

LAKE STATION, IN  
L/C: 13-0311

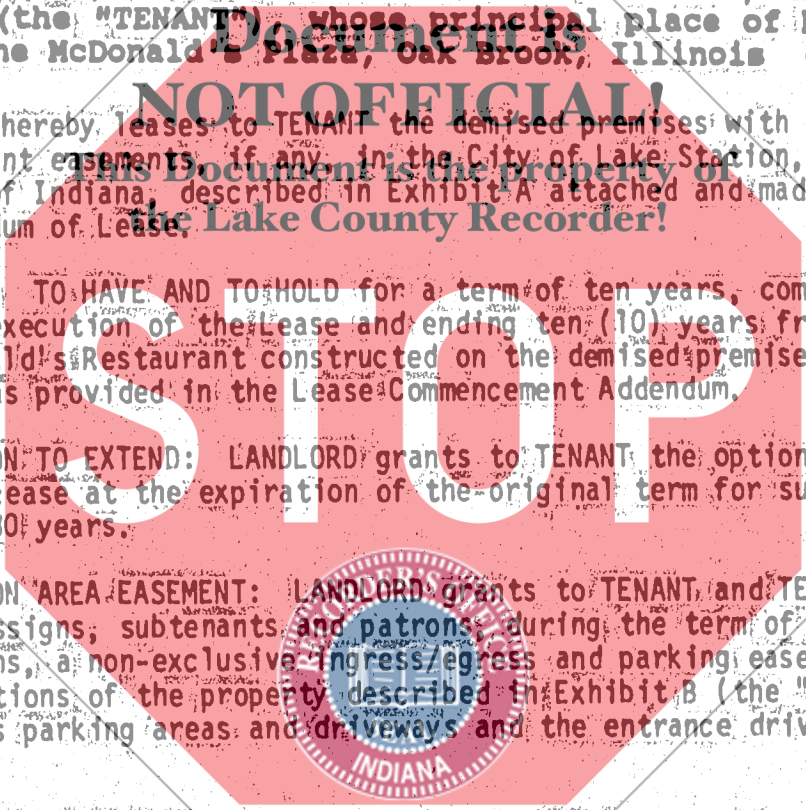
098412

MEMORANDUM OF LEASE

THIS MEMORANDUM OF LEASE, dated this 18th day of April, 1990, is between ROBERT J. WELSH, JR., as Trustee under Trust Agreement dated October 27, 1988, and known as Trust No. 6, and WELSH OIL, INC., an Indiana corporation (the "LANDLORD"), whose address is 800 E. 86th Avenue, P. O. Box 10725, Merrillville, Indiana 46411, and McDONALD'S CORPORATION, a Delaware corporation (the "TENANT"), whose principal place of business is located at One McDonald's Plaza, Oak Brook, Illinois 60521.

MAY 01 1990  
INITIAL

LANDLORD hereby leases to TENANT the demised premises with improvements and appurtenant easements, if any, in the City of Lake Station, County of Lake, State of Indiana, described in Exhibit A attached and made a part of this Memorandum of Lease.



1. TERM: TO HAVE AND TO HOLD for a term of ten years, commencing on date of the last execution of the Lease and ending ten (10) years from the date when a McDonald's Restaurant constructed on the demised premises opens for business or as provided in the Lease Commencement Addendum.

2. OPTION TO EXTEND: LANDLORD grants to TENANT the option to extend the term of the Lease at the expiration of the original term for successive periods aggregating 30 years.

3. COMMON AREA EASEMENT: LANDLORD grants to TENANT and TENANT'S invitees, licensees, assigns, subtenants and patrons, during the term of the Lease and any extensions, a non-exclusive ingress/egress and parking easement to use all of those portions of the property described in Exhibit B (the "Truck Center") designated as parking areas and driveways and the entrance drive described in Exhibit C.

4. UTILITY EASEMENT: LANDLORD grants to TENANT, during the term of the Lease and any extensions, a Non-Exclusive Easement to use portions of the Truck Center as may reasonably be required now or in the future by the TENANT for the installation, maintenance and repair of sanitary sewer, water, gas and electric utility lines and related facilities.

5. STORM SEWER EASEMENT: LANDLORD grants to TENANT, during the term of the Lease and any extensions, a Non-Exclusive Easement to connect to and use the storm sewer line and related facilities located in the Truck Center and/or to surface drain over the Truck Center.

6. PERMANENT EASEMENT: If the TENANT acquires fee title to the demised premises under the terms of the Lease, the easements conveyed in Paragraphs 3, 4 and 5 above shall be perpetual.

