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1526616012

Doc#: 1526616012 Fee: \$54.00 RHSP Fee: \$9.00 RPRF Fee: \$1.00

Karen A. Yarbrough

Cook County Recorder of Deeds
Date: 09/23/2015 10:52 AM Pg: 1 of 9

Record and Return To:

P. Michael Margolis, Esq. c/o Butler, Norris & Gold 254 Prospect Avenue Hartford, CT 06106

# MEMORANDUM OF LEASE

THIS MEMORANDUM OF LEASE ("Memorandum") is made this day of his permitted, 2015, by and between BULBANK STATION HOLDINGS LLC, a Delaware limited liability company ("Landlord"), with an address c/o Abbell Associates, LLC, 30 N. LaSalle Street, Suite 2120, Chicago, Illinois 60602 and BOB'S DISCOUNT FURNITURE, LLC, a Massachusetts limited liability company, having an address at 428 Tolland Turnpike, Manchester, Connecticut 06042 ("Tenant.")

#### WITNESSETH:

- 1. <u>Demised Premises and Shopping Center</u>. Landlord has leased to Tenant and Tenant has leased from Landlord, pursuant to certain Lease ("<u>Lease</u>"), dated February 10, 2015, that certain building of approximately twenty-nine thousand six hundred and fifty (29,650) square feet of ground floor space located in the Shopping Center, as defined in <u>Sect on 2.1</u>, with a street address of 7760 Cicero Street, Burbank, Illinois, which premises are shown cross-hatched on <u>Exhibit "A-1"</u> annexed hereto and made a part hereof. The Demised Premises are located in the Shopping Center known as Burbank Station, as such Shopping Center is depicted on <u>Exhibit "A-1"</u>, which shopping center is located on the land more particularly described in <u>Exhibit "A-2"</u> annexed hereto and made a part hereof. Tenant's Primary Parking Area is also depicted on <u>Exhibit "A-1"</u>.
- 2. <u>Term.</u> The "<u>Initial Term</u>" of the Lease is that period commencing on the Commencement Date (as defined in the Lease) and ending at the very end of the day on the last day of the month following the tenth (10th) anniversary of the Rent Commencement Date (as defined in the Lease).
- 3. Options for Renewal. Tenant, at Tenant's option, may extend the Initial Term of the Lease for three (3) successive options of five (5) years on each.

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4. <u>Inquiries</u>. Inquiries concerning the precise terms of the Lease may be made to:

"Landlord's Notice Address":

Burbank Station Holdings, LLC c/o Abbell Associates, LLC 30 N. LaSalle Street, Suite 2120 Chicago, IL 60602

"Tenant's Notice Address:"

Bob's Discount Furniture, LLC c/o John Sullivan, Chief Financial Officer 428 Tolland Turnpike Marchester, CT 06042

Bob's Discount Furniture, LLC c/o Christopher Day, Senior Vice President Real Estate 428 Tolland Turnpike Manchester, CT 05042

#### With copies to:

Bob's Discount Furniture, LLC Lease Administration Dept. 70 Jewitt City Road Taftville, CT 06380

P. Michael Margolis, Esq. c/o Butler, Norris & Gold 254 Prospect Avenue Hartford, CT 06106

- Tooks Office of the contract o 4. Pylon Sign. The rights granted to Tenant under the Lease including the right to place signage on the pylon sign servicing the Shopping Center.
- 5 . <u>Lease Controls</u>. This Memorandum is for informational purposes only and nothing contained herein shall be deemed to in any way modify or otherwise affect any of the terms and conditions of the Lease, the terms of which are incorporated herein by reference. Any capitalized terms not otherwise defined herein shall have the meaning ascribed to them in the Lease. In the event of any inconsistency between the terms of the Lease and this instrument, the terms of the

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6. <u>Successors and Assigns</u>. The rights and obligations set forth herein shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, personal representatives, successors and assigns.

