

This instrument was prepared by:

Return To
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KRWR File No. 06664.02602

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Recorder's Box

MEMORANDUM OF LEASE

This Memorandum of Lease is made and entered into as of the 20th day of December, 2001, by and between **PORTAGE ASSOCIATES LLC**, a Delaware limited liability company ("Lessee") and **JVM REALTY CORPORATION**, an Illinois corporation ("Lessor").

1. For valuable consideration, Lessor acknowledges that it has, pursuant to that certain Lease dated December 20, 2001 (the "Lease") by and between Lessor and Lessee, leased and demised to Lessee the vacant land as depicted in the drawing attached hereto as Exhibit "A", situated in the City of Portage, State of Indiana and legally described on Exhibit "B" attached hereto and made a part hereof.

2. The commencement date of the Lease is JAN. 1, 2002 (the "Commencement Date") and the term of the Lease is for thirty (30) years expiring on DEC. 31, 2032

3. All other terms and conditions applicable to the Lease are set forth in the Lease.

IN WITNESS WHEREOF, the parties have executed this Memorandum of Lease as of the date first written above.

LESSOR:

JVM REALTY CORPORATION
an Illinois corporation

By: *James V. Maday*

Its: *President*

LESSEE:

PORTAGE ASSOCIATES LLC, a
Delaware limited liability company

By: *Marc Kahan*

Marc Kahan
Its: Managing Member



JAN 22 2002

PETER BENJAMIN
LAKE COUNTY AUDITOR

001349

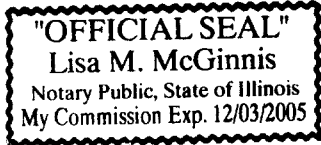
16-2-02
30819

STATE OF Illinois)
)
COUNTY OF Cook) SS.

I, Lisa McGinnis, a Notary Public in and for said County and State aforesaid, DO HEREBY CERTIFY that Marc Kahan, Managing Member of PORTAGE ASSOCIATES LLC, a Delaware limited liability company, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument as such Managing Member of PORTAGE ASSOCIATES LLC, appeared before me this day in person and acknowledged that he signed, sealed and delivered the said instrument as his own free and voluntary act for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 5th day of January, 2007.

(NOTARY SEAL)



Lisa M. McGinnis
Notary Public

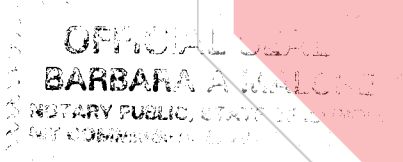
Commission Expires: 12/3/05

STATE OF IL)
)
COUNTY OF WILL) SS.

I, BARBARA MALONE, a notary public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that JAMES MADARY personally known to me to be the PRESIDENT of JVM CORPORATION, an Illinois 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 PRESIDENT, he signed and delivered the said instrument, as his free and voluntary act and as the free and voluntary act of said corporation, for the uses and purposes therein set forth.

GIVEN under my hand and official seal this 4TH day of JANUARY, 2007.

(NOTARY SEAL)



Barbara A. Malone
Notary Public

Commission Expires: 12-08-03

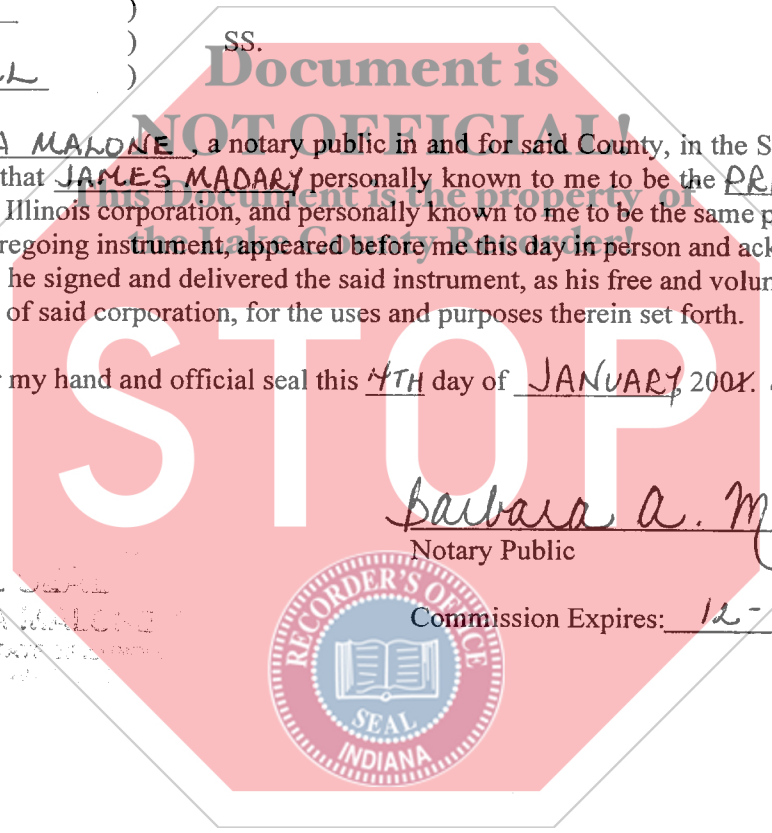


EXHIBIT "B"
LEGAL DESCRIPTION

PART OF TRACT 4 IN THE MEADOWS SHOPPING COMPLEX, PORTAGE, INDIANA A PARCEL OF LAND IN THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 36 NORTH, RANGE 7 WEST, OF THE SECOND PRINCIPAL MERIDIAN, IN THE CITY OF PORTAGE, PORTER COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 13; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 13, A DISTANCE OF 172.15 FEET; THENCE CONTINUING SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, ALONG SAID WEST LINE, 236.45 FEET TO A POINT; THENCE CONTINUING SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, ALONG SAID WEST LINE, 101.03 FEET; THENCE NORTH 89 DEGREES 53 MINUTES 00 SECONDS EAST ON AND ALONG A LINE PARALLEL TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 13, A DISTANCE OF 92.75 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 89 DEGREES 53 MINUTES 00 SECONDS EAST, 257.25 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, 31.80 FEET; THENCE SOUTH 89 DEGREES 26 MINUTES 48 SECONDS WEST, 173.06 FEET; THENCE NORTH 00 DEGREES 07 MINUTES 56 SECONDS EAST, 65.09 FEET; THENCE SOUTH 89 DEGREES 54 MINUTES 46 SECONDS WEST, 68.45 FEET; THENCE SOUTH 09 DEGREES 25 MINUTES 11 SECONDS WEST, 97.15 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.291 ACRE, MORE OR LESS AND SUBJECT TO ALL LEGAL HIGHWAYS AND EASEMENTS OF RECORD.

