

STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD

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MORRIS W. CARTER
RECORDER

**MEMORANDUM OF LEASE
25-523-G**

THIS MEMORANDUM OF LEASE, made this 25 day of July, 2000, by and between Mercantile National Bank of Indiana, as Trustee of the Maryne Family Trust Number 5374 and the Nicholas Maryne III Revocable Trust Number 6401, whose address is 5243 Hohman Avenue, Hammond, IN 46320, collectively Lessor, and the Amoco Oil Company, a Maryland corporation, with its principal business office at 200 East Randolph Drive, Chicago, Illinois 60601, Lessee,

WITNESSETH:

By Ground Lease of even date herewith, Lessor has demised and leased to Lessee, the following described premises situated in the City of Hammond, County of Lake, State of Indiana, more particularly described as set forth in Exhibit "A" annexed hereto and made a part hereof.

Together with all buildings, improvements, equipment, fixtures, appliances, and other facilities of every nature (except any and all underground storage tanks, pipes and lines, and stored materials) owned or controlled by Lessor and located or to be erected or installed by Lessor thereon; and all rights, alleys, rights-of-way, easements, appurtenances thereunto belonging or in anywise appertaining; and all rights of Lessor in and to any public or private thoroughfares abutting the above-described premises, all being hereinafter referred to as the "Demised Premises".

To Have And To Hold unto Lessee for a term commencing on the first day gasoline is first sold from the rebuilt Demised Premises and ending on the fifth (5th) anniversary thereof.

THE RENTAL FOR THE DEMISED PREMISES, CERTAIN RENEWAL, EXTENSION AND CANCELLATION PRIVILEGES, AND A RIGHT(S) OF FIRST REFUSAL AND ALL OTHER COVENANTS, CONDITIONS AND TERMS ARE SET FORTH IN THAT CERTAIN GROUND LEASE BETWEEN LESSOR AND LESSEE OF EVEN DATE HERewith, AND ARE HEREBY INCORPORATED HEREIN AND MADE A PART HEREOF BY REFERENCE TO THE SAME FULL EXTENT AS IF ALL THE COVENANTS, CONDITIONS AND TERMS THEREOF WERE FULLY SET FORTH HEREIN.

IN WITNESS WHEREOF, the parties hereto have duly signed this Memorandum of Lease the day and year first above written.

WITNESS:

Lessor: **MERCANTILE NATIONAL BANK OF INDIANA, AS TRUSTEE OF THE MARYNE FAMILY TRUST NUMBER 5374 AND THE NICHOLAS MARYNE III REVOCABLE TRUST NUMBER 6401**

[Signature]

By: *[Signature]*
Its: **H. F. SMIDDY**
Senior Vice President
and Trust Officer

FILED

AUG 14 2000

WITNESS:

Lessee: **AMOCO OIL COMPANY** **PETER BENJAMIN**
LAKE COUNTY AUDITOR

By: *[Signature]*
Its: **Director, Asset Mgmt.** 00880

[ACKNOWLEDGMENTS ON NEXT PAGE]

13.00
Acw

Chicago Title Insurance Company

ACKNOWLEDGMENTS

STATE OF INDIANA

COUNTY OF LAKE

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On this 25th day of JULY, 2000, before me, a Notary Public in and for said County and State, personally appeared H.F. SAIDY OF MERCANTILE NATIONAL BANK to me personally known, who being by me duly sworn did say it is the Trustee of the Maryne Family Trust Number 5374 and the Nicholas Maryne III Revocable Trust Number 6401; that the foregoing Ground Lease was signed and sealed on behalf of said Trustee of the Maryne Family Trust Number 5374 and the Nicholas Maryne III Revocable Trust Number 6401 and acknowledged said Ground Lease to be the free act and deed of said Trustee of the Maryne Family Trust Number 5374 and the Nicholas Maryne III Revocable Trust Number 6401.

Witness my hand and Notarial Seal subscribed and affixed in said County and State, the day and year in this certificate above written.

Scott R. Billse
Notary Public
Scott R. Billse

My Commission Expires: Sept. 6, 2001

STATE OF ILLINOIS

COUNTY OF DuPAGE

NOTARY PUBLIC
ILLINOIS
RECORDERS OFFICE
INDIANA

On this 2nd day of August, 2000, before me, a Notary Public in and for said County and State, personally appeared MARIE H. GOODWIN to me personally known, who being by me duly sworn did say he/she is the Director, Asset Management of AMOCO OIL COMPANY, that the seal affixed is the Corporate Seal of said AMOCO OIL COMPANY; that the foregoing Ground Lease was signed and sealed on behalf of said AMOCO OIL COMPANY by authority of its Board of Directors and said Director, Asset Management acknowledged said Ground Lease to be the free act and deed of said AMOCO OIL COMPANY.

Witness my hand and Notarial Seal subscribed and affixed in said County and State, the day and year in this certificate above written.

Susan A. Wozniak
Notary Public

My Commission Expires: June 24, 2003



This Instrument was prepared by and return to:

Jeffrey L. Abraham, Esq.
Michael Best & Friedrich LLP
100 East Wisconsin Avenue
Suite 3300
Milwaukee, WI 53202
(414) 271-6560

EXHIBIT "A"

Legal Description

The South $\frac{1}{2}$ of lot 18, and all of lots 19 to 23 (both inclusive), in block 2 in Calumet Heights addition to Hammond, as per plat thereof recorded in plat book 6, page 31, in the office of the recorder of Lake County, Indiana, excepting that part of said lot 23 described as follows: Beginning at the Southwest corner of said lot; thence North 88 degrees 09 minutes 44 seconds East, 105.58 feet; thence North 43 degrees 14 minutes 35 seconds East 25.94 feet to the East line of said lot; thence South 00 degrees 00 minutes 00 seconds West, 23.00 feet along the East line to the Southeast corner of said lot; thence North 89 degrees 40 minutes 00 seconds West, 123.30 feet along the South line of said lot to the point of beginning, all in Lake County, Indiana.

STOP