SIGNATURE PAGE TO MEMORANDUM OF LEASE FOLLOWS

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

#### LANDLORD:

BURBANK STATION HOLDINGS, LLC

By: N. R. EL

Title: Manager

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### ACKNOWLEDGEMENT TO MEMORANDUM OF LEASE

			= 0 X.1 O1 DD	TOL	
STATE OF ILLINOIS	)				
COUNTY OF COOK	) ss.: )				
Before me, the undersigned N day of At., 2015, personally apper Member of BURBANK STATION He and severally acknowledged that he/s liability company for and in behalf of shis/her free and voluntary act and deed company, for the uses and purposes the STATE OF CONNECTICUT Section (COUNTY OF HARTFORD)	OLDINGS, LLC he signed the formation in the signed that the formation is the free free free free free free free fr	C, and known oregoing instriction	to be the identument as such and that he/sly act and deed olic "OFFIC LAUR Notary Pub	to me know tical person officer of s	In to be the who signed said limited the same as ted liability

Before me, the undersigned Notary Public in and for said State and County, on this September day of \_\_\_\_\_, 2015, personally appeared John Sullivan to me known to be the Chief Financial Officer and Executive Vice President of BOB'S DISCOUNT FURNITURE, LLC, and known to be the identical person who signed and severally acknowledged that he signed the foregoing instrument as such officer of said limited liability company for and in behalf of said limited liability company, and that he executed the same as his free and voluntary act and deed and as the free and voluntary act and deed of said limited liability company, for the uses and purposes therein mentioned.

Notary Public

RONNELL RAUERT

NOTARY PUBLIC
MY COMMISSION EXPIRES MAY 31, 2017

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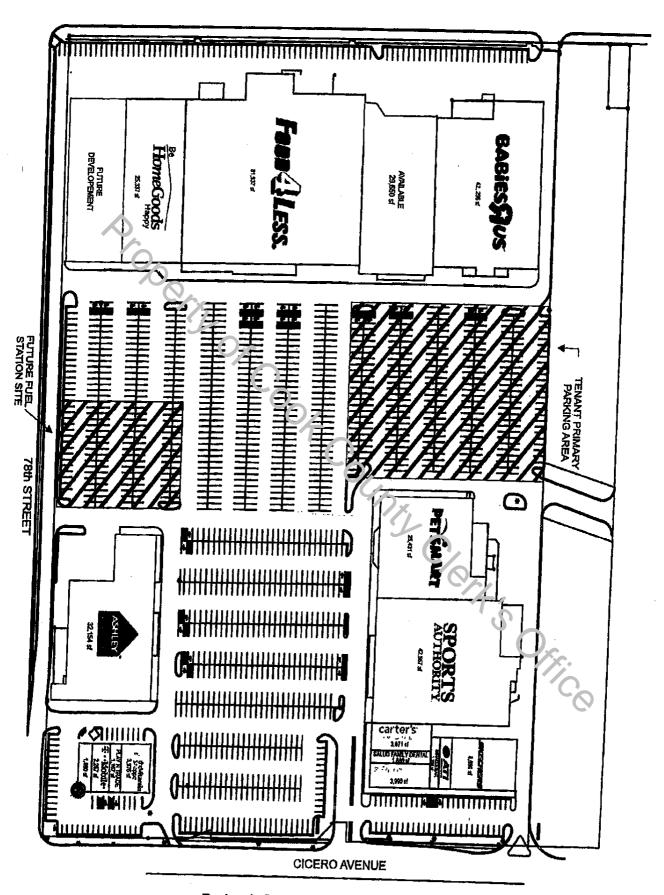
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### EXHIBIT "A-1"

Site Plan of Shopping Center with Demised Premises Cross-Hatched and Protected Parking Area



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Burbank Station - Burbank, Illinois Exhibit 4-1

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EXHIBIT "A-2"

Legal Description of Shopping Center

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Legal Description

. Exhibit A-2

Parcel A:

That Part of the South 6/12 of the North 6/12 of the South 60 acres of the Fast 1/2 of the Southeast 1/4 of Section 28. Township 38 North, Renge 13, East of the Third Principal Meridian, thing North of the North Right of Way Line of 78th Street, (Except therefrom the West 33.00 feet taken for Lavergne Avenue) and (Except the East 60.00 feet taken for Cloero Avenue), in Cook County, Nincls.

