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Doc#: 1212939100 Fee: \$80.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 05/08/2012 11:19 AM Pg: 1 of 7

MEMORANDUM OF LEASE

Drawn by and mail after recording to:

TIMOTHY B. GAVIGAN, PLLC
10700 Sikes Pl., Suite 375
Charlotte, North Carolina 28277

353 N. Clark, L.P., a Delaware limited partnership (the "**Landlord**") has leased to 353LC, LLC, a Delaware limited liability company (the "**Tenant**") for a term beginning on the Rent Commencement Date and ending on the Termination Date, unless sooner terminated in accordance with the provisions of the Lease (as defined below), certain real property lying and being in Cook County, Illinois, and being more particularly described on Exhibit A attached hereto and incorporated herein (the "**Premises**").

The parties entered into a certain Restaurant Lease Agreement dated April 11, 2012 (the "**Lease**"), the terms of which are hereby incorporated by reference in this Memorandum.

This Memorandum of Lease shall automatically expire, and be deemed to be released, upon the expiration or earlier termination of the Lease. At Landlord's election, Landlord may, and Tenant hereby authorizes Landlord to, execute on behalf of Landlord and Tenant, and record, without the need for any further consent of Tenant, or joinder of Tenant therein, a release of this Memorandum of Lease upon the expiration or earlier termination of the Lease.

[The next page is the signature page.]

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353LC, LLC

By: *[Signature]*
 Name: Robert M. Pullara
 Title: Manager
 Date: 3-26-12

Mecklenburg COUNTY, NORTH CAROLINA

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she signed the foregoing document:

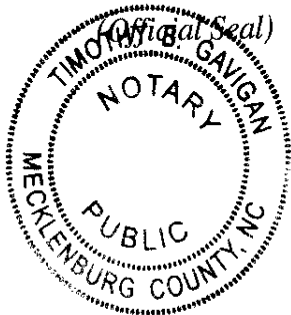
Robert M. Pullara

Date: 3-26-12

[Signature]
 Signature of Notary Public

Timothy B. Gavigan, Notary Public
 Printed or typed name

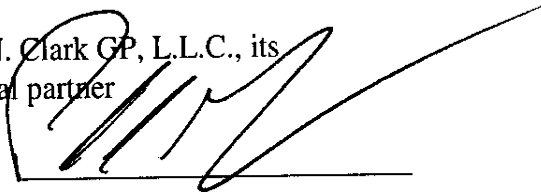
My commission expires: 7-30-2013



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353 N. CLARK, L.P.

By: 353 N. Clark GP, L.L.C., its
general partner

By: 
Name: Paul Gallano
Title: Senior Managing Director
Date: _____

Property of Cook County Notary Public's Office

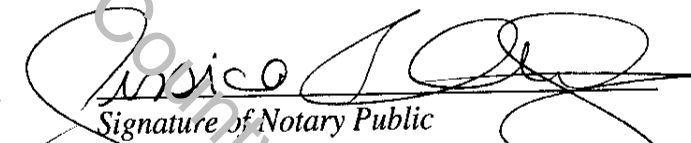
NY COUNTY, NY

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she signed the foregoing document:

Paul Gallano

Date: April 3, 2012

(Official Seal)


Signature of Notary Public

Jessica Hourig, Notary Public
Printed or typed name

My commission expires: March 20, 2014

JESSICA HOURIG
Notary Public, State of New York
No. 0005147300
Commission Expires 03/20/14
100 West 10th Street, Suite 100
New York, NY 10011

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EXHIBIT A **PREMISES**

That certain space containing approximately 11,450 rentable square feet in a building known as 353 North Clark, having a physical address of 353 N. Clark Street, Chicago, Illinois, and being part of the real property described on the attached Exhibit B.

Property of Cook County Clerk's Office

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EXHIBIT B REAL PROPERTY LEGAL DESCRIPTION

Real property in the City of Chicago, County of Cook, State of Illinois, described as follows:

PARCEL 1:

