

MK:4382.D

Prep. 12/03/92

MEMORANDUM OF LEASE

THIS MEMORANDUM OF LEASE, dated as of this 10<sup>th</sup> day of December, 1992, by and between MATTESON JOINT VENTURE, an Indiana General Partnership whose business address is 115 W. Washington Street, Indianapolis, Indiana 46204 (hereinafter called "Landlord"), and T.O.P. SEAFOOD, INC., an Illinois Corporation whose business address is 22048 Governors Highway, Richton Park, Illinois 60471 (hereinafter called "Tenant").

DEPT-01 RECORDING \$25.50  
T#2222 TRAN 4674 12/10/92 16:58:00  
#6100 # \*-92-933757  
COOK COUNTY RECORDER

WITNESSETH:

That by lease (hereinafter called "the Lease") dated July 9, 1992, Landlord has deemed and leased to Tenant, and Tenant has leased from Landlord, for a term commencing upon the "Commencement Date" (as defined in the Lease) and, unless extended or sooner terminated under the provisions thereof, continuing thereafter until the expiration of the tenth (10th) "Lease Year" (as defined in the Lease), certain premises comprising part of the Matteson Plaza Shopping Center, which premises are more particularly described in Exhibit "A" attached hereto and hereby made a part hereof.

The Lease grants to Tenant options to extend the term thereof from the date upon which it would otherwise expire for two (2) separate successive additional periods of five (5) years each upon and subject to the terms and conditions stated in the Lease.

This Memorandum contains only selected provisions of the Lease, and reference is made to the full text of the Lease for the full terms and conditions. This Memorandum shall not, in any way, amend or supersede the terms and conditions of the Lease.

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

LANDLORD

MATTESON JOINT VENTURE, an Indiana General Partnership

By: MATTESON ASSOCIATES LIMITED PARTNERSHIP, an Indiana Limited Partnership, General Partner

By: MATTESON SIMON CORPORATION, an Indiana Corporation, its General Partner



CAPTAIN D'S

4165 W. 211TH ST.

MATTESON IL 60443 By:

J. L. Gershman, Vice President

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TENANT

T.O.P. SEAFOOD, INC., an Illinois Corporation

By: [Signature]  
Printed: B. Murphy  
Its: Pres. T.O.P.

STATE OF INDIANA )  
                          ) SS:  
COUNTY OF MARION )

Before me, a Notary Public in and for said County and State, personally appeared J. L. Gershman Simon, to me personally known as the Vice President of MATTESON SIMON CORPORATION, an Indiana Corporation, General Partner of MATTESON ASSOCIATES LIMITED PARTNERSHIP, an Indiana Limited Partnership, General Partner of MATTESON JOINT VENTURE, an Indiana General Partnership, who executed the foregoing instrument for and on behalf of said Corporation by authority of its Board of Directors.

19 92 WITNESS my hand and notarial seal this 7th day of December.

[Signature]  
Notary Public

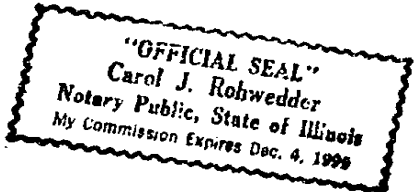
STATE OF Illinois )  
                          ) SS:  
COUNTY OF Cook )

SHELLY K. STEINHAUER, Notary Public  
County of Residence: Marion  
My Commission Expires: July 28, 1996

Before me, a Notary Public in and for said County and State, personally appeared B. Murphy, to me personally known as the President of T.O.P. SEAFOOD, INC., an Illinois Corporation, who executed the foregoing instrument for and on behalf of said Corporation by authority of its Board of Directors.

19 92 WITNESS my hand and notarial seal this 12 day of December.

[Signature]  
Notary Public in and for Cook  
County, State of Illinois  
My Commission Expires. \_\_\_\_\_



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## LEGAL DESCRIPTION OF THE PREMISES

A tract of land in the East Half of the Southeast Quarter of Section 22, Township 35 North, Range 13 East of the Third Principal Meridian, described as follows: Commencing at the West line of the said East Half of the Southeast Quarter and the South right-of-way line of Lincoln (U.S. Route 30) Highway; thence due East 330.29 feet; thence South 84 degrees 17' 22" East 100.50 feet; thence due East 285.00 feet all along the Southerly right-of-way line of said U.S. Route 30 to a place of beginning; thence South 0 degrees East 218.69 feet; thence North 59 degrees 40' 06" West 113.62 feet to a point of curve; thence Westerly on a curve convex to the North having a radius of 103.00 feet, an arc distance of 45.60 feet, and a chord bearing of North 72 degrees 26' 09" West to a point of tangent; thence North 85 degrees 07' 03" West 14.43 feet to a point of curve; thence Northwesterly on a curve convex to the Southwest having a radius of 30.00 feet, an arc distance of 44.50 feet, and a chord bearing of North 42 degrees 37' 30" West to a point of tangent; thence North 0 degrees 07' 58" West 89.61 feet; thence South 00 degrees East 14.50 feet; thence North 0 degrees 07' 58" West 27.00 feet to the South line of said U.S. Route 30; thence North 90 degrees East 158.72 feet along last said South line to the place of beginning, all in Cook County, Illinois.

Note: This legal description is per Land Title Survey made July 3, 1992 by Joseph A. Schudt & Associates, #84-74-219, identifying the land as "Parcel LL/02" attached as Exhibit "D" to aforesaid Lease.

PTN: 31-22-401-020

EXHIBIT "A"  
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