That Part of the South 1/7 of the North 7/12 and the South 1/8 of the North 8/12 of the South 60 acres of the East 1/2 of the Southeast

Beginning at the Point of Intersection of the North Line of 78th Street, (Being 33.00 feet North of the Center Line) and the West Line of Cicero Avenue, (Being 80.00 feet West of the Center Line); thence North 89 degrees, 54 minutes, 56 seconds West Parate) to the West line of 78th Street, a distance of 212.00 feet, thence North 00 degrees, 08 minutes, 56 seconds West Parate) to the West line of Cicero Avenue, a distance of 180.00 feet; thence 80.0th 89 degrees, 54 minutes, 56 seconds East, a distance of 212.00 feet to the West line of Cicero Avenue; thence South 00 degree, 08 minutes, 56 seconds East, a distance of 180.00 feet to the Point of Baginning, all in Section 28, Township 35 North, Range 13, East of the Third Principal Meridian, being specifically described as:

Lot 1 in Burbank Station, a Subdivision of the East 1/2 of the Southeast 1/4 of Section 28, Township 38 North, Range 13, East of the Third Principal Meridian, according to the Plat thereof recorded July 29, 1994 as Document 94672782, in Cook County, Winols;

That Portion conveyed to the Fin. 4s D. partment of Transportation By Deed from Burbank Joint Venture, a Michigan General Partmenth'p dated September 29, 149<sup>th</sup> and Recorded November 17, 1998 as Document 08036689, in Cook County, Minols.

The North 120.00 feet of the South 1/3 of the North 3/12 of the South 60 acres of the East Half of the Southeast Quarter of Section 28, Township 38 North, Range 13 East of the Section 26, Township 38 North, Range 13 East of the Section 13 Cook County, Brooks.

That Part of the South 60 acres of the East 1/2 of the Southear . 1/4 of Section 28, Township 38 North Range 13 East of the Third

Principal Meridian, described as follows:

Principal Marklain, described as follows:

Commencing at the Point of intersection of the East Line of Lavergne, van a god the North Line of 78th Street; Thence North 00 degrees 00 minutes 15 seconds East along the East Line of Lavergne, Avi, wild build be considered to 2 seconds East 333.42 feet; Thence South 55 seconds East 333.42 feet; Thence South 00 degrees 01 minutes 68 seconds West 8.39 feet; Thence South 50 degrees 58 minutes 02 seconds East 333.42 feet; Thence South 50 degrees 58 minutes 02 seconds East 300.00 feet; Thence South 50 degrees 58 minutes 02 seconds East 300.00 feet; Thence South 50 feet North of the North Line of 78th Street; thence North 50 degrees 54 minutes 49 seconds West along a Line 5.00 feet North of the North Line of 78th Street; thence North 60 degrees 54 minutes 68 seconds East 205.11 feet; thence South 3 degrees 58 minutes 02 seconds East 30.00 feet; Thence North 60 degrees 61 minutes 58 seconds East 30.00 feet; Thence North 60 degrees 61 minutes 58 seconds East 30.00 feet; Thence North 60 degrees 58 minutes 58 seconds East 30.00 feet; Thence North 60 degrees 61 minutes 58 seconds East 30.01 feet; Thence North 60 degrees 58 minutes 58 seconds East 30.00 feet; Thence North 60 degrees 58 minutes 58 seconds East 30.01 feet; Thence North 60 degrees 61 minutes 58 seconds East 30.21 feet to Line 7 and Feetington.

The North 33 Feet of the West 130 Feet (except the west 33 feet thereof) of the South 1/3 of the North 3/1. of the South 80 acres of the east half of the Southeast quarter of Section 28, Township 38 North, Range 13 East of the Third Principar Mr. wile. In Cook County, Mineis.

