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TOTAL FEES: 25.00
BY: SP
PG #: 4

STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD
GINA PIMENTEL
RECORDER

Agreement for Termination of Lease Agreement

The undersigned, Berman Properties, LLC, an Indiana limited liability company (the "Landlord"), and Berman's Infiniti of Merrillville, LLC, an Indiana limited liability company ("Tenant") hereby execute this Agreement for Termination of Lease Agreement ("Termination Agreement") with respect to the Memorandum of Lease Agreement recorded with the Lake County Recorder on May 10, 2013 as **Instrument Number 2013 033075**. This Termination Agreement shall be effective as of 12:01 a.m. on January 17, 2023, and as follows:

RECITALS

1. Prior to December 14, 2022, Tenant entered into an agreement with Landlord, for the possession and use of the real estate and improvements located at 1794 US Highway 30, Merrillville, Indiana, 46410. ("Property"), under which Landlord provided Tenant with the exclusive right to possession and use of the Property in return for Tenant's payment of specified rent, maintenance, taxes and/or insurance to Landlord (Lease Agreement"). See attached Exhibit A for the legal description of the Property.
2. The Landlord has entered into a Purchase and Sale Agreement with Patriot Real Estate Merrillville, LLC, an Illinois limited liability company ("Real Property Purchaser") for the sale and purchase of Landlords Property ("PSA").
3. The Landlord's affiliate, Berman's Infiniti of Merrillville, LLC, an Indiana limited liability company also entered the PSA for the sale of certain of its operating assets ("Operating Assets Sale") to Patriot Motors Merrillville, LLC, an Illinois limited liability company registered to do business in Indiana ("Operating Assets Purchaser").
4. Landlord, Tenant, Real Property Purchaser, and Operating Assets Purchaser (collectively, the "Parties"), are all parties to the PSA.
5. The Parties entered a Second Amendment to the PSA allowing the closing of the Operating Assets Sale to close contemporaneously herewith and the Property closing to occur at a subsequent date and time.

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6. Under the terms of the PSA, as amended, Landlord and Tenant are required to execute and provide documentation terminating the Lease Agreement for the Property that will be effective upon closing of the Operating Assets Sale.
7. Landlord and Tenant will terminate the Lease Agreement upon the funding and successful closing of the Operating Assets Sale

Terms and Conditions

NOW THEREFORE the Landlord and Tenant Agree as follows:

1. The Recitals are incorporated herein and are material terms of this Agreement.
2. Landlord and Tenant agree that upon successful funding and closing of the Operating Assets Sale in the PSA, as amended, the Lease Agreement shall be deemed terminated.
3. Upon termination, Tenant will not have any right to possess the Property.

IN WITNESS WHEREOF, Berman Properties, LLC, and Berman's Infiniti of Merrillville, LLC, by their authorized representatives, have executed or caused the execution of this Agreement for Termination of Lease Agreement as of the effective date first stated above.

This instrument was prepared by Michael P. Shanahan, Indiana Dealer Counsel of Mallor Grodner, LLP, 101 W. Ohio Street, Suite 1600, Indianapolis, Indiana 46204.

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. /s/ Michael P. Shanahan

[Signature Page follows]

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EXHIBIT "A"
Real Estate
Legal Description

Lot 1 in Olympia Ridge, as per plat thereof, recorded in Plat Book 76, page 88, in the Office of the Recorder of Lake County, Indiana.

Property of Lake County Recorder