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LEASE SUPPLEMENT NO. <u>5</u>

67673307

This LEASE SUPPLEMENT NO. 5, dated December 1, 1987, is made by and between WILMINGTON TRUST COMPANY, a Delaware banking corporation, and WILLIAM J. WADE not in their respective individual capacities, but solely as owner trustees under a Trust Agreement dated as of September 15, 1987, collectively as lessor (the Lessor), and EMRO MARKETING COMPANY, a Delaware corporation, as lessee (the Lessee).

WITNESSETH:

WHIREAS, the Lessor and the Lessee have heretofore entered into the Lease Agreement dated as of September 15, 1987 (hereinafter the Lease; unless otherwise defined herein, the terms defined therein being used herein with the same meaning) and to which this Lease Supplement is a supplement;

WHEREAS, the Lease provides for the execution and delivery of a Lease Supplement for the purposes and otherwise as set forth in Section 2 thereof.

NOW, THEREFORE, in consideration of the mutual covenants and agreements confirmed in the Lease and other good and valuable consideration, receipt of which is hereby acknowledged, the Lessor and the Lessee hereby agree as follows:

- (1) The Lessor does hereby lease to the Lessee, and the Lessee does hereby lease from the Lessor the (assed Station described in the Description of Leased Station attached hereto on Schedule 1, and the Lessor does hereby sublet to the Lessee, and the Lessee does hereby sublet from the Lessor, the Lessor's leasehold interest in the Land as described on Schedule 3 hereto. All property described in the Description of Excluded Assets attached hereto as Schedule 2 is expressly excluded from the terms of the Lease and this Lease Supplement.
- (2) The Lessee hereby confirms to the Lessor that the Lessee has accepted the Leased Station for all purposes hereof and of the Lease.
- (3) The Lessee hereby confirms that the Leased Station conforms to specifications, is in good working order and repair and without defect in title, condition, design, operation or fitness for purpose, and is free and clear of all Liens except Liens permitted by Section 8 of the Lease; provided, however, that nothing contained herein or in the Lease shall in any way diminish or otherwise affect any right which the Lessee or the Lessor may have with respect to the Leased Station or any portion of it against any seller, contractor, subcontractor, manufacturer or installer thereof or others.

RETURN TO: Caren W. Mack Mudge, Rose, Guthrie, Alexander and Ferdon 180 Maiden Lane New York, New York 10038



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- (4) The Lessee hereby confirms that (i) good and marketable title to the Leased Stations purchased by Lessor pursuant to the Purchase Documents has been conveyed on the date hereof, free and clear of all Liens, other than Permitted Liens and (ii) that good and valid leasehold interest to the Land relating to the Leased Stations pursuant to the Ground Lease has been granted to the Lessor on the date hereof, free and clear of all Liens, other than Permitted Encumbrances.
- (5) This Lease Supplement may be executed in any number of counterparts and by the different parties hereto on separate countemparts. The single executed original of this Lease Supplement inf sha.

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 All the terms and p.
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 if fully set forth herein. marked Original" shall be the "Original" and all other counterparts

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IN WITNESS WHEREOF, the Lessor and the Lessee have each caused this Lease Supplement to be duly executed.

wilmingTon TRUST COMPANY, not in its individual capacity, but solely as owner trustee under a Trust Agreement dated as of September 15, 1987, as Lessor

Wieness Jan. 721.	By Ment
Witness Jr.	Name: Thomas Fromtont is
Man Holkiely	WILLIAM J. WADE, not in his
Ox Coop	individual capacity, but solely as owner trustee under a Trust Agreement dated as of September 15, 1987, as Lessor
Witness Mana & Murray	BAME
Witness (Mittel BAC) Name: Januar Murray Name: Januar Murray Name: Januar Murray	William J. Wade
	EMRO MARNETONG COMPANY,
WitnessName:	ByName:
Witness	Title:
Name:	

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WILMINGTON TRUST COMPANY, not in its individual capacity, but solely as owner trustee under a Trust Agreement dated as of September 15, 1987, as Lessor

Witness		Ву
H # C11000	Name:	Name: Title:
Witness	Nanie	
	COA COOP	WILLIAM J. WADE, not in his individual capacity, but solely as owner trustee under a Trust Agreement dated as of September 15, 1987, as Lessor
Witness	Name:	William J. Wade
Witness	Name:	2
		ENTRO MARKETENG COMPANY,
Witness	Name: Aufin J. Hamin Name: News G. Name	By Name: C. E. Buroker Title: President
Witness	Name: Kevil G. Namo	
	The second division	
		,49°.

