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Doc#: 0535610012 Fee: \$32.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 12/22/2005 08:27 AM Pg: 1 of 5

1376350

MEMORANDUM OF LEASE

This Memorandum of Lease ("Memorandum") is made as of November 30, 2005, by and between Dearborn Construction & Development, Ltd., 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 dated November __, 2005 by and between Lessor and Lessee (the "Lease"), certain premises located in the Village of Elk Grove, 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 ten (10) years commencing on March 1, 2006, subject to Lessee's option to renew the Lease for up to three (3) additional periods of five (5) years each.

The lease grants Lessee the exclusive right to sell certain products from the shopping center within which the Premises are located. The lease also restricts certain types of businesses and operations from being conducted within such shopping center. All of such exclusives and restrictions are more fully set forth in the Lease.

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.

Attorneys' Title Guaranty Fund, Inc.
33 N. Dearborn, Suite 650
Chicago, Illinois 60602-3104
(312) 372-1735

This instrument prepared by and
After recording return to:

GoodSmith Gregg & Unruh LLP
105 W. Adams, 26th Floor
Chicago, Illinois 60603
Attention: Kenneth D. Crews

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

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

LESSOR

DEARBORN CONSTRUCTION & DEVELOPMENT,
LTD, an Illinois corporation

By: [Signature]
Name: CHARLES SUCCESSE
Title: President

LESSEE

WHITE HEN PANTRY, INC., a Delaware corporation

By: [Signature]
Name: Joseph A. Sullivan
Title: Vice President

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State of IL)
) ss:
County of COOK)

I, the undersigned, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY, that Charles Lucchese, personally known to me to be the Pres. of Dearborn Construction & Development, Ltd., 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 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.

Janet F Howe
Notary Public in and for said County and State

My commission expires 6/8/08, 2008



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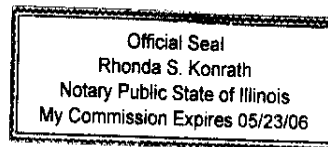
State of Illinois)
) ss:
County of DuPage)

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 _____, 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.

Rhonda S. Konrath
Notary Public in and for said County and State

My commission expires 5/23, 2006



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EXHIBIT A

Legal Description of the Real Estate

LOT 1 IN GARDEN 6 SUBDIVISION BEING A RESUBDIVISION OF LOTS 13 AND 14 (EXCEPT THE NORTH 210 FEET THEREOF) IN WILLIAM LUMPP'S DEVON AVE FARMS, BEING A SUBDIVISION IN THE SOUTH ½ OF SECTION 33, TOWNSHIP 41 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PIN: 08-33-301-040-0000

Commonly known as: vacant land northwest corner of Ridge and Devon Avenues, Elk Grove Village, Illinois.

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