

93087104

93085423

WHEN RECORDED, RETURN TO:

Alison Altman, Esquire  
Linett, Schechter, Reicher & Altman  
888 7th Avenue, 15th Floor  
New York, New York 10106

PREPARED BY:

McGuire, Woods, Battle &  
Boothe  
One James Center  
Richmond, Virginia 23219

DEC 15 1993

MERRILLVILLE, INDIANA

*Anna M. Antos*  
NOTARY LAKE COUNTY

MEMORANDUM OF LEASE

This Memorandum of Lease made as of this 30 day of November, 1993, by and between CC ACQUISITIONS L.P., a New Jersey limited partnership, having its principal office at c/o Richards & Robbins, 20 Community Place, Morristown, New Jersey 07960 ("Landlord"), and CIRCUIT CITY STORES, INC., a Virginia corporation, having its principal office at 9950 Mayland Drive, Richmond, Virginia 23233-1464 ("Tenant").

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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 defined) the Land described in Exhibit A attached hereto and made a part hereof, and the improvements and equipment therefrom the Trade Fixtures).

2. Term. The term of the Lease shall commence on November 30, 1993 and shall terminate on March 15, 2016, 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.

REC'D  
Dec 17  
MERRILLVILLE, INDIANA

STATE OF INDIANA/S.S.M.O.  
FILED FOR REC'D  
LAKE COUNTY  
DEC 23 10 28 AM '93  
SARUEL RAYLOR

Return to: *David Cameron Title*

\*Re-recording to establish correct recording order.

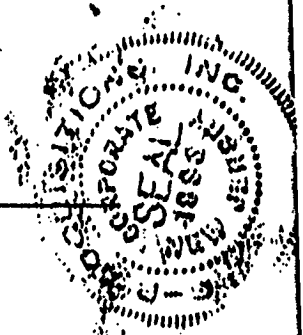
1800  
1993  
*[Signature]*

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

CC ACQUISITIONS L.P.

By G-P Acquisitions, Inc., a New Jersey corporation, its sole general partner

By: [Signature]  
Title: Asst Secretary



CIRCUIT CITY STORES, INC.

Document is  
**NOT OFFICIAL**  
By: Philip Dunn  
Philip Dunn, Treasurer

This Document is the property of  
STATE OF Ohio the Lake County Recorder!  
CITY/COUNTY OF Cuyahoga SS.

I, Melissa J. Jenkins, a notary public in and for said City/County, in the State aforesaid, DO HEREBY CERTIFY that Alison Altman, personally known to me to be the asst sec of G-P Acquisitions, Inc., a New Jersey corporation, sole general partner of CC Acquisitions L.P., a New Jersey limited partnership, and personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that as such asst. sec she signed and delivered the said instrument as his free and voluntary act, and as the free and voluntary act and deed of said partnership, for the uses and purposes therein set forth.

GIVEN under my hand and official seal this 30th day of November, 1993.

[Signature]  
Notary Public

MELISSA J. JENKINS  
Notary Public - Cuyahoga County.  
Commission expires: My commission expires March 23, 1997