THAT PART OF BLOCK 2 IN ORIGINAL TOWN OF CHICAGO IN SECTION 9, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE EAST LINE OF NORTH CLARK STREET (ALSO BEING THE WEST LINE OF LOT 5 IN SAID BLOCK 2) AND THE SOUTH LINE OF WEST KENZIE STREET (ALSO BEING THE NORTH LINE OF LOTS 5 THRU 8, BOTH INCLUSIVE, IN SAID BLOCK 2); THENCE EAST ALONG THE SOUTH LINE OF SAID WEST KINZIE STREET A DISTANCE OF 321.47 FEET TO THE WEST LINE OF NORTH DEARBORN STREET; THENCE SOUTH ALONG THE WEST LINE OF SAID NORTH DEARBORN STREET (ALSO BEING THE EAST LINE OF LOT 8 IN SAID BLOCK 2) A DISTANCE OF 178.60 FEET TO A POINT 311.60 FEET NORTH (AS MEASURED ALONG SAID WEST LINE OF NORTH DEARBORN STREET) OF THE CHICAGO RIVER, AS OCCUPIED; THENCE WEST AT RIGHT ANGLES TO THE LAST DESCRIBED LINE A DISTANCE OF 321.47 FEET TO A POINT ON THE EAST LINE OF SAID NORTH CLARK STREET 300.43 FEET NORTH (AS MEASURED ALONG SAID EAST LINE OF NORTH CLARK STREET) OF SAID CHICAGO RIVER, AS OCCUPIED; THENCE NORTH ALONG THE EAST LINE OF SAID NORTH CLARK STREET A DISTANCE OF 177.86 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCEL 2:

NON-EXCLUSIVE EASEMENT FOR THE BENEFIT OF PARCEL 1, AS CREATED BY FIRST AMENDMENT TO EASEMENT AND OPERATING AGREEMENT DATED AUGUST 23, 1988 AND RECORDED AUGUST 24, 1988 AS DOCUMENT NUMBER 88384561 FOR PEDESTRIAN AND VEHICULAR INGRESS AND EGRESS ON, OVER, THROUGH AND ACROSS THE "HOTEL ROAD EASEMENT AREA" AND THE "PROJECT ROAD EASEMENT AREA" DESCRIBED AS FOLLOWS:

HOTEL ROAD EASEMENT AREA:

PART OF BLOCK 2 IN ORIGINAL TOWN OF CHICAGO IN SECTION 9, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE POINT OF INTERSECTION OF THE SOUTH LINE OF WEST KINZIE STREET (ALSO BEING THE NORTH LINE OF LOTS 5, 6, 7 AND 8 IN SAID BLOCK 2) AND THE EAST LINE OF NORTH CLARK STREET (ALSO BEING THE EAST LINE OF LOTS 4 AND 5 IN SAID BLOCK 2); THENCE SOUTH 0 DEGREES WEST ALONG SAID EAST LINE OF NORTH CLARK STREET A DISTANCE OF 177.86 FEET TO AN INTERSECTION WITH THE NORTH LINE OF TRACTS I AND II IN SAID BLOCK 2; THENCE SOUTH 90 DEGREES EAST ALONG SAID NORTH LINE OF TRACTS I AND II A DISTANCE OF 134.10 FEET TO AN

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INTERSECTION WITH THE LINE BETWEEN PARCELS 1 (BELOW +50.00 FEET CHICAGO CITY DATUM) OF SAID TRACTS I AND II AND THE POINT OF BEGINNING, THENCE CONTINUING SOUTH 90 DEGREES EAST ALONG SAID NORTH LINE OF TRACTS I AND II A DISTANCE OF 187.57 FEET TO A POINT IN THE WEST LINE OF NORTH DEARBORN STREET (ALSO BEING THE EAST LINE OF LOTS I AND 8 IN SAID BLOCK 2) SAID POINT BEING 178.60 FEET SOUTH OF SAID SOUTH LINE OF WEST KINZIE STREET AS MEASURED ALONG THE WEST LINE OF NORTH DEARBORN STREET; THENCE SOUTH 0 DEGREES WEST ALONG SAID WEST LINE OF NORTH DEARBORN STREET A DISTANCE OF 2632 FEET TO THE BACK OF A CURB OF AN ELEVATED DRIVEWAY; THENCE SOUTH 89 DEGREES 59 MINUTES 22 SECONDS WEST ALONG SAID BACK OF CURB A DISTANCE OF 68.78 FEET; THENCE NORTH 89 DEGREES 34 MINUTES 27 SECONDS WEST A DISTANCE OF 47.20 FEET; THENCE SOUTH 89 DEGREES 59 MINUTES 22 SECONDS WEST A DISTANCE OF 29.31 FEET; THENCE NORTH 75 DEGREES 07 MINUTES 03 SECONDS WEST A DISTANCE OF 43.45 FEET TO A POINT WHERE THE SAID LINE BETWEEN PARCEL 1 INTERSECTS THE BACK OF CURB OF SAID ELEVATED DRIVEWAY; THENCE NORTH 0 DEGREES EAST ALONG SAID LINE BETWEEN PARCEL I A DISTANCE OF 14.83 FEET TO THE POINT OF BEGINNING.

