person whose name is ament, appeared before me this day in person and acknowledged that as d and delivered the said instrument pursuant to authority given by the tion, as his/her free and voluntary act, and as the free and voluntary act the uses and purposes therein set forth.
WITNESS my hand and o	official seal.
OFFICIAL SEAL KAREN M KANE NOTARY PUBLIC - STATE OF ILLIN MY COMMISSION EXPIRES:07/24	my Lana Mola

My commission expires s

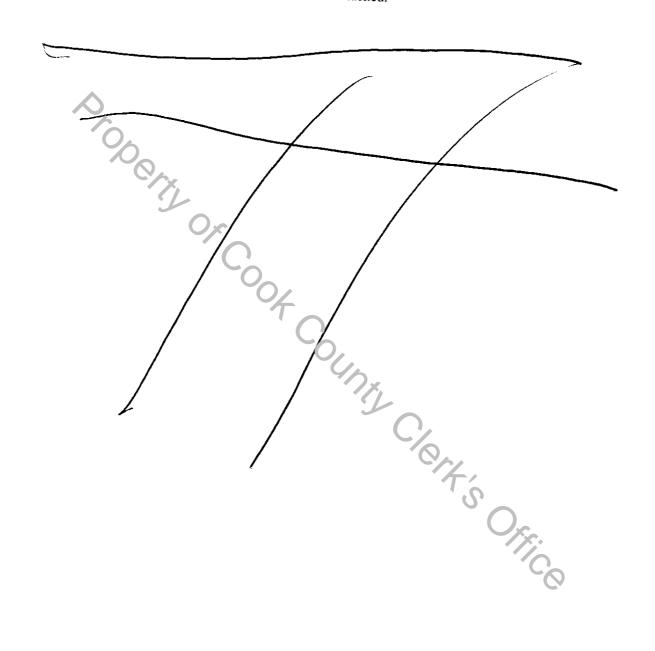
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### **EXHIBIT A**

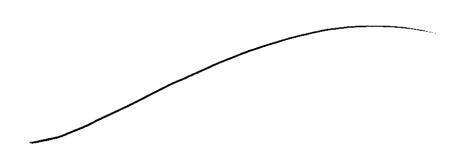
### PROPERTY LEGAL DESCRIPTION

See attached.



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### **EXHIBIT A**

Lot 1 in: Subdivision of the West 5.74 Chains of that part of the Borth West 1/4 of Section 2. Township 38 County.