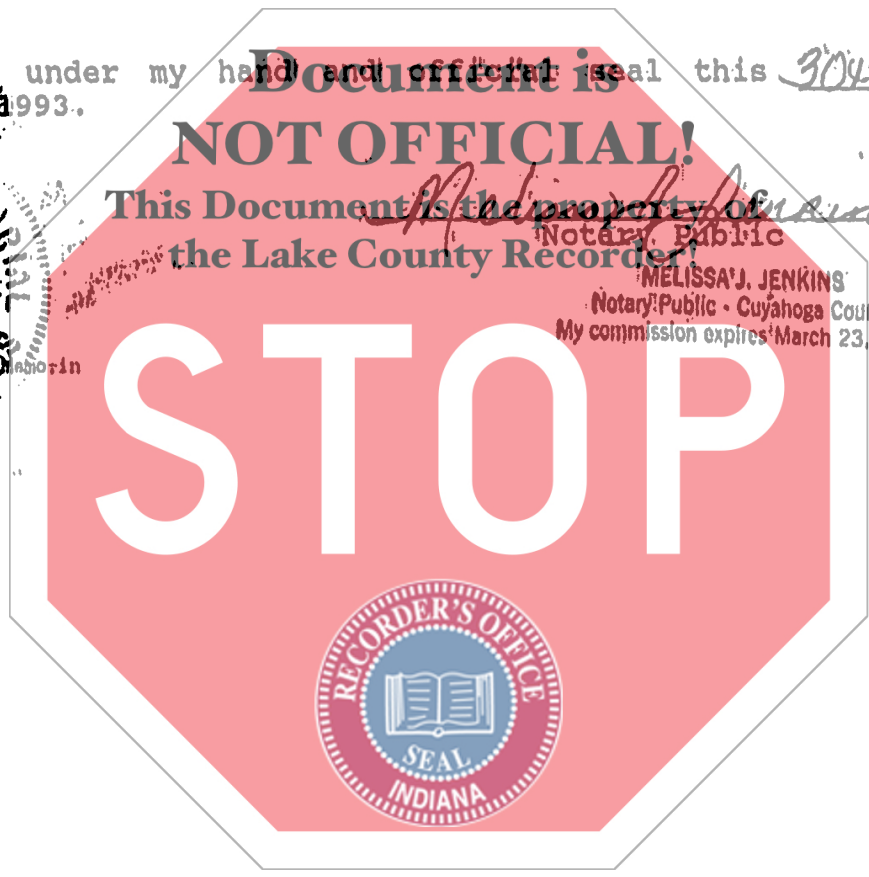
STATE OF Ohio

SS.

CITY/COUNTY OF Cuyahoga

I, Melissa J. Jenkins, a notary public in and for said City/County, in the State aforesaid, DO HEREBY CERTIFY that Philip Dunn, personally known to me to be the Treasurer of Circuit City Stores, Inc., a Virginia corporation, and personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that as such Treasurer he signed and delivered the said instrument as his free and voluntary act, and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

GIVEN under my hand and official seal this 30th day of November, 1993.



**NOT OFFICIAL!**

This Document is the property of Melissa J. Jenkins  
Notary Public  
the Lake County Recorder

MELISSA J. JENKINS  
Notary Public - Cuyahoga County  
My commission expires March 23, 1997



**EXHIBIT A**

**PARCEL 1: (Part of Part A, Lot 4)**

That part of Part A of Lot 4 lying South of a line drawn 70.0 feet South and parallel with the North line of Lot 4 in Southlake Plaza as shown in Plat Book 73 Page 30, as corrected by: Plat of Correction as shown in Plat Book 73 Page 37; and Certificate of Clarification recorded November 6, 1992, as document number 92070667, in the Office of the Recorder of Lake County, Indiana, containing 3.04 acres, more or less.

Also described as:

Part of Part A of Lot 4 in Southlake Plaza as recorded in Plat Book 73 Page 37 in the Office of the Recorder of Lake County, Indiana, more particularly described as follows: Commencing at the southeast corner of the north half of the Southeast Quarter of Section 23, Township 35 North, Range 8 West of the 2nd Principal Meridian; thence North 90° 00' 00" West 1,286.40 feet along the south line of said north half also being the south line of said Southlake Plaza to the southwest corner of Lot 2 in said Southlake Plaza; thence North 0° 43' 24" East 421.68 feet to the south line of said Lot 4 and the point of beginning; thence North 89° 16' 36" West 250.69 feet along the south line of said Lot 4 to the southwest corner of said Lot 4; thence northerly along the westerly line of said Lot 4 the following five courses: 1, North 0° 43' 24" East 73.83 feet; 2, North 89° 16' 36" West 10.0 feet; 3, North 0° 43' 24" East 256.17 feet; 4, South 89° 16' 36" East 66.0 feet; 5, North 0° 43' 24" East 176.0 feet to the southwest corner of the north 70 feet of said Lot 4; thence South 89° 16' 36" East 67.28 feet along the south line of said north 70 feet to a point on the southerly line of Part B of said Lot 4; thence South 60° 35' 04" East 193.14 feet along the southerly line of said Part B to the east line of said Lot 4 being a point on a nontangent curve; thence southerly 83.04 feet along aforesaid east line along the arc of a curve concave easterly with a radius of 520.52 feet and a chord bearing South 17° 01' 45" East 82.95 feet, to a point of reverse curve; thence continuing southerly 205.59 feet along aforesaid east line along the arc of a curve concave westerly with a radius of 520.52 feet and a chord bearing South 10° 17' 03" East 204.26 feet to the beginning of a nontangent line; thence continuing along aforesaid east line South 0° 43' 24" West 131.77 feet to the southeast corner of said Lot 4; thence North 89° 16' 36" West 46.31 feet along the south line of said Lot 4 to the point of beginning, containing 3.04 acres more or less all in Lake County, Indiana.



