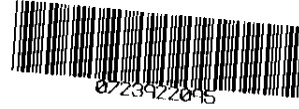


# UNOFFICIAL COPY



Doc#: 0723922095 Fee: \$36.00  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 08/27/2007 11:43 AM Pg: 1 of 7

**AFTER RECORDING RETURN TO:**  
Mark A. Manulik  
Schwabe Williamson & Wyatt PC  
1211 S.W. Fifth Ave., Suite 1700  
Portland, OR 97204

## MEMORANDUM OF LEASE

Arboretum of South Barrington, LLC, a Delaware limited liability company, as landlord ("Landlord"), and Village Roadshow Gold Class Cinemas LLC, a Delaware limited liability company, as tenant ("Tenant"), have entered into a Lease dated June 12, 2007 (the "Lease"), wherein Landlord leased to Tenant the premises depicted on Exhibit A attached hereto (the "Leased Premises"), together with all tenements, hereditaments and other rights appurtenant to the Leased Premises. The Leased Premises are situated in The Arboretum (the "Shopping Center"), a retail commercial complex located in the City of South Barrington, County of Cook and State of Illinois (the Shopping Center is depicted on Exhibit A). A legal description of the Shopping Center also is included in Exhibit A. The primary term of the Lease commences on the date specified in the Lease (the "Commencement Date") and shall expire fifteen (15) years after the Commencement Date, subject to four (4) options to renew for successive, additional periods of five (5) years each.

Pursuant to the Lease, Landlord is not permitted to alter or reconfigure the Protected Area shown on Exhibit A without the prior written consent of Tenant. The Lease also provides that Landlord shall not enter into a lease or consent to the use or occupancy of any other space within the Shopping Center by another tenant, subtenant, assignee, licensee or concessionaire whose principal business is the operation of a motion picture theater or entertainment complex, subject to certain limitations set forth in the Lease, to which reference is here made for a more particular delineation of such terms.

The terms and provisions of the Lease not described herein are more particularly set forth in the Lease, to which reference is here made for all purposes. This Memorandum is being recorded in the Official Records of Cook County, Illinois in order to give notice of the provisions of the Lease, and shall not be deemed to amend or modify the Lease in any respect.

**Box 400-CTCC**

1 add 8392049 D2AEM

# UNOFFICIAL COPY

Executed effective as of the 12<sup>th</sup> day of June, 2007.

**LANDLORD:**

**TENANT:**

ARBORETUM OF SOUTH BARRINGTON, LLC, a Delaware limited liability company

VILLAGE ROADSHOW GOLD CLASS CINEMAS LLC, a Delaware limited liability company

By: RREEF AMERICA L.L.C.,  
a Delaware limited liability company,  
its manager

By: \_\_\_\_\_  
Name: GREG BASSETT  
Title: PRESIDENT

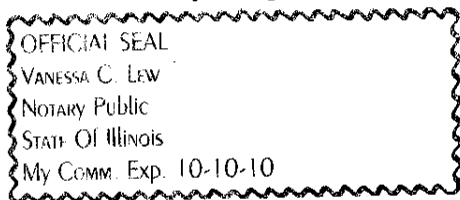
By: [Signature]  
Name: MICHAEL J. DUNIGAN  
Title: DIRECTOR

Exhibits

A – Site Plan for Premises/Shopping Center, and Legal Description

STATE OF Illinois )  
 ) ss.  
County of Cook )

This instrument was acknowledged before me this 9<sup>th</sup> day of July, 2007, by Michael J. Dunigan as Director of RREEF America L.L.C., a Delaware limited liability company and manager of Arboretum of South Barrington, LLC, a Delaware limited liability company, on behalf of those companies.



[Signature]  
NOTARY PUBLIC FOR Illinois  
My Commission Expires: 10-10-10

STATE OF \_\_\_\_\_ )  
 ) ss.  
County of \_\_\_\_\_ )

SEE ATTACHED

This instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_, by \_\_\_\_\_ as \_\_\_\_\_ of Village Roadshow Gold Class Cinemas LLC, a Delaware limited liability company, on behalf of the company.

NOTARY PUBLIC FOR \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

# UNOFFICIAL COPY

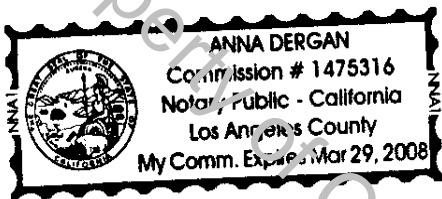
## CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California }  
County of Los Angeles } ss.

