

639520

INDIANA BELL COPY  
220 N. Meridian  
Bridgels - G.

MEMORANDUM OF LEASE

THIS MEMORANDUM OF LEASE, made and entered into at Cleveland, Ohio this 9<sup>th</sup> day of July, 1981, by and between GARY JOINT VENTURE, an Ohio partnership having an office at 25425 Center Ridge Road, Cleveland, Ohio 44145 (hereinafter referred to as "Landlord") and INDIANA BELL TELEPHONE COMPANY, INCORPORATED, an Indiana corporation having an office at 240 N. Meridian Street, Indianapolis, Indiana 46204 (hereinafter referred to as "Tenant"), who represent that:

W I T N E S S E T H :

1. DESCRIPTION OF DEMISED PREMISES AND TERM OF LEASE.

(a) Landlord, for and in consideration of the reserved and the covenants and conditions agreed to be performed and observed by the Tenant, as the same may be set forth here and in that certain lease entered into by Landlord and Tenant dated as of the 10th day of June, 1981 (the "Lease"), has leased unto Tenant approximately 1,571.70 square feet of gross leasable area in a storeroom known as Unit AL-152 (hereinafter referred to as the "Premises") situated on property in Ross Township, Lake County, Indiana, and forming a part of Southlake Mall Shopping Center, which property is described in Exhibit A attached hereto and made a part hereof as the "Developer Parcel", together with the rights and privileges appurtenant to said Premises as more fully set forth in said Lease.

(b) TO HAVE AND TO HOLD the Premises unto the Tenant for a term of seven (7) years as said term is defined in Section 2 of said Lease, commencing upon a date to be determined in accordance with the provisions of the article of said Lease captioned "Commencement and Term", such date being the earlier of (a) the date which is seventy-five (75) days after the Premises is "ready for occupancy", as that term is defined in Section 4 of the Lease, or (b) the date upon which Tenant shall open for business within the Premises. Such date of commencement, when determined, shall be set forth in a Supplemental Lease Agreement to be executed by Landlord and Tenant.

STATE OF INDIANA, S. NO.  
LAKE COUNTY  
FILED FOR RECORD  
AUG 10 1981  
WILLIAM B. SWAN JR.  
RECORDER

5-50  
52

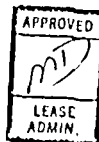
2. This Memorandum of Lease is prepared, signed and acknowledged solely for recording purposes under the laws of the State of Indiana, and is in no way intended to, nor shall it operate to change, alter, modify, amend or in any other way affect the rights, duties and obligations of Landlord and Tenant pursuant to the Lease; it being specifically understood and agreed between the parties that each has rights, duties and obligations imposed on it in the Lease which are not expressly contained herein but included herein by reference.

IN TESTIMONY WHEREOF, Landlord and Tenant have caused this Memorandum of Lease to be signed as of the day and year first above written.

Witnesses as to Landlord

LANDLORD: GARY JOINT VENTURE  
By: Jacobs, Visconsi & Jacobs Co.  
Agent

Andrew D. Duda  
Mary Lou Gray



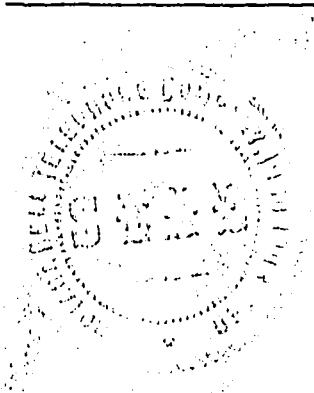
BY John Paulwick  
BY David W. DeLoach

Witnesses as to Tenant

TENANT: INDIANA BELL TELEPHONE  
COMPANY, INCORPORATED

AT Bunn  
Secretary

BY W. D. Baker  
VICE PRESIDENT  
By \_\_\_\_\_



GMR  
RMB Legal Dept  
[Signature]

State of Ohio }  
County of Cuyahoga } ss:

Before me, a Notary Public, in and for the said County and State, personally appeared the above named A. E. PAWLISCH and DAVID W. PANCOAST to me known to be the V.P. TREASURER and ASST. SECRETARY respectively of Jacobs, Visconsi & Jacobs Co., the Corporation which executed the foregoing instrument, as Agent, who acknowledged that they did sign the foregoing instrument for, and on behalf of said Corporation, as Agent, being thereunto duly authorized by its Board of Directors; that the same is their free act and deed as such officers and the free act and deed of said Corporation.