MAY 01 1990  
INITIAL

4887J-4

MAY 2 1990

*Don R. Antos*  
AUSTIN LAKE COUNTY

000171

STATE OF INDIANA/S.S. NO.  
FILED FOR RECORD  
MAY 2 1990  
LAKE COUNTY, INDIANA

7. MEMORANDUM: The rentals to be paid by TENANT and all of the obligations and rights of LANDLORD and TENANT are set forth in the Ground Lease dated May 1, 1989 executed by the parties. This instrument is merely a Memorandum of the Lease and is subject to all of its terms, conditions and provisions. In the event of any inconsistency between the terms of the Lease and this instrument, the terms of the Lease shall prevail as between the parties. This memorandum is binding upon and shall inure to the benefit of the heirs, successors, assigns, executors and administrators of the parties.

To indicate their agreement to the above, the parties or their authorized representatives or officers have signed this document.

LANDLORD: ROBERT J. WELSH, JR. as Trustee under Trust Agreement dated October 2, 1988, #6  
TENANT: McDONALD'S CORPORATION

*Robert J. Welsh, Jr.*  
its Trustee ROBERT J. WELSH, JR.

WELSH OIL, INC.  
BY: *Robert J. Welsh, Jr.*  
ROBERT J. WELSH, JR., President

ATTEST: *Kathleen B. Welsh*  
KATHLEEN B. WELSH, Secretary

WITNESS: *Edward L. Burke*  
EDWARD L. BURKE

*Margaret Perz*  
MARGARET PERZ

ATTEST:

*Angela...*  
Assistant Secretary

WITNESS:



(ATTACH ACKNOWLEDGMENT OF SIGNATURES AND EXHIBITS A AND B AND C)

Prepared by and Return to:

David Fagen  
Real Estate Legal Department  
McDONALD'S CORPORATION  
One McDonald's Plaza  
Oak Brook, Illinois 60521

/4887J-5

STATE OF ILLINOIS  
COUNTY OF DuPage SS:

OFFICIAL SEAL  
DEBORAH ANN ARSET  
NOTARY PUBLIC STATE OF ILLINOIS  
MY COMMISSION EXP. NOV. 25, 1991

I, Deborah A. Arbet, a Notary Public in and for the county and state aforesaid, DO HEREBY CERTIFY that Joseph R. Thomas, Department Director of McDonald's Corporation, a Delaware corporation, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument as such Department Director appeared before me this day in person and acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act as such Department Director 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 20<sup>th</sup> day of April, 1990.

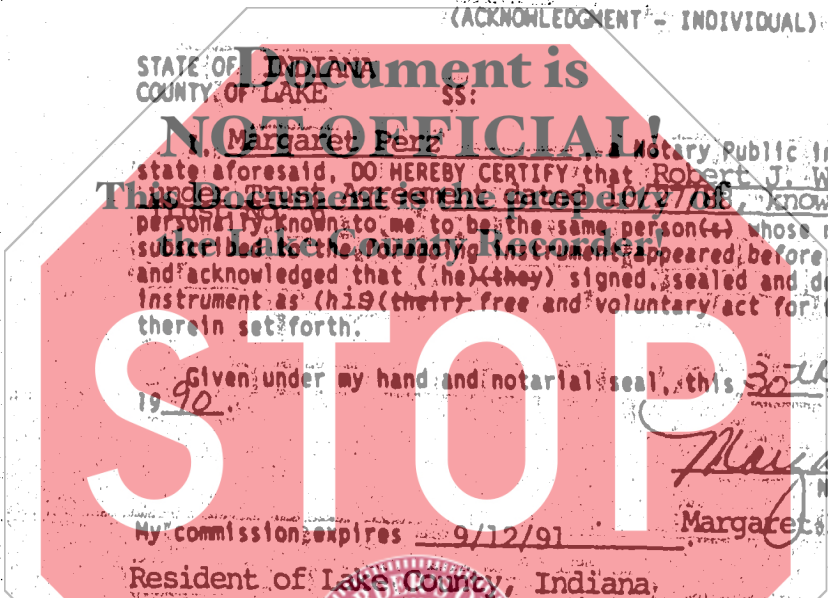
Deborah A. Arbet  
Notary Public

My commission expires \_\_\_\_\_ Deborah A. Arbet

OFFICIAL SEAL  
DEBORAH ANN ARSET  
NOTARY PUBLIC STATE OF ILLINOIS  
MY COMMISSION EXP. NOV. 25, 1991

(ACKNOWLEDGMENT - INDIVIDUAL)

STATE OF INDIANA  
COUNTY OF LAKE SS:



I, Margaret Perz, a Notary Public in and for the county and state aforesaid, DO HEREBY CERTIFY that Robert J. Welsh, and Jr., Trustee personally known to me to be the same person(s) whose name(s) (is) (are) subscribed to the foregoing instrument appeared before me this day in person and acknowledged that (he) (they) signed, sealed and delivered the said instrument as (his) (their) free and voluntary act for the uses and purposes therein set forth.

