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POB-47359

4-11-08

**MEMORANDUM
OF LEASE**

LESSOR

CHERRY HILL NINE LLC
5060 N. River Road
Schiller Park, IL 60176

LESSEE

SMURFIT-STONE CONTAINER
ENTERPRISES, INC.
Six CityPlace Drive
Creve Coeur, MO 63141

LEASED PREMISES

In consideration of the rents and covenants herein stipulated to be paid and performed, and upon the terms and conditions hereinafter specified, Lessor has demised and leased to Lessee, and Lessee has demised and leased from Lessor, for a twelve (12) year, six (6) month and twenty-six (26) day term, the Real Property and Improvements commonly known as 2251 Berens Drive, New Lenox, Illinois, as legally described on Exhibit A attached hereto, together with all rights, privileges, easements, appurtenances and immunities belonging to or in any way pertaining thereto, including, without limitation, the use of any roadways, parking lots or areas, Improvements thereon, ingress and egress to and from public roadways (the "Leased Premises").

The Lease is for an initial term of twelve (12) years, six (6) months and twenty-six (26) days commencing at 12:01 a.m. on February 4, 2008 and terminating on August 31, 2020.

The Leased Premises are demised and leased subject to the terms and conditions contained in the INDUSTRIAL BUILDING LEASE dated June 8, 2007, as amended.

IN WITNESS WHEREOF, Lessor and Lessee have for themselves, their successors and assigns, executed this Memorandum of Lease on the 12th day of March, 2008 by the officers of the respective parties pursuant to Corporate authority first had and obtained.

LESSOR

CHERRY HILL NINE LLC
5060 N. River Road
Schiller Park, IL 60176

LESSEE

SMURFIT-STONE CONTAINER
ENTERPRISES, INC.
Six CityPlace Drive
Creve Coeur, MO 63141

By:

Title: Thomas D. Grusecki, Manager

By:

EXHIBIT A

LEGAL DESCRIPTION

THAT PART OF THE NORTHEAST 1/4 AND SOUTHEAST 1/4 OF SECTION 30, TOWNSHIP 35 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN IN WILL COUNTY, ILLINOIS DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER OF SAID SECTION 30 PER MONUMENT RECORD R80-19777; THENCE NORTH 88 DEGREES 00 MINUTES 56 SECONDS EAST ALONG THE SOUTH LINE OF SAID NORTHEAST 1/4, 430.42 FEET TO THE POINT OF BEGINNING; THENCE NORTH 22 DEGREES 07 MINUTES 00 SECONDS EAST 97.10 FEET; THENCE NORTH 11 DEGREES 28 MINUTES 15 SECONDS EAST 67.73 FEET; THENCE NORTH 00 DEGREES 27 MINUTES 43 SECONDS WEST 99.66 FEET; THENCE NORTH 14 DEGREES 35 MINUTES 45 SECONDS WEST 42.00 FEET; THENCE NORTH 01 DEGREES 59 MINUTES 04 SECONDS WEST PERPENDICULAR TO THE SOUTH LINE OF SAID NORTHEAST QUARTER, 410.81 FEET MORE OR LESS, TO THE SOUTH LINE OF THE ELGIN, JOLIET & EASTERN RAILROAD, THENCE NORTH 88 DEGREES 35 MINUTES 42 SECONDS EAST ALONG THE SOUTH LINE OF SAID RAILROAD, 1069.60 FEET; THENCE SOUTH 01 DEGREES 59 MINUTES 04 SECONDS EAST, PERPENDICULAR TO THE SOUTH LINE OF SAID NORTHEAST 1/4, 712.30 FEET TO A POINT ON A NON-TANGENT CURVE; THENCE WESTERLY 25.88 FEET ALONG THE ARC OF A NON-TANGENT CIRCLE TO THE RIGHT HAVING A RADIUS OF 130.00 FEET, AND WHOSE CHORD BEARS SOUTH 82 DEGREES 18 MINUTES 47 SECONDS WEST 25.83 FEET TO A POINT OF TANGENCY; THENCE SOUTH 88 DEGREES 00 MINUTES 56 SECONDS WEST PARALLEL WITH THE SOUTH LINE OF SAID NORTHEAST 1/4, 416.95 FEET TO A POINT OF CURVATURE; THENCE SOUTHWESTERLY 54.98 FEET ALONG THE ARC OF A TANGENT CIRCLE TO THE LEFT HAVING A RADIUS OF 70.00 FEET, AND WHOSE CHORD BEARS SOUTH 65 DEGREES 30 MINUTES 50 SECONDS WEST 53.58 FEET; THENCE NORTH 46 DEGREES 59 MINUTES 15 SECONDS WEST 56.93 FEET TO A POINT ON THE SOUTH LINE OF SAID NORTHWEST 1/4; THENCE SOUTH 88 DEGREES 00 MINUTES 56 SECONDS WEST ALONG SAID SOUTH LINE, 586.02 FEET; TO THE POINT OF BEGINNING, IN WILL COUNTY, ILLINOIS.