That Part of the South 50 scree of the East 1/2 of the Southeast 1/4 of Section 26, Township 38 North Range 13 East of the Bir. That Part of the South 60 acres of the East 1/2 of the Southeast 1/4 of Section 28, Township 38 North Range 13 East of the 5½ of Principal Medidan, Described As Follows: Commencing at the point of Intersection of the East Line of Lavergne Avenue and the North Line of 78th Street; thence North Of degrees of minutes 53 accords East 85.05 Feet To The Point of Beginning; thence continuing South 89 degrees 58 minutes 02 seconds East 39.42 Feet; thence South 00 degrees 01 minutes 58 accords West 8.39 Feet; thence South 89 degrees 58 minutes 02 seconds East 306.00 Feet; thence South 00 degrees 01 minutes 58 accords West 487.28 Feet to a Point 5.00 Feet North of the North Line of 78th Street; thence North 89 degrees 64 minutes 48 seconds West 487.28 Feet to The Point of The North Line of 78th Street 689.42 Feet; thence North 00 degrees 01 minutes 58 accords West Aborg at Line 5.00 Feet North 01 The North Line of 78th Street 689.42 Feet; thence North 00 degrees 01 minutes 58 accords East 20.5, 11 Feet; thence North 00 degrees 01 minutes 58 accords East 90.00 Féet; thence North 00 degrees 01 minutes 68 accords East 146.73 Feet; thence North 00 degrees 01 minutes 68 accords East 146.73 Feet; thence South 89 degrees 58 minutes 02 accords East 30.00 Feet; thence North 00 degrees 01 Minute 58 accords East 146.73 Feet; thence South 89 degrees 58 minutes 02 accords East 30.00 Feet; thence North 00 degrees 01 Minute 58 accords East 153.21 Feet To The Point of Beginning.

Parcel D:

Perpatual Non-exclusive easement for the purpose of cross access, utilities, signs and future easements, for the benefit of parcel A and C over the common ereas of the shopping center parcel more particularly described on Exhibit A-1 attached to the declaration of of easaments, restrictions and operating agreements recorded as document number 94823987.

Easement for the benefit of parcels A and C for roadway purposes as created by grant for public roadway recorded December 11, 1997 as document number 97930150 and assigned by essignment and assumption of driveway easement dated January 28, 2005 and recorded February 2, 2005 as document number 0503334032 over the following described land:

That part of the South 1/3 of the North 3/12 of the South 60 acres of the East 1/2 of the Southeast 1/4 of Section 28, described as follows: Beginning at a point on the North line of said South 1/3 that is 711.0 feet East of the West line of said East 1/2 of the Southeast 1/4 of Section 26; thence East along said North line, 83,32 feet; thence Southwesterly along a line forming an angle of 188 degrees 15 minutes to the right from the previous course, a distance of 125.0 feet to a point 120.0 feet South of said North line of the South 1/3 of the North 3/12; thence West along a line 120.0 feet South of and paratiel with said North line of the South 1/3, 83.32 feet, thence Northeasterly, 125.0 feet to the point of beginning, all in Township 38 North, Range 13, Range 13, East of the third principel meridian, in Cook County, tinois.

Lot 1 in Burbank Station being a Subdivision of that part of the South 1/7 of the North 7/12 and the South 1/8 of the North 8/12 of the South 6/9 acres of the East 1/2 of the Southeast 1/4 of Section 28, Described As Follows;

Beginning at the point of intersection of the North Line of 78th Street (being 33 feet north of the center line) and the West Line of Clearo Avenue (being 80 feet west of the center line) thence North 89 degrees 54 minutes, 56 seconds West along said North Line of 76th Street 21:2.0 Feet; thence North 0 degrees 08 minutes 56 seconds West parallol with said West Line of Clearo Avenue, 150.0 Feet; thence South 9 degrees 44 minutes 55 seconds East, 21:2.0 feet to said West Line of Clearo Avenue; thence South 0 degrees 08 minutes 56 seconds East, 18:0.0 feet to the point of beginning, All in township 38 North, Range 13, East of the Third Principal Meridian, according to the plat thereof recorded July 24, 1984 as document 94872782, in Cook County, kilnols.

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