Given under my hand and notarial seal, this 30<sup>th</sup> day of April, 1990.

Margaret Perz  
Notary Public

My commission expires 9/12/91

Resident of Lake County, Indiana,

(ACKNOWLEDGMENT - CORPORATE)

STATE OF INDIANA  
COUNTY OF LAKE SS:

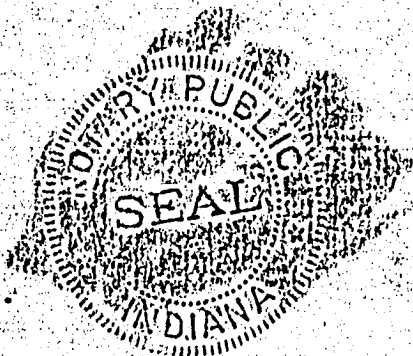
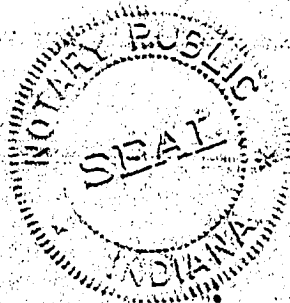
I, Margaret Perz, a Notary Public in and for the county and state aforesaid, DO HEREBY CERTIFY that Robert J. Welsh, Jr President of Welsh Oil, Inc. a(n) Indiana corporation whose personally known to me to be the person whose name is subscribed to the foregoing instrument as such President, appeared before me this day in person and acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act as such President 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 30<sup>th</sup> day of April, 1990.

Margaret Perz  
Notary Public

My commission expires 9/12/91

Resident of Lake County, Indiana,



19-2-69

Part of the West Half of Section 9, Township 36 North, Range 7 West of the 2nd P.M., in the City of Lake Station, Lake County, Indiana, described as follows: Commencing at the intersection of the East 100 foot right-of-way line of State Road No. 51 and the center line of Burns Ditch; thence South 00 degrees 04 minutes 30 seconds West along said 100 foot right-of-way line for a distance of 250 feet, more or less to the right-of-way station 63 + 00 on State Road No. 51; thence South 05 degrees 04 minutes 10 seconds West, 110.45 feet to a point on a 90 foot right-of-way line at Station 61 + 90 on said State Road No. 51; thence South 00 degrees 04 minutes 30 seconds West on said 90 foot right-of-way line, 71.71 feet; thence North 89 degrees 55 minutes 30 seconds East, 43.35 feet to the point of beginning of this described parcel; thence South 00 degrees 16 minutes 24 seconds East, 138.78 feet; thence South 17 degrees 46 minutes 23 seconds East, 50.72 feet; thence South 54 degrees 50 minutes 07 seconds East, 102.08 feet; thence North 06 degrees 53 minutes 29 seconds East, 297.44 feet; thence North 07 degrees 23 minutes 39 seconds West, 198.28 feet; thence South 75 degrees 56 minutes 54 seconds West, 170.48 feet; thence South 89 degrees 49 minutes 14 seconds West, 122.74 feet; thence North 54 degrees 02 minutes 34 seconds West, 94.96 feet to the point of beginning.



EXHIBIT A  
(Premises)

**LEGAL DESCRIPTION**

19-2-15, 55, 57 & 59

**TRUCK CENTER**

**Document is**

**NOT OFFICIAL**

**This Document is the property of**

**County Recorder**

**DESCRIPTION OF PROPERTY:** Part of the West 1/2 of Section 9, Township 36 North, Range 7 West of the 2nd P.M., in the City of Lake Station, Lake County, Indiana, described as follows: Beginning at the point of intersection of the East 100-foot right-of-way line of State Road #51 and the center line of Burns Ditch, thence South along said 100-foot right-of-way line for a distance of 250 feet more or less to the right-of-way station 63+00 on State Road #51; thence Southeast to a point on a 90-foot right-of-way line at Station 61+90 on said State Road #51; thence South on said 90-foot right-of-way line 271.53 feet to Station 59+18.47 which is the point of intersection of said 90-foot right-of-way line with the original limited access line of Interstate Highway I-80 I-94; thence Southeast along said limited access line to the 110-foot limited access line for Ramp "L" of said Interstate Highway; thence East along said 110-foot limited access line to the point of curve for a 98-foot limited access line for Ramp "P" of said Interstate Highway; thence Easterly along the curve to the left for a 98-foot limited access line to the East line of the West 1/2, SW 1/4, Section 9; thence along said Highway North 65°24' East, 581.9 feet; thence North 28°41' East, 476.6 feet; thence North 3°50' East, 338.2 feet; thence North 15°38' West, 329.4 feet to the center of Burns Ditch; thence Southeast along the center line of Burns Ditch, 1811.94 feet more or less to the point of beginning, containing 34.932 acres more or less.