PROPERTY ADDRESS: 2251 BERENS DRIVE, NEW LENOX, ILLINOIS

PIN: 08-30-400-011-0000

State of Illinois)
) SS.
County of Cook)

I, the undersigned, a Notary Public in and for the said County and State aforesaid, do hereby certify that Thomas D. Grusecki, ~~as President of Northern Builders, Inc., the~~ Manager of Cherry Hill Nine LLC, is 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 he signed and delivered said instrument as his own free and voluntary act and as the free and voluntary act of said corporation and said company for the uses and purposes therein set forth.

Given under my hand and NOTARIAL SEAL this 12 day of March 2008.

State of Missouri)
) SS.
County of St. Louis)



I, the undersigned, a Notary Public in and for the said County and State aforesaid, do hereby certify that Chris Hunt, as SRIP GEN COUNCIL of Smurfit-Stone Container Enterprises, Inc., is 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 he signed and delivered said instrument as his own 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 NOTARIAL SEAL this 26 day of February, 2008

Jane C. Cicchitto
Notary Public



JANE C. CICCHITTO
My Commission Expires
September 20, 2010
St. Louis County
Commission #06522376

This Instrument Prepared by: Robert D. Tuerk, 5060 River Road, Schiller Park, Illinois 60176.

RETURN RECORDED DOCUMENT TO: Robert D. Tuerk, 5060 River Road, Schiller Park, Illinois 60176.

FLAT ACT AFFIDAVIT

STATE OF ILLINOIS

COUNTY OF COOK

} SS.

Mitchell Kempker, being duly sworn on oath, states that
he resides at 2216 Sidney St. Unit 7, St. Louis, MO 63104. That the
attached deed is not in violation of 765 ILCS 205/1 for one of the following reasons:

1. Said Act is not applicable as the grantors own no adjoining property to the premises described in said deed;

- OR -

the conveyance falls in one of the following exemptions as shown by Amended Act which became effective July 17, 1959.

2. The division or subdivision of the land into parcels or tracts of five acres or more in size which does not involve any new streets or easements of access.
3. The divisions of lots or blocks of less than one acre in any recorded subdivision which does not involve any new streets or easements of access.
4. The sale or exchange of parcels of land between owners of adjoining and contiguous land.
5. The conveyance of parcels of land or interests therein for use as right of way for railroads or other public utility facilities, which does not involve any new streets or easement of access.
6. The conveyance of land owned by a railroad or other public utility which does not involve any new streets or easements of access.
7. The conveyance of land for highway or other public purposes or grants or conveyances relating to the dedication of land for public use or instruments relating to the vacation of land impressed with a public use.
8. Conveyances made to correct descriptions in prior conveyances.
9. The sale or exchange of parcels or tracts of land existing on the date of the amendatory Act into no more than two parts and not involving any new streets or easements of access.

CIRCLE NUMBER ABOVE WHICH IS APPLICABLE TO ATTACHED DEED.

Affiant further states that he makes this affidavit for the purpose of inducing the Recorder of Deeds of Cook County, Illinois, to accept the attached deed for recording.



SUBSCRIBED and SWORN to before me

this 3rd day of April 2008.

Gladys C Rice
Notary Public

GLADYS C. RICE
Notary Public — Notary Seal
STATE OF MISSOURI
Jefferson County
My Commission Expires: June 17, 2008