PROJECT ROAD EASEMENT AREA:

PART OF BLOCK 2 IN ORIGINAL TOWN OF CHICAGO IN SECTION 9, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE POINT OF INTERSECTION OF THE SOUTH LINE OF WEST KINZIE STREET (ALSO BEING THE NORTH LINE OF LOTS 5, 6, 7 AND 8 IN SAID BLOCK 2) AND THE EAST LINE OF NORTH CLARK STREET (ALSO BEING THE WEST LINE OF LOTS 4 AND 5 IN SAID BLOCK 2); THENCE SOUTH 0 DEGREES WEST ALONG THE EAST LINE OF NORTH CLARK STREET A DISTANCE OF 177.86 FEET TO AN INTERSECTION WITH THE NORTH LINE OF TRACTS I AND II IN SAID BLOCK 2 AND THE POINT OF BEGINNING; THENCE SOUTH 90 DEGREES EAST ALONG SAID NORTH LINE OF TRACTS I AND II A DISTANCE OF 134.10 FEET TO AN INTERSECTION WITH THE LINE BETWEEN PARCEL 1 (BELOW +50.00 FEET CHICAGO CITY DATUM) OF SAID TRACT I AND II; THENCE SOUTH 0 DEGREES WEST ALONG SAID LINE BETWEEN PARCEL I A DISTANCE OF 14.83 FEET TO A POINT OF INTERSECTION, NOT TANGENT WITH A CURVED LINE, SAID CURVED LINE BEING THE BACK OF A CURB OF AN ELEVATED DRIVEWAY; THENCE WESTERLY ALONG THE BACK OF CURB OF SAID DRIVEWAY BEING THE ARC OF A CIRCLE CONVEX NORTHERLY AND HAVING A RADIUS OF 15.00 FEET A DISTANCE OF 5.08 FEET TO A POINT OF TANGENCY; THENCE SOUTH 89 DEGREES 59 MINUTES 39 SECONDS WEST ALONG THE BACK OF CURB OF SAID DRIVEWAY AND TANGENT TO THE LAST DESCRIBED CURVED LINE A DISTANCE OF 129.11 FEET TO SAID EAST LINE OF NORTH CLARK STREET; THENCE NORTH 0 DEGREES EAST ALONG SAID EAST LINE OF NORTH CLARK STREET A DISTANCE OF 13.99 FEET TO THE POINT OF BEGINNING.

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PARCEL 3:

NON-EXCLUSIVE EASEMENT FOR THE BENEFIT OF PARCEL 1, AS CREATED BY AMENDMENT TO GRANT OF AUTOMOBILE ACCESS DATED MAY 18, 2009 AND RECORDED JULY 27, 2009 AS DOCUMENT NUMBER 0920833001 (“**LOWER CARROLL ACCESS EASEMENT AGREEMENT**”) FOR VEHICULAR INGRESS AND EGRESS ON, OVER, THROUGH AND ACROSS THE “LOWER CARROLL EASEMENT AREA” (AS DEFINED IN THE AMENDMENT TO GRANT OF AUTOMOBILE ACCESS EASEMENT AND AS DEPICTED ON EXHIBIT C ATTACHED THERETO).

PARCEL 4:

EASEMENT FOR THE BENEFIT OF PARCEL 1, AS CREATED BY AMENDMENT TO PARKING AGREEMENT DATED MAY 18, 2009 AND RECORDED JULY 27, 2009 AS DOCUMENT NUMBER 0920833002 (“**THE “AMENDMENT TO PARKING AGREEMENT**”) FOR USE OF THE “LOWER CARROLL PARKING SPACES AREA” (AS DEFINED IN THE AMENDMENT TO PARKING AGREEMENT AND AS DEPICTED ON EXHIBIT C ATTACHED THERETO AND AS SHOWN ON THE SURVEY) IN CONNECTION WITH THE REPAIR AND MAINTENANCE OF THE BUILDING LOCATED ON PARCEL 1.

Address: 353 North Clark Street, Chicago, IL
PINs: 17-09-408-009-0000 and 17-09-408-010-0000