On June 12, 2007, before me, Anna Dergan, Notary Public,  
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared Greg Bassler  
Name(s) of Signer(s)

personally known to me  
 proved to me on the basis of satisfactory evidence



to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Place Notary Seal Above

Anna Dergan  
Signature of Notary Public

### OPTIONAL

*Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.*

#### Description of Attached Document

Title or Type of Document: Memorandum of Lease

Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

Signer(s) Other Than Named Above: \_\_\_\_\_

#### Capacity(ies) Claimed by Signer

Signer's Name: \_\_\_\_\_

- Individual
- Corporate Officer — Title(s): \_\_\_\_\_
- Partner —  Limited |  General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_



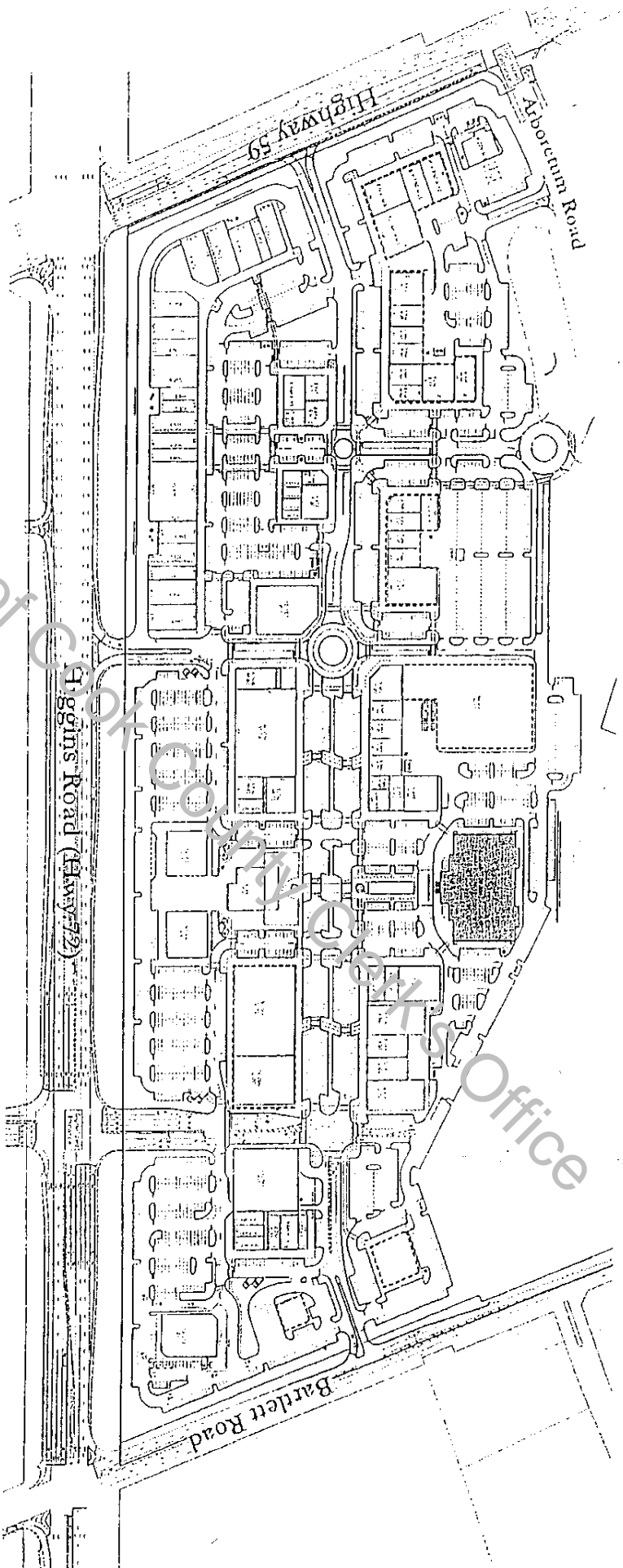
# UNOFFICIAL COPY

EXHIBIT A

# The Arboretum

OF SOUTH BARRINGTON

Site Plan SP-66



[Shaded Box] = Premises

0' 100' 200' 300' 400'