SCHEDULE 1 to Lease Supplement

DESCRIPTION OF LEASED STATION

Address: 95th St. & 88th Ave. Hickory Hills, IL

	Quantity	I t e m
1.	1	Building 31' x 75' Masonry Construction
2.	1	Lusterlite, 37' x 102' with Lighting
3.	05	Tanks. Make: Clawson; Type: Steel Sizes: (5) 8,000
4.	4 1	Gilbarco Model MPD-1 Multiproduct Dispensers
5.	1	Gilbarco Model H111B Dispensers
6.	5	Fump Islands
7.	1	10' x 12' Trash Enclosure
8.	×	Concrete Paving
9.	×	Asphalt Paving
10.	4	Red Jacket Submerged Turbine Pumps
11.	5	Yard Lights and Poles
12.	1	ECO-Windy 1/2 H.P. Air Compressor
13.	×	Curbing and Drainage Structures
14.	×	Landscaping Set Custom Cabinets
15.	×	Set Custom Cabinets
16.	1	Snack Center Cabinet
17.	1	Gondolas & Store Shelving
18.	1	26' x 11'4" Tonka Walk-in Cooler with Shelving
19.	1	Gilbarco Model TCR-G Gasoline Console
20.	2	DTS Model 2100 Cash Register
21.	2	Bunn Coffae Maker
22.	1	Univ. Nolin 6' Cold Deli Case

Page 2 of 2

SCHEDULE 1 to Lease Supplement

DESCRIPTION OF LEASED STATION

Address:

95th St. & 88th Ave.

Hickory Hills, IL

	Quantity	I t e m
23.	1	Fogel 2-Door Storage Refrigerator
24.	04	Armour Safes
25.	x	Lot Store Room Shelving
26.	1 0	Manitowoc Ice Maker
27.	1	Univ. Nolin 3-Door Display Freezer
28.	1	Foge 2-Door Storage Freezer
29.	1	Talk-A-Ihona Intercom
30.	1	Pay Phones
31.	2	Goal Post ID/Price Sign & Pole
32.	2	American Sign Canopy Signs
33.	3	Benco Canopy Signs
34.	1	Omega Alarm System

Additional datail and specifications for the above appear in the complete set of "as built" plans and specifications maintained by the ressee in accordance with Section 10(e) of the Lease.

Lessor's Cost -- \$ 640,000 00

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SCHEDULE 2 to Lease Supplement

DESCRIPTION OF EXCLUDED ASSETS

The excluded assets shall consist of the following:

Description

Hot dog roller grill Bun warmer drawer Nacho merchandiser Nacho cheese warmer with pump and heated spout Chili warmer Popcorn poppar Fretzel display Fizza display case Sour warmer kettle Microvave oven Slush mrchine (twin) Condiment unit Post mix distansar Paper cup diapensers Foam cup dispensers Ice cube dispense Triple jet spray - l whipper Fruit ade machine Cocoa dispenser Anchor wrapper and platens 12" meat slicer Tomato slicer 6' long worktable with stainless scool undershelf and casters Electronic portion scale Electronic retail scale Heat seal overwrapper Platter cart 4' long worktable with stainless steel undershelf and casters Biscuit prep table Convection oven EZ over chicken display Spaceplate for spacing fryers 14" deep electric fryer 18" deep electric fryar Oil filtration unit Bread and batter unit Hot case with thermal shelf Custom built donut display case 2-eye hot plate - electric Ice cream novelty merchandiser

Video security equipment Video sales displays 73307

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SCHEDULE 3 to Lease Supplement

DESCRIPTION OF SUBLEASED LAND

Situated in the County of Cook in the State of Illinois, to wit:

The West 225 feet of the North 200 feet of the Northwest Quarter (NW 1/4) of Section 11, Township 37 North, Range 12, East of the Third Principal Meridian (except that portion of said described land heretofore conveyed to the Department of Public Works and Buildings of the State of Illinois by Werranty deed as document no. 12364494) in Cook County, Illinois (excluding street right of way on both streets)

23-11-100-003 m

Leased station address: W. 95th & 98th

Hickory Kills, Illinois

20002948

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