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 Scott County Iowa
 Rita A. Vargas Recorder

File **2019-00006540**

Prepared By and Return to: Robert C. Hall, 416 Main Street, Ste. 1125
 Peoria, IL, 61602
MEMORANDUM OF LEASE

THIS MEMORANDUM OF LEASE is made and entered into as of March ^{14th} 2019 by and between **WCT INVESTMENTS DAVENPORT SERIES, LLC**, an Illinois limited liability company ("Landlord"), and **FIRST MIDWEST BANK**, an Illinois state-chartered bank ("Tenant").

WITNESSETH:

WHEREAS, Landlord and Tenant have entered into a certain Ground Lease dated March 14, 2019 (the "Lease") whereby Landlord has leased to Tenant, and Tenant has leased from Landlord, a parcel of land located at southwest corner of East 53rd Street & Fairhaven Road, Davenport, IA 52807 and known as Hanlin's Creek (the "Premises"), as further described on **Exhibit "A-1"** attached hereto and made a part hereof; and

WHEREAS, the Premises is located on certain real property within that certain shopping center known as Hanlin's Creek, as further described on **Exhibit "A-2"** attached hereto and made a part hereof;

WHEREAS, Landlord and Tenant desire to enter into and record this Memorandum of Lease in order that third parties may have notice of Tenant's interest and rights under the Lease, of the leasehold estate of Tenant created thereby, of the Lease, and with respect to the Shopping Center.

NOW, THEREFORE, Landlord, in consideration of the rents and covenants provided for in the Lease, and for other good and valuable consideration, the receipt and sufficiency of which are hereby mutually acknowledged, specific reference is hereby made to the following provisions of the Lease:

1. Tenant shall have and hold the Premises for an initial term of Four Hundred Eighty (480) full calendar months, which commences on the Rent Commencement Date (as defined in the Lease) (plus any partial calendar month in which the Rent Commencement Date falls) and expires at midnight on the last day of the Four Hundred Eightieth (480th) complete calendar month following the Rent Commencement Date, except as may be extended or earlier terminated as provided in the Lease, all as more particularly described in the Lease.

2. Tenant is granted certain options to extend the initial term of the Lease as to all of the Premises for Two (2) consecutive five (5) year periods, as more particularly described in the Lease.

3. Subject and pursuant to Section 25 of the Lease, there shall not exist nor be permitted any use, lease, sublease or other tenancy for any other land or building now or hereafter located within the Shopping Center for use as a retail branch bank facility or financial institution.

4. Pursuant to the Lease, the Landlord has agreed that it shall not agree to any amendment, modification, or termination of the Declaration of Easements, Covenants, and Restrictions, dated February 4, 2019, and recorded on February 4, 2019, as Document ID 021889150037. File No. 2019-00002713, without the prior written approval of the Tenant,

All terms, conditions, provisions and covenants of the Lease are incorporated into this Memorandum of Lease by reference as though fully set forth herein, and the Lease and this Memorandum of Lease shall be deemed to constitute a single instrument or document. This Memorandum of Lease has been entered into by Landlord and Tenant for purposes of recordation in the appropriate real estate records of Scott County, Iowa to provide notice to third parties of the Lease and the terms thereof and nothing contained herein shall be deemed or construed to amend, modify, change, alter, amplify, interpret or supersede any of the terms and provisions of the Lease. In the event of a conflict between the terms of the Lease and the terms of this Memorandum of Lease, the terms of the Lease shall control.

[Remainder of page intentionally left blank; signature pages follow.]

TENANT:

FIRST MIDWEST BANK, an Illinois state-chartered bank

By: *Jo Ann Boylan*
Name: *Jo Ann Boylan*
Title: *EVP / CIO*

STATE OF *Illinois*)

COUNTY OF *Cook*) SS

This instrument was acknowledged before me on *March 14th*, 2019, by *Jo Ann Boylan*, the *Executive Vice President* of First Midwest Bank, an Illinois state-chartered bank, on behalf of said company.

Catherine M Sullivan
Notary Public

My Commission Expires:
09/13/20



EXHIBIT "A-1" TO MEMORANDUM OF LEASE

Legal Description of the Premises

LOT 4 OF HANLIN'S CROSSING, A RE-SUBDIVISION OF A PART OF LOT ONE (1) IN DAVIES FIRST COMMERCIAL ADDITION TO THE CITY OF DAVENPORT AND A PART OF LOTS ONE (1) THROUGH EIGHT (8) AND VACATED FAIRHAVEN STREET IN HANLIN'S ADDITION TO THE CITY OF DAVENPORT, BEING A PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION SEVEN (7), TOWNSHIP SEVENTY-EIGHT (78) NORTH, RANGE FOUR (4) EAST OF THE FIFTH (5TH) PRINCIPAL MERIDIAN, SCOTT COUNTY, IOWA, AS RECORDED FEBRUARY 4, 2019, AS DOCUMENT NO. 2019-00002710.