MAY 10 1 1990  
INITIAL

**EXHIBIT B  
(TRUCK CENTER)**

19-2-15

Ingress and Egress Easement for the benefit of Parcel 1 as created by Easement dated October 27, 1988, and recorded November 23, 1988, as Document No. 008951, in the Recorder's Office of Lake County, Indiana, over the land described as follows: Part of the West half of Section 9, Township 36 North, Range 7 West of the 2nd P.M., in the City of Lake Station, Lake County, Indiana, described as follows: Commencing at the intersection of the East 100 foot right-of-way line of State Road #51 and the center line of Burns Ditch; thence South 00 degrees 04 minutes 30 seconds West along said 100 foot right-of-way line for a distance of 175 feet to the point of beginning; thence North 82 degrees 04 minutes 30 seconds East, 100.0 feet; thence South 00 degrees 04 minutes 30 seconds West parallel to State Road #51, 317.85 feet; thence North 54 degrees 02 minutes 34 seconds West, 80.71 feet; thence South 00 degrees 16 minutes 24 seconds East, 75.0 feet; thence South 89 degrees 55 minutes 30 seconds West, 43.45 feet to a point on a 90 foot right-of-way line; thence North 00 degrees 04 minutes 30 seconds East on said 90 foot right-of-way line, 146.71 feet to a point on a 90 foot right-of-way line at Station 61 + 90 on said State Road #51; thence North 05 degrees 04 minutes 10 seconds East, 110.45 feet to a point on a 100 foot right-of-way line at Station 63 + 00 on said State Road #51; thence North 00 degrees 04 minutes 30 seconds East along said 100 foot right-of-way 75 feet to the point of beginning.

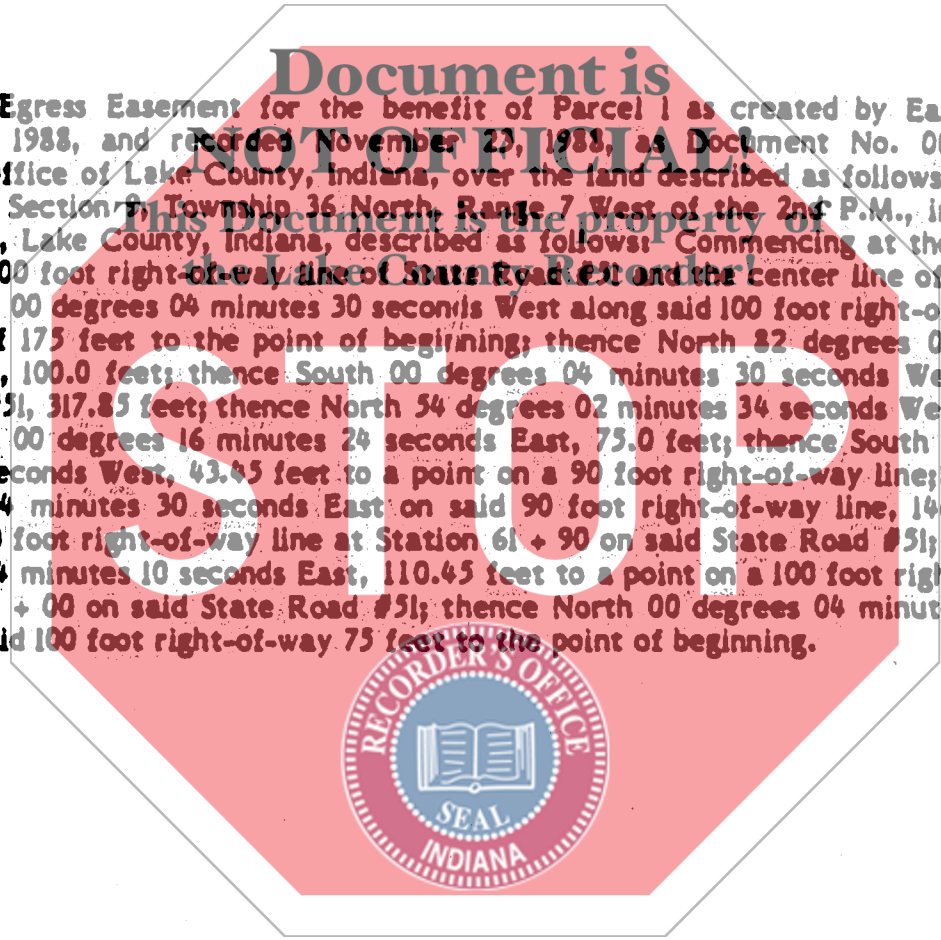


EXHIBIT C  
(ACCESS FROM STATE ROAD 5)