

Prepared By:
Ellen K. Fulton

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GoodSmith Gregg & Hursh LLP
105 West Adams, 26th Floor
Chicago IL 60603



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

1316399415
Mail to:
Heidner Properties, Inc.
399 Wall Street, Unit H
Glendale Heights, IL 60139



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 29th, 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 Lessee 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 to renew such term for up to six (6) consecutive 5-year renewal terms.

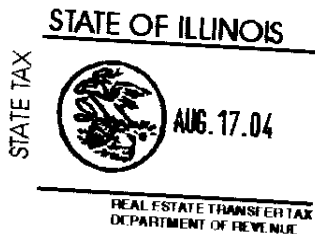
The purpose of this Memorandum is to give record notice of the Lease and of the rights created thereby, all of which are hereby confirmed. This Memorandum does not and shall not modify the terms and conditions of the Lease. In the event of any inconsistency or conflict between the provisions of this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

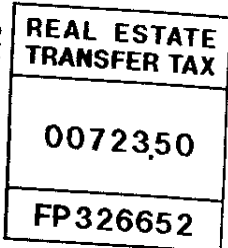
[SIGNATURE PAGE FOLLOWS]

ATCT, INC.

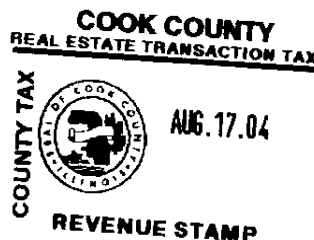
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add stamps



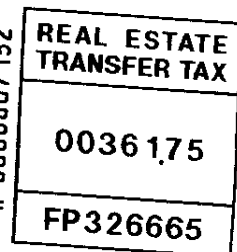
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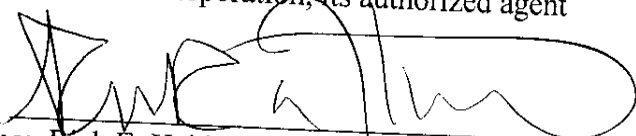
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IN WITNESS WHEREOF, the parties hereto have executed this Memorandum of Lease as of the date and year first above written.

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

WHITE HEN PANTRY, INC.,
a Delaware corporation

By: _____
Name: Joseph A. Sullivan
Title: Vice President

Property of Cook County Clerk'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

WHITE HEN PANTRY, INC.,
a Delaware corporation

By: _____
Name: Joseph A. Sullivan
Title: Vice President

Property of Cook County Clerk's Office

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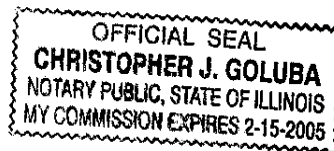
State of IL)
) ss:
County of DeWitt)

I, the undersigned, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY, that Rick E. Hordick personally known to me to be the Pres. of Heidner Property Management Company, Inc., an Illinois corporation, and personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that as such Pres., he/she signed and delivered the said instrument pursuant to authority given by the Board of said Corp, as his/her free and voluntary act, and as the free and voluntary act and deed of said Corp, for the uses and purposes therein set forth.

WITNESS my hand and official seal.

Christopher J. Goluba
Notary Public in and for said County and State

My commission expires 2-13, 2005



State of _____)
) ss:
County of _____)

I, the undersigned, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY, that Joseph A. Sullivan, personally known to me to be the Vice President of White Hen Pantry, Inc., a Delaware corporation, and personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that as such Vice President, he/she signed and delivered the said instrument pursuant to authority given by the board of directors of said corporation, as his/her free and voluntary act, and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

WITNESS my hand and official seal.

