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2017 047599

STATE OF INDIANA  
LAKE COUNTY  
FILED FOR RECORD

2017 AUG -1 AM 10:17

MICHAEL B. BROWN  
RECORDER

This instrument was prepared by:  
Jennifer Wittmann  
VEREIT, Inc.  
Real Estate Legal Department  
2325 E. Camelback Road, Suite 1100  
Phoenix, AZ 85016

After recording return to:  
Red Lobster Restaurants LLC  
c/o Red Lobster Seafood Co., LLC  
450 S. Orange Avenue, Suite 800  
Orlando, Florida 32801-3383

**FILED**

JUL 28 2017

JOHN E. PETALAS  
LAKE COUNTY AUDITOR

**Document is NOT OFFICIAL!**

**This Document is the property of  
MEMORANDUM OF LEASE  
the Lake County Recorder!**

This Memorandum of Lease (this "Memorandum") is made and entered into as of July 19, 2017 by and between 6701 18<sup>TH</sup> AVENUE ASSOCIATES LLC, A NEW YORK LIMITED LIABILITY COMPANY ("Lessor") whose mailing address is 112 Mulberry Circle, Staten Island, New York 10314, and RED LOBSTER RESTAURANTS LLC, a Delaware limited liability company ("Lessee") whose mailing address c/o Red Lobster Seafood Co., LLC, 450 S. Orange Avenue, Suite 800, Orlando, Florida 32801-3383 who agree as follows:

1. The name of the lessor is 6701 18<sup>TH</sup> AVENUE ASSOCIATES LLC, a New York limited liability company.
2. The name of the lessee is RED LOBSTER RESTAURANTS LLC, a Delaware limited liability company.
3. Lessor and Lessee have entered into a certain lease dated July 19, 2017, as the same may be amended from time to time (the "Lease"), for that certain real property lying, being and situated in the County of Lake, City of Merrillville, State of Indiana, more particularly described on Exhibit "A" attached hereto and incorporated hereby, together with the buildings, improvements and appurtenances thereunto belonging (collectively, the "Premises"), commonly known as:

Red Lobster  
1450 E. 82<sup>nd</sup> Avenue  
Merrillville, IN

for an initial term commencing on the date hereof and expiring on July 31, 2039. Tenant has four (4), five (5) year options to extend the term of the Lease, as more particularly set forth in the Lease.

040908

Red Lobster - Merrillville, IN #0266

When Recorded Return to:  
First American Title Insurance Company  
National Commercial Services  
211 N Pennsylvania Str., Ste 1250  
Indianapolis, IN 46204  
File No: NCS \_\_\_\_\_ 839529



Handwritten notes: 25, 05/27/17, and initials

4. Notice is hereby given that Lessor shall not be liable for any labor, services or materials furnished or to be furnished to Lessee, or to anyone holding any of the Premises through or under Lessee, and that no mechanic's or other liens for any such labor, services or materials shall attach to or affect the interest of Lessor in and to any of the Premises.

5. Notice is hereby given that a new lease with a leasehold mortgage is permissible and will be prior and senior in lien and priority to any matter encumbering Lessor's fee interest in the Premises to the same extent as the original lease.

6. This Memorandum is prepared for the purpose of recordation and does not modify the provisions of the Lease. The Lease is incorporated herein by reference. If there are any conflicts between the Lease and this Memorandum, the provisions of the Lease shall prevail.

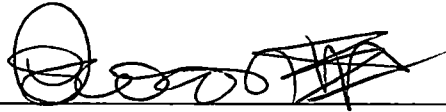
[Signatures Appear on Following Pages]





LESSEE:

RED LOBSTER RESTAURANTS LLC, a Delaware limited liability company

By: 

Name: Horace G. Dawson, III

Title: Vice President and Secretary


STATE OF FLORIDA )

COUNTY OF ORANGE )

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The foregoing instrument was acknowledged before me on July 15, 2017 by Horace G. Dawson, III, the Vice President and Secretary of Red Lobster Restaurants LLC, a Delaware limited liability company, on behalf of said limited liability company. He is personally known to me.

  
Notary Public

My Commission Expires

4.14.2020



[RED LOBSTER RESTAURANTS LLC SIGNATURE PAGE TO MEMORANDUM OF LEASE - RL 0266 - MERRILLVILLE, IN]

EXHIBIT A

LEGAL DESCRIPTION

Site #266, Merrillville, Lake County, IN

Tax Parcel #:

Address: 1450 E 82nd Ave, Merrillville, IN

A parcel of land in the East half of the Southeast quarter of Section 22, Township 35 North, Range 8 West of the 2nd P.M. lying South of the South line of U.S. Highway No. 30 and South of the Southerly line of the I-65 Exit Ramp, in Lake County, Indiana described as follows: Beginning at a point on said South line and 560.0 feet West of the East line of said Section 22 (measured at 90 degrees to said East line); thence South, parallel to said East line 350.53 feet; thence South 86 degrees 51 minutes 45 seconds West, 200.30 feet; thence North 0 degrees 0 minutes East, parallel to said East line, 278.53 feet; thence South 86 degrees 51 minutes 45 seconds West, 100.00 feet; thence North 0 degrees 0 minutes East, parallel to said East line, 72.00 feet to said South line, thence North 86 degrees 51 minutes 45 seconds East along said South line 300.30 feet to the point of beginning.

(Being a part of Parcel 1, Westlake Plaza, as shown in Plat Book 47, page 77, Lake County, Indiana).