EXHIBIT "A-2" TO MEMORANDUM OF LEASE

Legal Description of the Shopping Center

Legal Description of Shopping Center

A TRACT OF LAND BEING A PART OF LOTS ONE (1) THROUGH LOT EIGHT (8) IN HANLIN'S ADDITION TO THE CITY OF DAVENPORT AS RECORDED IN BOOK 65 AT PAGE 123 IN THE SCOTT COUNTY RECORDER'S OFFICE, BEING A SUBDIVISION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION SEVEN (7); SAID TRACT ALSO BEING A PART OF LOT ONE (1) IN DAVIES FIRST COMMERCIAL ADDITION TO THE CITY OF DAVENPORT AS RECORDED BY DOCUMENT NUMBER 1998-00005239 IN THE SCOTT COUNTY RECORDER'S OFFICE, BEING A SUBDIVISION OF A PART OF THE REPLAT OF LOT ONE (1) IN HANLIN'S ADDITION TO THE CITY OF DAVENPORT AND A PART OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION EIGHT (8) AND A PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION SEVEN (7), ALL IN TOWNSHIP SEVENTY-EIGHT (78) NORTH, RANGE FOUR (4) EAST OF THE FIFTH 5TH PRINCIPAL MERIDIAN, SCOTT COUNTY, IOWA, SAID TRACT BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 7; THENCE SOUTH 02°-03'-52" EAST (BEARING BASED ON THE IOWA STATE PLANE COORDINATE SYSTEM, SOUTH ZONE 1402), ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 7, 52.00 FEET TO THE SOUTH RIGHT OF WAY LINE OF EAST 53RD STREET; THENCE SOUTH 87°-20'-15" WEST, ALONG SAID SOUTH RIGHT OF WAY LINE, 64.86 FEET TO THE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED: FROM THE POINT OF BEGINNING, THENCE SOUTH 02°-03'-52" EAST, 214.05 FEET; THENCE NORTH 87°-56'-08" EAST, 10.00 FEET; THENCE SOUTH 02°-03'-52" EAST, 66.00 FEET TO THE SOUTH LINE OF SAID LOT 1 IN DAVIES FIRST COMMERCIAL ADDITION AND THE NORTH LINE OF LOT 32 IN HANLIN'S ADDITION; THENCE SOUTH 87°-23'-33" WEST, ALONG THE SOUTH LINE OF SAID LOT 1 IN DAVIES FIRST COMMERCIAL ADDITION AND THE SOUTH LINE OF SAID LOTS 1 THROUGH 8 IN HANLIN'S ADDITION, 1,062.33 FEET TO WEST LINE OF SAID LOT 8 IN HANLIN'S ADDITION AND THE EAST RIGHT OF WAY LINE OF LORTON AVENUE; THENCE NORTH 02°-03'-52" WEST ALONG THE WEST LINE OF SAID LOT 8 AND THE EAST RIGHT OF WAY LINE OF SAID LORTON AVENUE, 266.34 FEET TO THE SOUTH RIGHT OF WAY LINE OF EAST 53RD STREET; THENCE IN A NORTHEASTERLY DIRECTION, ALONG SAID SOUTH RIGHT OF WAY LINE OF EAST 53RD STREET, ON A CURVE TO THE RIGHT HAVING A RADIUS OF 20.00 FEET FOR AN ARC DISTANCE OF 31.21 FEET, SAID CURVE BEING SUBTENDED BY A CHORD HAVING A BEARING OF NORTH 42°-38'-12" EAST AND A LENGTH OF 28.14 FEET; THENCE NORTH 87°-20'-15" EAST, ALONG SAID SOUTH RIGHT OF WAY LINE OF EAST 53RD STREET, 964.01 FEET TO THE NORTHWEST CORNER OF SAID LOT 1 IN DAVIES FIRST COMMERCIAL ADDITION AND THE EAST LINE OF LOT 1 OF THE REPLAT OF LOT 2 IN HANLIN'S ADDITION; THENCE SOUTH 01°-55'-10" EAST, ALONG THE EAST LINE OF SAID LOT 1 OF THE REPLAT OF LOT 2 IN HANLIN'S ADDITION AND THE WEST LINE OF SAID LOT 1 IN DAVIES FIRST COMMERCIAL ADDITION, 7.00 FEET TO THE SOUTH RIGHT OF WAY LINE OF SAID EAST 53RD STREET; THENCE NORTH 87°-20'-15" EAST, ALONG SAID SOUTH RIGHT OF WAY LINE, 68.56 FEET TO THE

POINT OF BEGINNING, SAID TRACT CONTAINING 6.927 ACRES (301,722 SF), MORE OR LESS.

ALSO KNOWN AS: Lots 1 through 5 of Hanlin's Crossing, an addition to the City of Davenport, Scott County Iowa.