Notary Public in and for said County and State

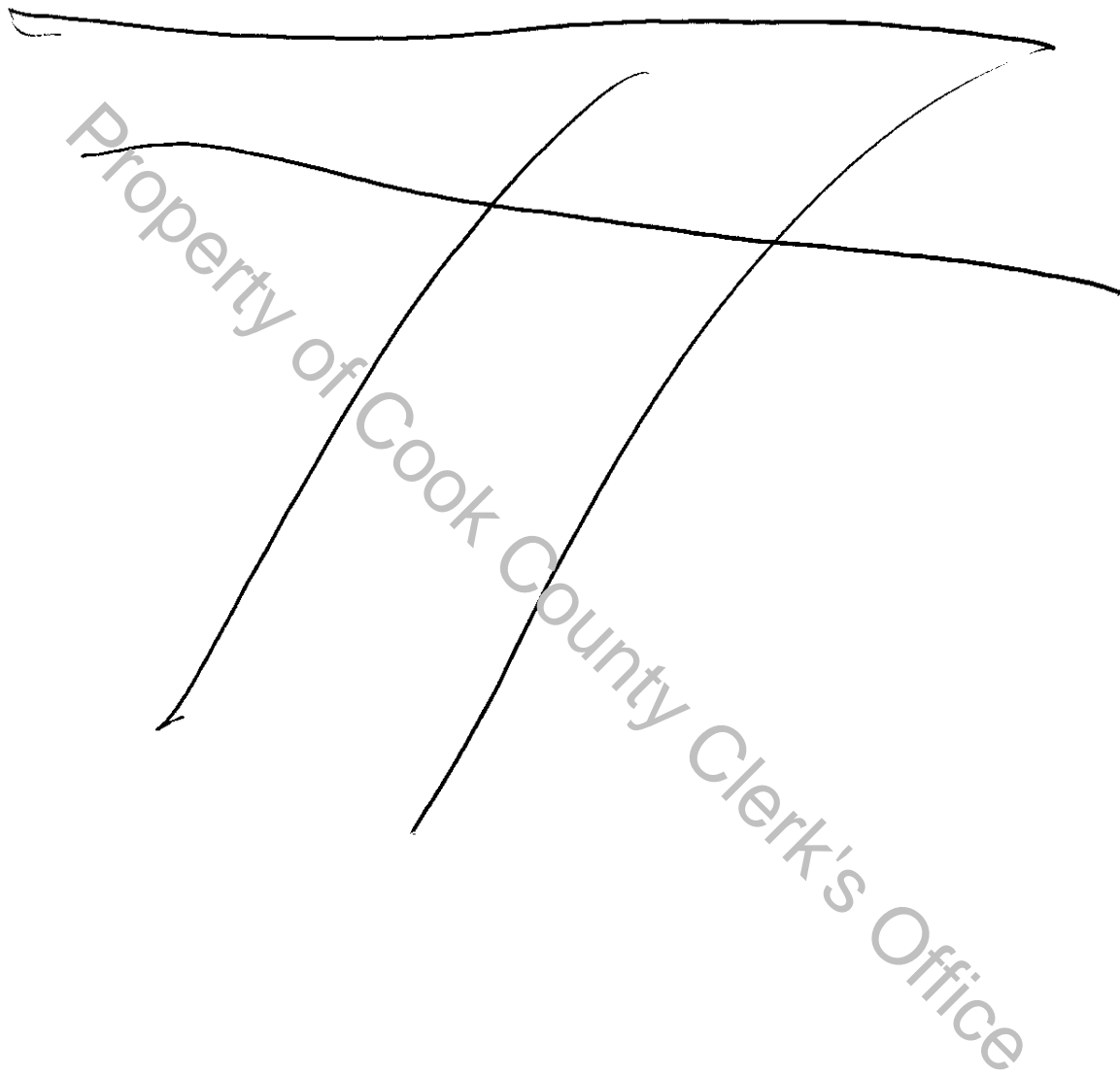
My commission expires _____, 20__.

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EXHIBIT A

PROPERTY LEGAL DESCRIPTION

See attached.



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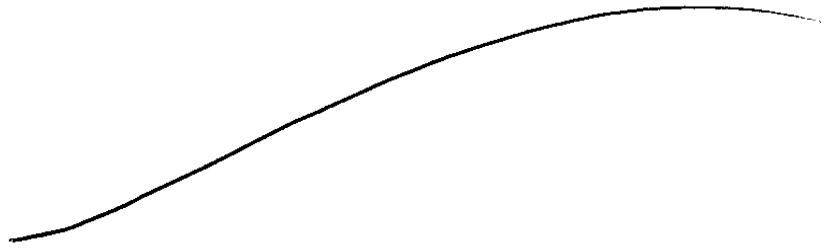


EXHIBIT A

Lot 1 in: Subdivision of the West 5.74 Chains of that part
of the E of the North West 1/4 of Section 2, Township 38
North, R East of the Third Principal Meridian, in Cook
County,

Property of Cook County Clerk's Office