

# UNOFFICIAL COPY

PREPARED BY AND  
WHEN RECORDED, RETURN TO:

95160765

T. Craig Harmon  
McGuire, Woods, Battle &  
Boothe  
One James Center  
Richmond, Virginia 23219

9950 Joliet Rd.  
COUNTRYSIDE, ILLINOIS  
Tax Parcel 18-16-400-018-0000 and  
18-16-400-021-0000

MEMORANDUM OF LEASE . DEPT-01 RECORDING \$27.00  
. T#0012 TRAN 2941 03/09/95 10:58:00  
. #5559 + JM \*-95-160765  
COOK COUNTY RECORDER

This Memorandum of Lease made as of this 22<sup>nd</sup> day of February, 1995, by and between **CIRCUIT INVESTORS - CARMAX LIMITED PARTNERSHIP**, a Texas limited partnership, having its principal office at 8411 Preston Road, 8th Floor, Dallas, Texas 75225-5520 ("Landlord"), and **CIRCUIT CITY STORES, INC.**, a Virginia corporation, having its principal office at 9950 Mayland Drive, Richmond, Virginia 23233-1464 ("Tenant").

WITNESSETH:

That in consideration of the rents, covenants and conditions more particularly set forth in a certain lease between Landlord and Tenant of even date herewith (the "Lease"), Landlord and Tenant do hereby covenant, promise and agree as follows:

1. Leased Premises. Landlord does demise unto Tenant and Tenant does take from Landlord for the term (as hereinafter defined) the Land described in Exhibit A attached hereto and made a part hereof, and the Improvements and Equipment (excepting therefrom the Trade Fixtures).

2. Term. The term of the Lease shall commence on February 22, 1995 and shall terminate on February 28, 2017, provided, however, that the term of the Lease may be extended by Tenant for two (2) renewal terms of ten (10) years each, as set forth in the Lease.

3. Effect of Memorandum. The sole purpose of this instrument is to give notice of the Lease and its terms, covenants and conditions to the same extent as if the Lease were fully set forth herein. This Memorandum shall not modify in any manner the terms, conditions or intent of the Lease and the parties agree that this Memorandum is not intended nor shall it be used to interpret the Lease or determine the intent of the parties under the Lease.

4. Defined Terms. The defined terms used herein shall have the meanings set forth in the Lease.

BOX 333-CTI

7540638  
W

27K

95160765

UNOFFICIAL COPY

11/15/2011

Property of Cook County Clerk's Office

11/15/2011

ITD-038 X01

# UNOFFICIAL COPY

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

CIRCUIT INVESTORS - CARMAX  
LIMITED PARTNERSHIP

T. G. [Signature]  
[Signature]

By Circuit General Partner #4,  
Inc., its sole general  
partner

By: [Signature]  
Title: President

CIRCUIT CITY STORES, INC.

T. G. [Signature]  
Kathleen S. [Signature]

By: Benjamin B. Cummings, Jr.  
Title: Benjamin B. Cummings, Jr.  
Vice President

Attest:

Michael R. Katz  
Assistant Secretary  
Michael R. Katz  
Assistant Secretary

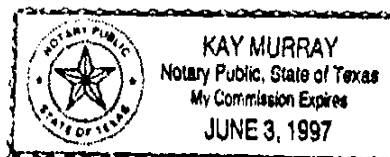
STATE OF TEXAS:

COUNTY OF DALLAS:

The foregoing instrument was acknowledged before me this 22<sup>nd</sup> day of February, 1995, by Gil J. Besing, as President of Circuit General Partner #4, Inc., a Texas corporation, as sole general partner of Circuit Investors - Carmax Limited Partnership, a Texas limited partnership, on behalf of the partnership.

My commission expires: \_\_\_\_\_

Kay Murray  
Notary Public



95160765

UNOFFICIAL COPY

Property of Cook County Clerk's Office

# UNOFFICIAL COPY

STATE OF TEXAS:

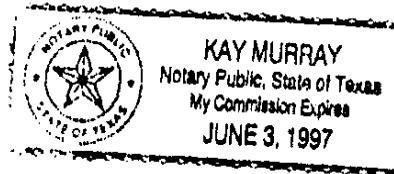
COUNTY OF DALLAS:

The foregoing instrument was acknowledged before me this 22<sup>nd</sup> day of February, 1995, by Benjamin C. Cummins, Jr. as Vice President of Circuit City Stores, Inc., a Virginia corporation, on behalf of the corporation.

My commission expires: \_\_\_\_\_

Kay Murray  
Notary Public

\\circul\ocp7\unemo.11



Property of Cook County Clerk's Office

95160765

UNOFFICIAL COPY

Property of Cook County Clerk's Office

# UNOFFICIAL COPY

## EXHIBIT A

A PORTION OF LOT 10 IN SCHOOL TRUSTEES' SUBDIVISION OF SECTION 16, TOWNSHIP 38 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF A LINE THAT IS 484.00 FEET EAST OF THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION, WITH A LINE THAT IS 672.65 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID LOT 10; THENCE SOUTH 89 DEGREES 51 MINUTES 00 SECONDS EAST ON SAID PARALLEL LINE, 428.00 FEET TO A POINT IN A LINE THAT IS 912.00 FEET EAST OF SAID WEST LINE OF THE SOUTHEAST QUARTER; THENCE SOUTH 00 DEGREES 00 MINUTES 17 SECONDS EAST ON SAID LINE 466.49 FEET TO A POINT IN THE NORTHWESTERLY LINE OF JOLIET ROAD, SAID LINE BEING 33 FEET NORTHWESTERLY OF AND PARALLEL WITH THE CENTERLINE THEREOF; THENCE SOUTH 60 DEGREES 55 MINUTES 17 SECONDS WEST ON SAID LINE, 343.31 FEET TO A POINT IN THE LINE THAT IS 612 FEET EAST OF AND PARALLEL WITH SAID WEST LINE OF THE SOUTHEAST QUARTER; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST ON SAID PARALLEL LINE 404.91 FEET TO A POINT IN A LINE THAT IS 891.87 FEET SOUTH OF AND PARALLEL WITH THE SAID NORTH LINE OF LOT 10; THENCE NORTH 89 DEGREES 51 MINUTES 00 SECONDS WEST ON SAID LINE 128.00 FEET TO A POINT IN A LINE THAT IS 484.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF THE SOUTHEAST QUARTER; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST ON SAID LINE, 229.22 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

telcoulncsp7legal.il

Cook County Clerk's Office

95160765

UNOFFICIAL COPY

Property of Cook County Clerk's Office