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96321977

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COOK COUNTY RECORDER

KRW File No. _____

Permanent Tax No.

02-36-105-01370000

This space reserved for Recorder.

391

96321977
LEASE AND SUBLEASE TERMINATION AGREEMENT

THIS LEASE AND SUBLEASE TERMINATION AGREEMENT is made as of April 3, 1996 by and between the CITY OF ROLLING MEADOWS, an Illinois municipal corporation ("Lessor"), EAGLE FOOD CENTERS, INC., a Delaware corporation ("Lessee/Sublessor") and DOMINICK'S FINER FOODS, INC., an Illinois corporation ("Sublessee").

WHEREAS, Chicago National Bank as Trustee under Trust Number 16675 ("Chicago National") and Meadows Eagle, Inc. ("Meadows") entered into a certain Lease dated June 13, 1960, (the "Lease") covering the premises described in Exhibit "A" attached hereto (the "Premises"); and

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WHEREAS, to evidence the Lease, Chicago National and Meadows also entered into a certain Memorandum of Lease dated June 13, 1960, which was filed on July 1, 1960 with the Registrar of Titles of Cook County, Illinois as Document No. 1933361 (the "Memorandum of Lease"); and

WHEREAS, Eagle Food Centers, Inc., a Maryland corporation ("Eagle-Maryland") entered into a certain Sublease dated June 8, 1965 with Sublessee covering the Premises (the "Sublease"); and

WHEREAS, to evidence the Sublease, Eagle-Maryland and Sublessee also entered into a certain Memorandum of Sublease dated June 8, 1965, which was recorded on November 3, 1965 with the Recorder of Deeds of Cook County, Illinois as Document No. 1963870 (the "Memorandum of Sublease"); and

WHEREAS, Lessor has succeeded to the interests of Chicago National as the landlord under the Lease; and

WHEREAS, Lessee/Sublessor has succeeded to the interests of Eagle-Maryland as tenant and sublandlord under the Lease; and

WHEREAS, Lessor and Lessee/Sublessor desire to terminate the Lease and the Memorandum of Lease as hereinafter provided; and

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WHEREAS, Lessee/Sublessor and Sublessee desire to terminate the Sublease and the Memorandum of Sublease as hereinafter provided.

NOW, THEREFORE, in consideration of the premises and other good and valuable considerations, the receipt and sufficiency of which are acknowledged by the parties hereto, it is agreed as follows:

1. The Lease and the Memorandum of Lease are terminated as of April 5, 1996 as if said date were the expiration date originally set forth in the Lease.

2. The Sublease and the Memorandum of Sublease are terminated as of April 5, 1996 as if said date were the expiration date originally set forth in the Sublease.

3. Lessee/Sublessor and Sublessee agree that possession of the Premises will be delivered to Lessor on April 5, 1996.

4. This Lease and Sublease Termination Agreement may be executed in two (2) or more counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.

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IN WITNESS WHEREOF, the parties hereto have executed this Lease and Sublease Termination Agreement as of the day and year first above written.

CITY OF ROLLING MEADOWS

ATTEST:

By: *Henry J. Jackson*
Its: CITY CLERK

By: *Thomas J. Mangel*
Its: MAYOR

EAGLE FOOD CENTERS, INC.

By: _____
Its: _____

DOMINICK'S FINER FOODS, INC.,
an Illinois corporation

By: _____
Its: _____

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STATE OF)
)
COUNTY OF)

I, Arleene Moran, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that THOMAS F. MENZEL, as ~~President~~ of CITY OF ROLLING MEADOWS, a Municipal Corporation of Illinois and SHARON L. JACOBSON, as Village Clerk of said Corporation, who are personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such President and Clerk 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 and as the free and voluntary act of said Corporation, for the uses and purposes therein set forth; and said Clerk did then and there acknowledge that he, as custodian of the corporate seal of said Corporation, did affix the corporate seal of said Corporation to said instrument as his own free and voluntary act and as the free and voluntary act of said Corporation, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 5 day of April, 1996.

Arleene Moran
Notary Public



STATE OF)
)
COUNTY OF)

I, _____, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that _____, as _____ President of EAGLE FOOD CENTER, INC., a Delaware corporation, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument as such _____ President of said Corporation, appeared before me this day in person and acknowledged that he signed and delivered the said instrument as his own free and voluntary act and as the free and voluntary act of said Corporation, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this ___ day of April, 1996.

Notary Public

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IN WITNESS WHEREOF, the parties hereto have executed this Lease and Sublease Termination Agreement as of the day and year first above written.