In Testimony Whereof, I have hereunto set my hand and official seal at Cleveland, Ohio this 20th day of July, 19 81.

Carol M. Marquard  
NOTARY PUBLIC

CAROL M. MARQUARD, Notary Public  
STATE OF OHIO  
My Commission Expires April 14, 1986

State of Indiana }  
County of Marion } ss:

Before me, a Notary Public, in and for the said County and State, personally appeared the above named M. D. Baker and H. T. Schulhof, to me known to be the Vice President and Secretary, respectively of INDIANA BELL TELEPHONE COMPANY, INCORPORATED the Corporation which executed the foregoing instrument, who acknowledged that they did sign and seal the foregoing instrument for, and on behalf of said Corporation, being thereunto duly authorized by its Board of Directors; that the same is their free act and deed as such officers and the free act and deed of said Corporation.

In Testimony Whereof, I have hereunto set my hand and official seal at Indianapolis, this 9th day of July, 19 81.

January 18, 1982  
My Commission Expires

Helen H. Kuhnle  
NOTARY PUBLIC

Marion  
County of Residence

Helen H. Kuhnle  
(Print)

4/2/80

THIS INSTRUMENT PREPARED BY:

William L. Arnold  
ATTORNEY AT LAW

EXHIBIT A

DEVELOPER PARCEL

Part of the SW 1/4 and the W 1/2 SE 1/4 of Section 23, T35N, R8W, of the Second Principal Meridian in Ross Township, Lake County, Indiana, bounded and described as follows:

