

MEMORANDUM OF LEASE

This MEMORANDUM OF LEASE, made as of November 19, 1986 by and between DEARBORN STATION ASSOCIATES, an Illinois general partnership as sole beneficiary under a Trust Agreement with American National Bank and Trust Company of Chicago dated May 6, 1986 and known as Trust No. 67319 (hereinafter referred to as "Landlord"), CHICAGO DESIGN ASSOCIATES, LTD., an Illinois corporation (hereinafter referred to as "Tenant"), and AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, not personally or individually but solely as Trustee under Trust Agreement dated May 6, 1986 and known as Trust No. 67319 (hereinafter referred to as "Trustee");

WITNESSETH:

WHEREAS, Landlord and Tenant are entering into a lease as amended (hereinafter "Lease") of even date herewith; and

WHEREAS, Landlord, Tenant and Trustee wish to enter into this Memorandum for the purpose of recordation and notice to third parties, upon the following terms and conditions.

NOW THEREFORE, in consideration of the mutual promises, covenants and conditions hereinafter set forth and other good and valuable consideration the receipt of which is hereby acknowledged, it is mutually agreed as follows:

1. Premises. Landlord, for and in consideration of the rents herein reserved and of the covenants and agreements contained in the Lease to be kept, observed and performed by Tenant, does by these presents, lease to Tenant, and Tenant hereby leases from Landlord, a portion of the following described real estate located at 47 Polk Street, Chicago, Illinois, and legally described as that part of Block 2 lying north of a straight line drawn perpendicular to the east line of said Block 2 at a point which is 302.85 feet (measured along said east line) south of the Northeast corner thereof, in Dearborn Park unit number 1, being a resubdivision of sundry lots and vacated streets and alleys in and adjoining Blocks 127 to 134, both inclusive, in School Section Addition to Chicago, in Section 16, Township 39 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois, as depicted by the cross hatching on Exhibit "A" attached hereto and by this reference incorporated herein consisting of 6,929 leaseable square feet, together with all improvements now located or to be constructed thereon subject to covenants, conditions, agreements, easements, encumbrances and restrictions affecting said real estate and the improvements thereon.

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2. Term. The Lease shall commence on May 1, 1987 (or the date upon which Tenant opens for business whichever occurs earlier), and shall end at midnight on April 30, 1997 unless sooner terminated pursuant to the Lease, or unless extended by Tenant under two five year options extending to April 30, 2002 and April 30, 2007 respectively.
3. Tenant's Right to Assign. By and through an amendment to the Lease dated November 19, 1986, Tenant may, without Landlord's consent or authorization and in accordance with the terms of the amendment, assign all of its rights, privileges, duties, obligations, and liabilities (whether present or future, fixed or contingent) to Polk Street Restaurant, Ltd., a corporation to be formed under Illinois law. Tenant may exercise this special assignment right at any time within thirty (30) days after November 19, 1986.
4. The Lease. The provisions hereof are subject in all respects to the provisions of the Lease to which reference must be made in connection with any matter affecting the premises. The Trustee by its signature below hereby authorizes and ratifies the Lease. In the event of any conflict between the terms and conditions of this Memorandum and the terms and conditions of the Lease, the terms and conditions of the Lease shall prevail.
5. Exhibits. All exhibits referred to in this Memorandum are incorporated herein by reference.
6. Trustee Exculpation. This Memorandum is executed by AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, not personally but solely as Trustee, as aforesaid, in the exercise of the power and authority conferred upon and vested in it as such Trustee. All the terms, provisions, stipulations, ratifications, covenants and conditions to be performed hereunder by AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO are undertaken by it solely as Trustee, as aforesaid, and not individually, and no personal liability shall be asserted or be enforceable against AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO by reason of any of the terms, provisions, stipulations, ratifications and covenants contained in this instrument.

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IN WITNESS WHEREOF, the parties have caused this Memorandum to be duly executed and sealed as of the day and year first above written.

LANDLORD:

STATION  
DEARBORN STREET ASSOCIATES,  
an Illinois general partnership

By: [Signature]  
its partner

TENANT:

CHICAGO DESIGN ASSOCIATES, LTD.,  
an Illinois corporation

By: [Signature]  
its President

ATTEST:

[Signature]  
its Secretary

TRUSTEE:

AMERICAN NATIONAL BANK AND TRUST  
COMPANY OF CHICAGO, not  
personally, but as Trustee as  
aforesaid

By: [Signature]  
Its [Signature]

ATTEST:

[Signature]  
Its ASSISTANT SECRETARY

Permanent Tax Identification Number: 17-16-420-003 *7a.*  
Prepared by: Mark King, Esq., 111 West Washington Street,  
Chicago, IL 60602

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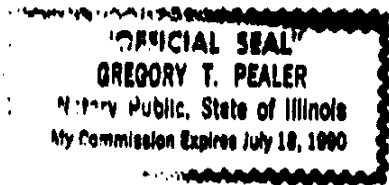
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STATE OF ILLINOIS )  
                          )  
COUNTY OF COOK    )

I, Gregory T. Pealer, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Roger Greenfield, as President of CHICAGO DESIGN ASSOCIATES, LTD., an Illinois corporation, and Roger Greenfield, as Secretary of said Corporation, who are personally known to me to be the same persons whose names are subscribed to the foregoing instrument as President and Secretary of said Corporation, respectively, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their own free and voluntary act of said Corporation, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 15<sup>th</sup> day of December, 1986.

Gregory T. Pealer  
Notary Public



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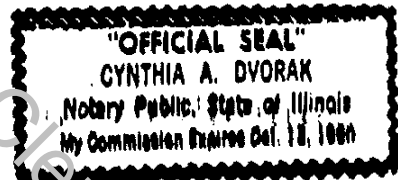
STATE OF ILLINOIS )  
COUNTY OF COOK )

STATION  
ack

I, CYNTHIA A DVORAK, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Edward J. Conner and Herbert P. Melouchlin Jr., as partners of DEARBORN STREET ASSOCIATES, an Illinois general partnership, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument as such partner of said Partnership, appeared before me this day in person and acknowledged that he signed and delivered the said instrument as his own free and voluntary act of said Partnership, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 18th day of December, 1986.

Cynthia A Dvorak  
Notary Public



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STATE OF ILLINOIS )  
COUNTY OF COOK )

I, KAREN E. BURNS, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that SUZANNE G. DAKER, as Second Vice President

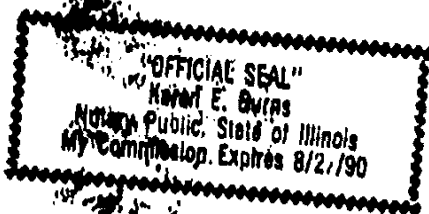
President of AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, not personally or individually but solely as Trustee under Trust Agreement dated May 6, 1986 and known as Trust No. 67319, and

J. MICHAEL WHELAN, as ASSISTANT SECRETARY Secretary of said Bank who are personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such

Second Vice President, President and ASSISTANT SECRETARY Secretary of said Bank respectively, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their own free and voluntary act of said Bank for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this JAN 14 1987 day of \_\_\_\_\_, 1986.

*Karen E Burns*  
Notary Public



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COOK COUNTY RECORDER

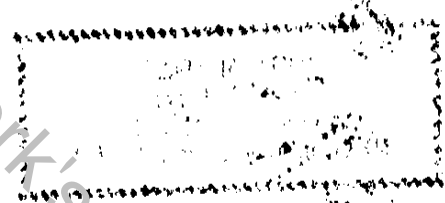
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Chicago, IL 60602