CITY OF ROLLING MEADOWS

ATTEST:

By: _____
Its: _____

By: _____
Its: _____

EAGLE FOOD CENTERS, INC.

By: Harold T. Oster
Its: SVP / CFO

DOMINICK'S FINER FOODS, INC.,
an Illinois corporation

By: _____
Its: _____

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STATE OF)
)
COUNTY OF)

I, _____, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that _____, as President of CITY OF ROLLING MEADOWS, a Municipal Corporation of Illinois and _____, as Village Clerk of said Corporation, who are personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such President and Clerk 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 and as the free and voluntary act of said Corporation, for the uses and purposes therein set forth; and said Clerk did then and there acknowledge that he, as custodian of the corporate seal of said Corporation, did affix the corporate seal of said Corporation to said instrument as his own free and voluntary act and as the free and voluntary act of said Corporation, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this ___ day of April, 1996.

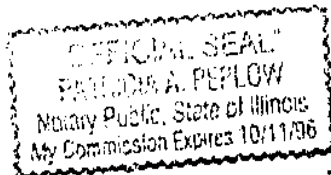
Notary Public

96321977

STATE OF ILL)
)
COUNTY OF Rock Island)

I, PATRICIA A. PEPLOW a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Harold T. Otter, as SVP/CFO President of EAGLE FOOD CENTER, INC., a Delaware corporation, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument as such SVP/CFO President of said Corporation, appeared before me this day in person and acknowledged that he signed and delivered the said instrument as his own free and voluntary act and as the free and voluntary act of said Corporation, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 2nd day of April, 1996.



Patricia A. Peplow
Notary Public

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IN WITNESS WHEREOF, the parties hereto have executed this Lease and Sublease Termination Agreement as of the day and year first above written.

CITY OF ROLLING MEADOWS

ATTEST:

By: _____
Its: _____

By: _____
Its: _____

EAGLE FOOD CENTERS, INC.

By: _____
Its: _____

DOMINICK'S FINER FOODS, INC.,
an Illinois corporation

By: Chad Murphy
Its: President

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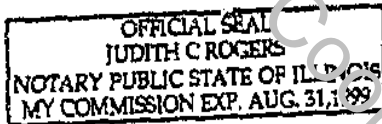
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STATE OF ILLINOIS)
COUNTY OF COOK)

I, JUDITH C. ROGERS, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Cheryl A. Murphy, as Vice President of DOMINICK'S FINER FOODS, INC., an Illinois corporation, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument as such Vice President of said Corporation, appeared before me this day in person and acknowledged that he signed and delivered the said instrument as his own free and voluntary act and as the free and voluntary act of said Corporation, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 4th day of April, 1996.



Judith C. Rogers
Notary Public

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EXHIBIT "A"

Legal Description of Property

That part of Lot "S", in Rolling Meadows Unit No. 8, hereinafter described, described as follows: Commencing at a point on the Northerly line of said Lot "S", 300.0 feet Westerly of the North Easterly corner of said Lot "S", thence Southerly at right angles to the Northerly line of said Lot "S", 310.0 feet; thence Westerly parallel to the Northerly line of Lot "S", 129.62 feet; thence South Westerly on a line drawn at right angles to the Southerly line of said Lot "S" and the Northerly line of Lots 1361 to 1371 inclusive, in said Rolling Meadows Unit No. 8, from a point 457.99 feet North Westerly of angle corner in South line of Lot "S", 250.77 feet to the Southerly line of said Lot "S", thence North Westerly along said Southerly line of Lot "S", and the Northerly line of said Lots 1361 to 1371 inclusive, 180.0 feet to a point 27.85 feet South Easterly of the North Westerly corner of said Lot 1371; thence North Easterly at right angles to said Southerly line of Lot "S", 253.78 feet to an intersection with a line drawn at right angles to the Northerly line of said Lot "S" from a point 600.0 feet Westerly of the North Easterly corner of Lot "S", thence Northerly along said line drawn at right angles to the Northerly line of Lot "S", 251.88 feet to the Northerly line of Lot "S", thence Easterly along the Northerly line of Lot "S", 300.0 feet to the place of beginning; in Rolling Meadows Unit No. 8, being a Subdivision in that part of the West half of Section 36, Township 42 North, Range 10 East of the Third Principal Meridian lying South of Kirchoff Road, according to the plat thereof registered in the Office of the Registrar of Titles of Cook County, Illinois, on July 19, 1955, and a document LR 1608437, all in Cook County, Illinois.

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