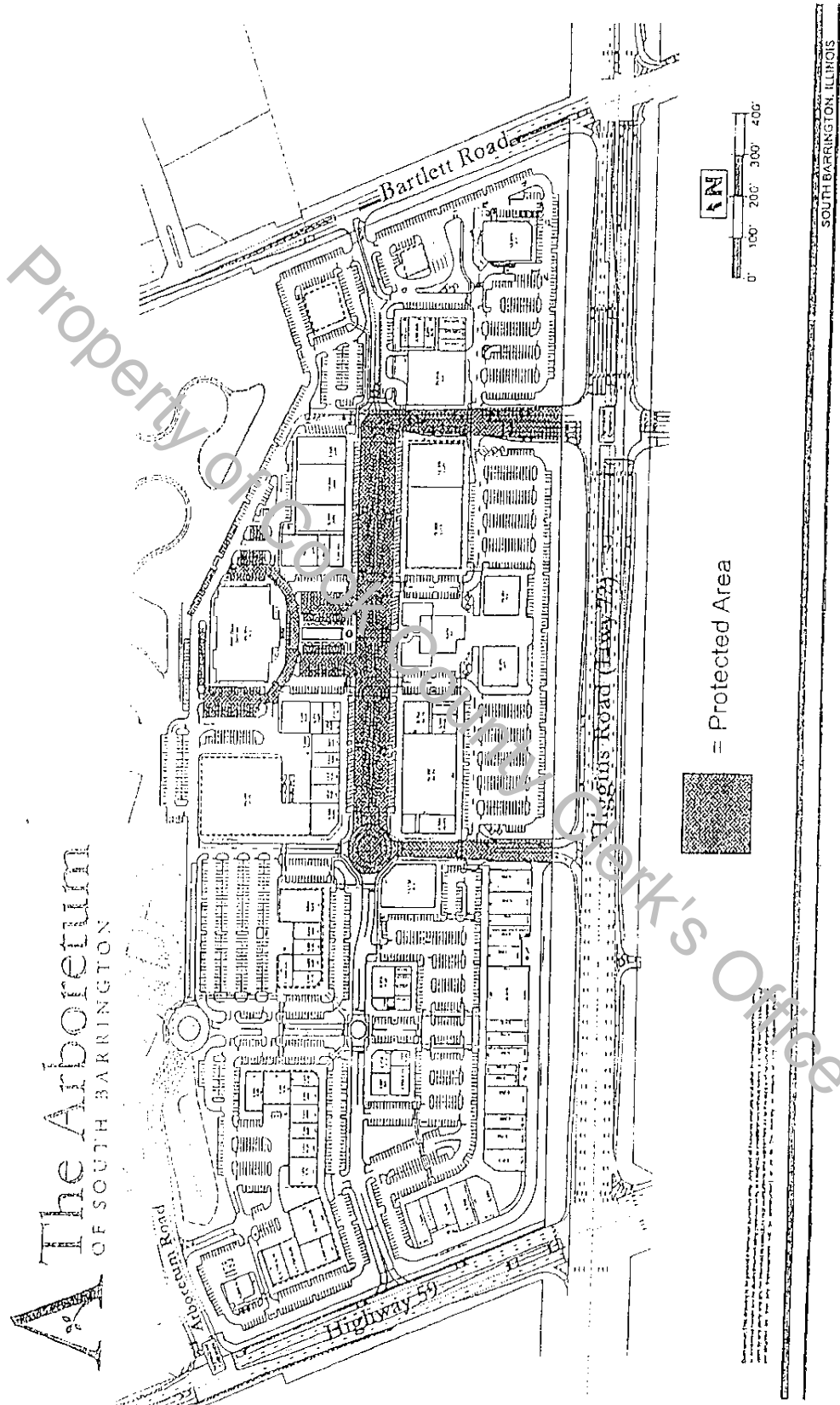


SOUTH BARRINGTON, ILLINOIS

Property of City of South Barrington, Illinois  
City Office

# UNOFFICIAL COPY

EXHIBIT A



Property of Clark's Office

The Arboretum  
OF SOUTH BARRINGTON

Protected Area

SOUTH BARRINGTON, ILLINOIS

# UNOFFICIAL COPY

## CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

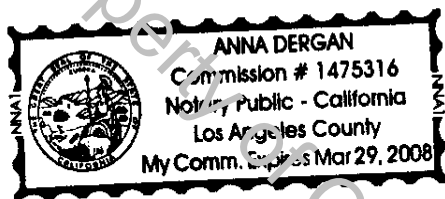
State of California

County of Los Angeles } ss.

On June 12, 2007, before me, Anna Dergan, Notary Public,  
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared Greg Bassler  
Name(s) of Signer(s)

- personally known to me
- proved to me on the basis of satisfactory evidence



to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Place Notary Seal Above

Signature of Notary Public

### OPTIONAL

*Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.*

#### Description of Attached Document

Title or Type of Document: Memorandum of lease

Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

Signer(s) Other Than Named Above: \_\_\_\_\_

#### Capacity(ies) Claimed by Signer

Signer's Name: \_\_\_\_\_

- Individual
- Corporate Officer — Title(s): \_\_\_\_\_
- Partner —  Limited  General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

RIGHT THUMBPRINT OF SIGNER

Top of thumb here

# UNOFFICIAL COPY

EXHIBIT A LEGAL DESCRIPTION (SHOPPING CENTER)  
(NOT INCLUDING WASTER TREATMENT FACILITY LAND)

LOTS 1, 3, 4 AND 5 IN ARBORETUM OF SOUTH BARRINGTON, BEING A SUBDIVISION OF PARTS OF THE NORTHEAST QUARTER AND THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 42 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 30, 2007 AS DOCUMENT 0721115094 IN COOK COUNTY, ILLINOIS.

PIN NUMBERS:

01-33-200-007-0000  
01-33-200-012-0000  
01-33-200-013-0000  
01-33-200-014-0000  
01-33-200-015-0000  
01-33-200-017-0000

Property of Cook County Clerk's Office