

Permanent Index Numbers: 15-17-101-005-0000 and 15-17-101-013-0000  
Address: 4550 Harrison Street, Hillside, Illinois



99206212

MEMORANDUM OF LEASE

This Memorandum of Lease made as of this 26 day of February, 1999, by and between **BOND-HILLSIDE DELAWARE BUSINESS TRUST**, a Delaware business trust, having its principal office at c/o Wilmington Trust Company, 1100 North Market Street, Wilmington, Delaware 19890. Attn: Corporate Trust Administration, Grantee ("Landlord"), and **CIRCUIT CITY STORES, INC.**, a Virginia corporation, having its principal office at 9950 Mayland Drive, Richmond, Virginia 23233-1464 ("Tenant").

4p

WITNESSETH:

That in consideration of the covenants, conditions 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:

7788 286 02 PC

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 26, 1999 and shall terminate on April 30, 2021, 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. **Landlord Non-Responsibility.** Notice is hereby given that Landlord shall not be liable for any labor, services or materials furnished or to be furnished to Tenant, or to anyone holding any of the Leased Premises through or under Tenant, and that no mechanic's or other liens for any such labor, services or materials shall attach to or affect the interest of Landlord in and to any of the Leased Premises.

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

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

BOND-HILLSIDE DELAWARE  
BUSINESS TRUST

By Wilmington Trust Company, not in its individual capacity but solely as trustee

Jeanne C. Jones

By: Amy L. Martin  
Title: Administrative Account Manager

Patricia W. Zait

STATE OF DELAWARE

CITY/COUNTY OF NEW CASTLE

The foregoing instrument was acknowledged before me this 24<sup>th</sup> day of February, 1999, by Amy L. Martin as Administrative Account Manager Wilmington Trust Company, not in its individual capacity but solely as trustee for Bond-Hillside Delaware Business Trust, a Delaware business trust, on behalf of the trust.

My commission expires: Nov 21, 1999

Susanne M. Gula  
Notary Public

SUSANNE M. GULA  
NOTARY PUBLIC  
My Commission Expires November 21, 1999



CIRCUIT CITY STORES, INC.

*[Signature]*  
\_\_\_\_\_  
*[Signature]*  
\_\_\_\_\_

By: *P. Dunn*  
Title: Controller/Vice President/Treasurer

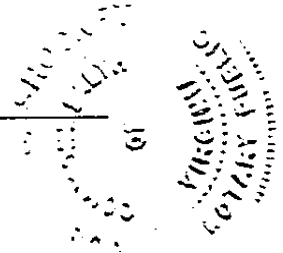
Attest:  
*[Signature]*  
Assistant Secretary

COMMONWEALTH OF VIRGINIA  
COUNTY OF HENRICO

The foregoing instrument was acknowledged before me this 24<sup>th</sup> day of February, 1999,  
by Philip J. Dunn as Controller/Vice President/Treasurer of Circuit City Stores, Inc., a Virginia  
corporation, on behalf of the corporation

My commission expires: January 31, 2003

*Joseph S. Shocket*  
Notary Public  
*Joseph S. Shocket*



Property of Clerk's Office

# UNOFFICIAL COPY

99206212

## EXHIBIT A

### LEGAL DESCRIPTION

LOT 1 IN CARMAX-HILLSIDE, IL. SUBDIVISION OF PART OF SECTION 17,  
TOWNSHIP 39 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL  
MERIDIAN, IN COOK COUNTY, ILLINOIS, ACCORDING TO THE PLAT  
THEREOF RECORDED DECEMBER 28, 1998 AS DOCUMENT 08173204.

Property of Cook County Clerk's Office  
Prepared by & mail to:

Gary Pechten

2901 Butterfield Rd

Oak Brook IL 60523