After Recording, Return to: James R. Huntwork Fennemore Craig Two N. Central Avenue Suite 2200 Phoenix, Arizona 85004

94832425

DEPT-01 RECORDING

\$27.50

. T#5555 TRAN 5715 09/23/94 16:29:00

#### **MEMORANDUM OF LEASE**

#8688 + JJ \*-94-832425

COOK COUNTY RECORDER

Notice is hereby given that American National Bank and Trust Company of Chicago, a Federally chartered banking association, not personally but solely as Trustee under Trust Agreement dated December 1, 1991, and known as Trust Number 114854-06, ("Landlord"), and PETsMART, Inc., a Delaware corporation ("Tenant"), have entered into a Shopping Center Lease (the "Lease") dated July 17, 1993, pertaining to certain premises outlined and crosshatched on Exhibit A attached hereto and located within the real property described in Exhibit B attached here (the "Shopping Center"). The initial term of such Lease is twenty (20) years, and Tenant has the option to extend such term for up to four (4) renewal periods of five (5) years each. Among other things, the Lease grants to Tenant the right along with Landlord and other tenants in the Shopping Center to use the Common Areas depicted on Exhibit A, including without limitation roads, driveways, sidewalks and parking areas, grants certain rights with respect to Landlord's phone gign structures, and prohibits other tenants from engaging in the business of selling pets, pet grooming, veterinary or other pet services, pet food or pet products or accessories.

IN WITNESS WHEREOF, Landlord and Tenant have executed this Memorandum of Lease as of the 3/day of August, 1996.

#### LANDLORD:

American National Bank and Trust Company of Chicago, a Federally chartered banking association, not personally but solely as Trustee under Trust Agreement dated December 1, 1991, and known as Trust Number 114854-06

94832425

By: | | Blanser |
Title: | ZNOVKE PRES

This instrument is precised by the industrianed Land Trustee, not personally but solely as Trustee in the exercise of the power and authority conferred upon and vested in it as such Trustee. It is expressly understood and at self-that all of the warranties, indentisties. Trustee are undertaken by it solers in its expectly to instee and not possensity. Ne porsonal instruments against the Trustee on account of any warrants. In the matter than a sery time be asserted or expressing the account of any warrants.

TENANT:

PETsMART, Inc., a Delaware corporation

C. Donald Dorsey

Executive Vice President

275 put

REASONER

Property of Cook County Clerk's Office Charge and

STATE OF ILL	INOIS )					
COUNTY OF C	ook )	SS:				
	egoing instrum	1994, b		HANSEN		day of as
<del></del>	AND VICE P	KE SIDEN	2, on behin	of the Landion	ru.	
		(	Notary Public	a K	UMI)	rgo
My Commission	expires:					
STATE OF AID		ss:	LAUI	FIGIAL SEAL" RA KUMINGO Tate of Illino tion Expires 11/24	is 1/96	
COUNTY OF M	lari (cpa )					
The foregon by C. Donald Do on behalf of the		was acknow Vice Presi	wledged before dent of PETsM Notary Public	me this ART, Inc., a	_ day of A Delaware	august, 1994, corporation,
My Commission	expires:	1	C			
			OHOS	Clary	Ś	

94832425

Proberty of Colling Clerk's Office

Burton (

Property of Cook County Clerk's Office

CO Section

### PARCEL 1:

LOT 9 IN BROADVIEW VILLAGE SQUARE BEING A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 39 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 8, 1994 AS DOCUMENT NUMBER 94212972, EXCEPT THAT PART DESCRIBED BY COMMENCING AT THE NORTHWEST CORNER OF LOT 7 OF SAID BROADVIEW VILLAGE SQUARE; THENCE SOUTH 00 DEGREES, 05 MINUTES, 44 SECONDS WEST ALONG THE WEST LINE OF SAID LOT 7, 79.84 FEET FOR A POINT OF BEGINNING; THENCE NORTH 89 DEGREES 54 MINUTES 16 SECONDS WEST 10.08 FEET; THENCE NORTH OO DEGREES 05 MINUTES 44 SECONDS WEST 7.33 FEET; THENCE NORTH 89 DEGREES 54 MINUTES 16 SECONDS WEST, 115.00 FEET; THENCE SOUTH 45 DEGREES 05 MINUTES 44 SECONDS WEST, 35.36 FEET; THENCE SOUTH 00 DEGREES 05 MINUTES 44 SECONDS WEST, 117.50 FEET; THENCE SOUTH 89 DEGREES 54 MINUTES 16 SECONDS EAST, 25.00 FEET; THENCE SOUTH 00 DEGREES 05 MINUTES 44 SECONDS WEST, 32.50 FEET; THENCE SOUTH 89 DEGREES 54 MINUTES 16 SECONDS EAST, 125.08 FEET TO A POINT ON THE WEST LINE OF LOT 7 IN SAID BROADVIEW VILLAGE SQUARE; THENCE NORTH 00 DEGREES JE MINUTES 44 SECONDS EAST, ALONG THE WEST LINE OF SAID LOT 7 IN BROADVIEW VILLACE SQUARE, 167.67 FEET, TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

#### PARCEL 2:

EASEMENT FOR INGRESS AND EGIESS FOR PEDESTRIAN AND VEHICULAR ACCESS AS SET FORTH IN THE OPERATION AND EASEMENT AGREEMENT DATED JULY 20, 1993 AND RECORDED SEPTEMBER 2, 1993 AS DOCUMENT NUMBER 93703155 OVER AND ACROSS LOTS 1, 2, 3, 4, 5, 6, 8, 9, 10, 11 AND 12 IN BROADVIEW VILLAGE SQUARE AFORESAID.

P. 10, 11 AND 12 IN DM.

PIN 15-22-411-001

17th Arc + Cumak Rd. - Northwest Corner

Broadstew, Illinois