

STATE OF INDIANA  
LAKE COUNTY  
FILED FOR RECORD

2017 070341

2017 OCT 18 AM

When Recorded Return To: H. Keebler  
First American Title Insurance Company  
National Commercial Services  
1201 Walnut, Suite 700  
Kansas City, MO 64106  
File No: NCS 8105700-4

MICHAEL B. BROWN  
RECORDER

4

**TERMINATION OF LEASE  
(Office/Warehouse)**

THIS TERMINATION OF LEASE ("Termination") is entered into this 6th day of October, 2017 by and between **MIDWEST REAL ESTATE HOLDINGS, LLC**, a Kansas limited liability company ("**Landlord**"), and **ASSOCIATED WHOLESALE GROCERS, INC.**, a Kansas corporation ("**Tenant**").

**Document is NOT OFFICIAL!**

The following Recitals are a material part of this Termination.  
**This Document is the property of the Lake County Recorder!**

- A. Landlord and Tenant entered into that certain Lease Agreement dated August 3, 2017 (the "**Lease**"), relating to property more particularly described in **Exhibit "A"** attached hereto and incorporated herein by reference (the "**Property**").
- B. A Memorandum of Lease was recorded in the Office of the Recorder of Deeds of Lake County, Indiana on August 17, 2017 as Document No. 2017-054816 in order to give record notice of the Lease and the rights created thereby (the "**Memorandum**").
- C. Landlord and Tenant now desire to terminate the Lease.

**NOW, THEREFORE**, in consideration of the foregoing Recitals, the mutual covenants and conditions hereinafter contained, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Landlord and Tenant hereby agree as follows:

- 1. The Lease is hereby terminated, effective as of the date hereof ("**Termination Date**"). All liability of Landlord and Tenant arising under the Lease shall terminate as of the Termination Date; provided, however, that Tenant shall be liable to Landlord for any costs, charges, duties and obligations provided in the Lease and arising or accruing on or before the Termination Date, including any minimum rent, insurance, real estate taxes and personal property taxes due pursuant to the Lease.
- 2. The Memorandum is hereby terminated and released from the Property.

[SIGNATURES FOLLOW]

25. — E  
ck. 1726124654  
8

IN WITNESS WHEREOF, Landlord and Tenant have executed this Termination effective as of the day and year first set forth above.

LANDLORD:

MIDWEST REAL ESTATE HOLDINGS, LLC,  
a Kansas limited liability company

By: [Signature]  
David E. Smith, President  
and Secretary

STATE OF KANSAS

COUNTY OF WYANDOTT

**Document is NOT OFFICIAL!**

**This Document is the property of the Lake County Recorder!**

Nancy M. McMillian, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that David E. Smith, President and Secretary of **MIDWEST REAL ESTATE HOLDINGS, LLC**, a Kansas limited liability company, personally known to me to be the same person whose name is subscribed to the foregoing instrument as such officer, appeared before me this day in person and acknowledged that he signed and delivered said instrument as his own free and voluntary act, and as the free and voluntary act of **MIDWEST REAL ESTATE HOLDINGS, LLC**, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 4 day of October, 2017.



Nancy M. McMillian  
Notary Public in and for the State of Kansas  
Nancy M. McMillian  
Printed Name of Notary Public



My County of Residence: Jackson  
My Commission Expires: April 14, 2020

TENANT:

**ASSOCIATED WHOLESALE GROCERS, INC.,**  
a Kansas corporation

By:   
David E. Smith, President  
and Chief Executive Officer

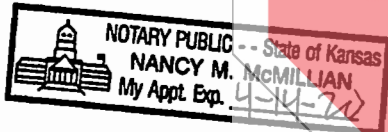
STATE OF KANSAS

COUNTY OF WYANDOTTE

) ss.

Nancy M. McMillian, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that David E. Smith, President and Chief Executive Officer of **ASSOCIATED WHOLESALE GROCERS, INC.**, a Kansas corporation, personally known to me to be the same person whose name is subscribed to the foregoing instrument as such officer, appeared before me this day in person and acknowledged that he signed and delivered said instrument as his own free and voluntary act, and as the free and voluntary act of **ASSOCIATED WHOLESALE GROCERS, INC.**, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 4 day of October, 2017.



Nancy M. McMillian  
Notary Public in and for the State of Kansas  
Nancy M. McMillian  
Printed Name of Notary Public  
My County of Residence: Jackson  
My Commission Expires: April 14, 2020

This document prepared by and after recording mail to:

Stephen M. James, Esq.  
Associated Wholesale Grocers, Inc.  
5000 Kansas Avenue  
Kansas City, Kansas 66106

I affirm, under the penalties of perjury, that I have taken reasonable care to redact each social security number in this document, unless required by law: Stephen M. James.

2244 45<sup>th</sup> Street  
Highland, Lake County, Indiana 46322

**EXHIBIT "A"**

Legal Description

The West 400 feet of the East 1,115 feet of the North 540 feet of the Northeast Quarter of the Northeast Quarter of Section 32, Township 36 North, Range 9 West of the Second Principal Meridian, in Lake County, Indiana.

and

The West 400 feet of the East 1,115 feet of the South 350 feet of the North 890 feet of the Northeast Quarter of Section 32, Township 36 North, Range 9 West of the 2<sup>nd</sup> P.M. in Lake County, Indiana.