Commencing at the Southwest Corner of said Section 23; thence N87°54'24"E, 40.00 feet to the easterly right-of-way of Mississippi Street; thence N2°42'00"W along the easterly right-of-way of Mississippi Street, 376.01 feet; thence N68°21'41"E, 904.18 feet to the point of beginning; thence N21°38'19"W, 71.31 feet; thence along the arc of a 350 foot radius curve, concave to the northeast, whose chord bears N58°57'55"W, 188.62 feet; thence S46°40'00"W, 251.51 feet; thence N43°20'00"W, 334.48 feet; thence N46°40'00"E, 255.69 feet; thence along the arc of a 350 foot radius curve, concave to the northeast, whose chord bears N26°43'53"W, 94.17 feet; thence N19°00'00"W, 78.00 feet; thence along the arc of a 350 foot radius curve, concave to the east, whose chord bears N4°42'06"W, 172.88 feet; thence N9°35'46"E, 177.00 feet; thence along the arc of a 35 foot radius curve, concave to the southwest, whose chord bears N35°24'14"W, 49.50 feet; thence N80°24'14"W, 103.84 feet; thence along the arc of a 370 foot radius curve, concave to the south, whose chord bears N86°33'07"W, 79.25 feet; thence S87°18'00"W, 225.00 feet to the easterly right-of-way of Mississippi Street; thence along the easterly right-of-way of Mississippi Street N2°42'00"W, 80.00 feet; thence N87°18'00"E, 225.00 feet; thence along the arc of a 450 foot radius curve, concave to the south, whose chord bears S86°33'07"E, 96.39 feet; thence S80°24'14"E, 103.84 feet; thence along the arc of a 35 foot radius curve, concave to the northeast, whose chord bears N57°16'30"E, 47.13 feet; thence along the arc of a 340 foot radius curve, concave to the southeast, whose chord bears N32°13'26"E, 201.90 feet; thence along the arc of a 450 foot radius curve, concave to the northwest, whose chord bears N39°44'54"E, 152.39 feet; thence N60°00'00"W, 185.00 feet; thence N30°00'00"E, 552.88 feet to a point on the southerly right-of-way line of U. S. Route #30; thence along the arc of a 53,617.23 foot radius curve, concave to the south, whose chord bears N88°30'23"E, 3.03 feet; thence S1°21'47"E, 29.84 feet to a point of curve; thence along the arc of a 300.68 foot radius curve, concave to the east, whose chord bears S19°45'47"E, 189.82 feet; thence along the arc of a 35 foot radius curve, concave to the west, whose chord bears S4°04'54"E, 39.23 feet; thence S30°00'00"W, 154.98 feet; thence S17°52'00"E, 416.47 feet; thence N72°08'00"E, 292.00 feet; thence S62°52'00"E, 105.36 feet; thence N72°08'00"E, 355.70 feet; thence N17°52'00"W, 95.71 feet; thence N72°08'00"E, 222.80 feet; thence N17°52'00"W, 312.59 feet; thence S88°38'13"W, 179.55 feet; thence N1°21'47"W, 48.50 feet; thence N88°38'13"E, 105.80 feet; thence along the arc of a 35 foot radius curve, concave to the northwest, whose chord bears N43°38'13"E, 49.50 feet; thence N1°21'47"W, 78.93 feet; thence S88°38'13"W, 100.00 feet; thence N1°21'47"W, 30.00 feet to the southerly right-of-way line of U. S. Route #30; thence N88°38'13"E, 180.00 feet along the southerly right-of-way line of U. S. Route #30; thence S1°21'47"E, 108.93 feet; thence along the arc of a 35 foot radius curve, concave to the northeast, whose chord bears S46°21'47"E, 49.50 feet; thence N88°38'13"E, 196.21 feet; thence S17°52'00"E, 392.71 feet; thence S72°08'00"W, 254.00 feet; thence S17°52'00"E, 666.70 feet; thence N72°08'00"E, 736.50 feet; thence along the arc of a 712 foot radius curve, concave to the west, whose chord bears N6°49'08"W, 322.07 feet; thence N87°14'16"E, 83.44 feet; thence due south 353.91 feet; thence S9°47'44"W, 174.01 feet; thence S68°21'41"W, 700.00 feet; thence S21°38'19"E, 210.00 feet; thence S68°21'41"W, 130.00 feet; thence N21°38'19"W, 210.00 feet; thence S68°21'41"W, 48.58 feet; thence N17°52'00"W, 479.41 feet; thence S72°08'00"W, 73.73 feet; thence N17°52'00"W, 120.00 feet; thence S72°08'00"W, 270.00 feet; thence S17°52'00"E, 116.00 feet; thence S72°08'00"W, 87.86 feet; thence S20°19'09"W, 100.51 feet; thence S72°08'00"W, 451.23 feet; thence S17°52'00"E, 466.71 feet; thence S68°21'41"W, 183.84 feet to the point of beginning. Also commencing at the Southwest Corner of said Section 23; thence N2°42'00"W, 2402.02 feet along the west line of Section 23; thence N87°54'28"E, 330.00 feet; thence N2°42'00"W, 200.93 feet; thence N88°11'44"E, 510.01 feet; thence N88°28'52"E, 24.63 feet; thence N88°30'23"E, 3.03 feet; thence N88°32'26"E, 80.00 feet to the point of beginning being on the southerly right-of-way line of U. S. Route #30; thence N88°36'33"E, 50.24 feet; thence N88°38'13"E, 49.76 feet; thence S1°21'47"E, 30.00 feet; thence S88°38'13"W, 100.00 feet; thence N1°21'47"W, 29.98 feet to the point of beginning. The total area of this non-continuous parcel is 39.858 acres.