**PARCEL 2: (Part of Part B, Lot 4)**

Together with an easement for parking, utility crossovers and driveways created by the Easement Agreement dated November 25, 1992 by and between Northern Indiana Public Service Company, an Indiana corporation, and Focus Partnership I, an Indiana partnership, recorded December 8, 1992 as document number 92077518, upon the terms, covenants, conditions, restrictions and obligations therein provided over the following described real estate, to-wit:

That part of Part B of Lot 4 lying South of a line drawn 70.0 feet South and parallel with the North line of Lot 4 in Southlake Plaza as shown in Plat Book 73 Page 30, as corrected by; Plat of Correction as shown in Plat Book 73 Page 37; and Certificate of Clarification recorded November 6, 1992 as document number 92070667, in the Office of the Recorder of Marion County, Indiana, containing 0.17 acres more or less.

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Also described as: the Lake County Recorder!

Part of Part B of Lot 4 in Southlake Plaza as recorded in Plat Book 73 Page 37 in the Office of the Recorder of Lake County, Indiana, more particularly described as follows: Commencing at the southeast corner of the north half of the Southeast Quarter of Section 23, Township 35 North, Range 8 West of the 2nd Principal Meridian; thence North  $90^{\circ} 00' 00''$  West 1,286.40 feet along the south line of said north half also being the south line of said Southlake Plaza to the southwest corner of Lot 2 in said Southlake Plaza; thence North  $0^{\circ} 43' 24''$  East 421.68 feet to the south line of said Lot 4; thence North  $89^{\circ} 16' 36''$  West 250.69 feet along the south line of said Lot 4 to the southwest corner of said Lot 4; thence northerly along the westerly line of said Lot 4 the following five courses: 1. North  $0^{\circ} 43' 24''$  East 73.83 feet; 2. North  $89^{\circ} 16' 36''$  West 10.0 feet; 3. North  $0^{\circ} 43' 24''$  East 254.17 feet; 4. South  $89^{\circ} 16' 36''$  East 6.0 feet; 5. North  $0^{\circ} 43' 24''$  East 176.0 feet to the southwest corner of the north 70 feet of said Lot 4; thence South  $89^{\circ} 16' 36''$  East 67.28 feet along the south line of said north 70 feet to a point on the southerly line of Part B of said Lot 4 and the point of beginning; thence South  $60^{\circ} 35' 04''$  East 193.14 feet along the southerly line of said Part B to the east line of said Lot 4 being a point on a nontangent curve; thence northerly 93.77 feet along aforesaid east line along the arc of a curve concave easterly with a radius of 520.52 feet and a chord bearing North  $07^{\circ} 18' 03''$  West 93.65 feet, to the southeast corner of said north 70 feet; thence North  $89^{\circ} 16' 36''$  West 156.36 along the south line of said north 70 feet to the point of beginning, containing 0.17 acres more or less all in Lake County, Indiana.

**PARCEL 3: (Easement Rights under Operation and Easement Agreement)**

Together with the rights and the easements created by the Operation and Easement Agreement dated as of December 8, 1992 recorded December 17, 1992 as document number 92080433, as amended by First Amendment to Operation and Easement Agreement dated April 1, 1993 and recorded May 19, 1993 as document number 93033098.

