

91505182

OLIVE GARDEN  
4/1/91 (mbk)  
#: \MOL\90G074

COOK COUNTY

1991 SEP 27 PM 2:58

91505182

15<sup>00</sup>

MEMORANDUM OF LEASE

This Memorandum of Lease is dated the 5<sup>TH</sup> day of JUNE, 1991 and is by and between Lincolnwood Associates, an Illinois General Partnership ("LANDLORD") and General Mills Restaurants, Inc., a Florida Corporation ("TENANT").

WITNESSETH

WHEREAS, on the 8th day of January, 1990, LANDLORD and TENANT entered into a written lease agreement (hereinafter referred to as "Lease") for certain premises situated in the City of Lincolnwood, County of Cook and State of Illinois, as more particularly set forth in said Lease and described on Exhibit "A", attached hereto and made a part hereof as if fully rewritten herein; and

WHEREAS, the parties are desirous of placing their interests therein as a matter of record.

NOW, THEREFORE, in consideration of the mutual covenants herein contained and the parties intending to be legally bound thereby, the parties hereto hereby agrees as follows:

1. The term of the above mentioned Lease shall be ten (10) years commencing on the earlier to occur of September 29, 1991 or the date TENANT opens for business and terminating on the last day of the tenth (10th) Lease Year after the commencement date.
2. TENANT has the right and option to renew said Lease for four (4) additional periods of five (5) years upon the terms, covenants and conditions set forth therein.
3. LANDLORD agrees that for a period of ten (10) years from the commencement of the Lease Term, or until any change in use pursuant to the Lease, whichever shall first occur, LANDLORD will not lease, sublease or otherwise operate or contract, by conveyance or otherwise, in the Center, for a food service establishment featuring or specializing in the sale, at retail, of seafood in a manner similar to TENANT. Featuring or specializing, for the purposes of this provision, shall mean that such items as aforesaid, shall be identified as major menu items in terms of sales volume of public identification. The aforesaid restriction shall not be applicable to any food service establishment, to any purveyor of unprepared foods intended for future off-premises consumption and shall not be applicable to any in-line tenants of the Center. This covenant may not be waived without TENANT'S express written consent.

7-22-89

91505182

Mad to [unclear] by  
Patricia [unclear]  
2nd Part [unclear]  
W. N. G. 10017  
Don [unclear]

-SIGNATURES ON FOLLOWING PAGE-

BOX 383

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-SIGNATURE PAGE-  
MEMORANDUM OF LEASE (90-G-074)

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

Witnesses:

[Signature]  
[Signature]

LINCOLNWOOD ASSOCIATES, an Illinois General Partnership (LANDLORD)

By: SIMON LINCOLNWOOD DEVELOPERS LIMITED PARTNERSHIP, an Indiana Limited Partnership, its General Partner

By: SIMON-LINCOLNWOOD, INC., an Indiana Corporation, its General Partner

By: [Signature]  
Herbert Simon  
President

General Mills Restaurants, Inc. (TENANT)

By: [Signature]  
Richard D. Halterman  
Senior Vice President

Attest: [Signature]  
Martin E. Goldsmith  
Assistant Secretary

[Signature]  
Mary E. Kiley

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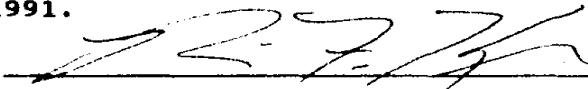
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STATE OF INDIANA )  
 )  
COUNTY OF MARION ) SS.

Before me, a Notary Public in and for said County and State, personally appeared Herbert Simon, President of SIMON-LINCOLNWOOD, INC., an Indiana Corporation, General Partner of SIMON LINCOLNWOOD DEVELOPERS LIMITED PARTNERSHIP, an Indiana Limited Partnership, General Partner of LINCOLNWOOD ASSOCIATES, an Illinois General Partnership, who executed the foregoing instrument for and on behalf of said Partnership.

WITNESS my hand and notarial seal this 5<sup>TH</sup> day of JUNE, 1991.

  
\_\_\_\_\_


BRIAN F. KRAPP, Notary Public  
County of Marion  
My Commission Expires August 9, 1993

Notary Public in and for \_\_\_\_\_  
County, State of \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

STATE OF FLORIDA )  
 )  
COUNTY OF ORANGE ) SS.

Before me, a Notary Public in and for said County and State, personally appeared Richard D. Halterman and Martin N. Goldsmith, to me personally known as the Senior Vice President and Assistant Secretary, respectively of GENERAL MILLS RESTAURANTS, INC., a Florida Corporation, who executed the foregoing instrument for and on behalf of said Corporation by authority of its Board of Directors.

WITNESS my hand and notarial seal this 18th day of March, 1991.

  
\_\_\_\_\_

Notary Public in and for ORANGE  
County, State of FLORIDA  
My Commission Expires: My Commission Expires July 17, 1993

Notary Public, State of Florida, Inc.  
My Commission Expires July 17, 1993

Office

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## LEGAL DESCRIPTION:

That part of Lot 8 described as follows:  
Beginning at the Southeast corner of Lot 8;  
thence South  $89^{\circ}56'11''$  West 172.00 feet along  
the South line of said Lot 8; thence North  
 $45^{\circ}56'21''$  West 56.13 feet along the Southwest  
line of Lot 8; thence North  $44^{\circ}03'39''$  East  
176.40 feet; thence North  $1^{\circ}39'30''$  West 127.88  
feet to the North line of Lot 8 a distance of  
238.00 feet East of the Northwest corner of  
Lot 8; thence North  $88^{\circ}20'30''$  East 73.00 feet  
along the North line of Lot 8; thence South  
 $11^{\circ}20'44''$  East 34.00 feet; thence South  $81^{\circ}33'33''$   
East 28.00 feet to the East line of Lot 8;  
thence South  $0^{\circ}03'19''$  East 140.00 feet; thence  
South  $89^{\circ}56'11''$  West 11.50 feet; thence South  
 $0^{\circ}03'49''$  East 122.00 feet all along last said  
East line to the place of beginning, all in  
Lincolnwood Town Center Subdivision, being a  
part of the North Half of Section 35, Township 41  
North, Range 13 East of the Third Principal  
Meridian, as recorded May 26, 1969 as Document  
No. 89242443, in Cook County, Illinois.

3203 W. Touhy Avenue

Lincolnwood

10-35-201-006

10-35-204-014

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