

Return Address:

Camille Taylor Ralston  
Montgomery Purdue Blankinship &  
Austin PLLC  
701 Fifth Avenue, Suite 5800  
Seattle, WA 98104-7096



200207160096

Skagit County Auditor

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**MEMORANDUM OF GROUND LEASE**

ISLAND TITLE CO.

Reference Number(s) of related document(s): N/A. C22126

Grantor: Burlington Doughnut Site LLC

Grantee: KremeWorks Washington, LLC

Legal Description (abbreviated): Lot 3 of City of Burlington Binding Site Plan recorded under AF No. 200207100176.

Full legal(s) on Exhibit "A"

Assessor's Tax Parcel ID Number:

Portion of Parcel No. P117185(340406-1-077-0300).

1. PURPOSE OF MEMORANDUM OF LEASE. The undersigned parties have signed and recorded this Memorandum of Lease in order to give actual and constructive notice to all other persons of the existence of a lease ("Lease") of the real property legally described below ("Property") between the landlord and tenant identified below and of the rights and interests of such landlord and tenant.

2. PARTIES.

2.1 The landlord under the Lease is Burlington Doughnut Site LLC. Landlord may be contacted through the following persons:

Mr. Arthur L. Wahl  
Wahl & Associates Incorporated  
PO Box 4679  
Seattle, WA 98104

2.2. The tenant under the Lease is KremeWorks Washington LLC. Tenant may be contacted through the following persons:

KremeWorks Washington, LLC  
c/o ICON, LLC  
Attn: Gerard Centioli  
325 N. LaSalle Street, Suite 625  
Chicago, Illinois 60610

3. **PROPERTY:** The Property is in Burlington, Washington, and is legally described in Exhibit "A";

4. **TERM OF LEASE.** The original term of the Lease is fifteen (15) years commencing on the sooner to occur of (i) the date on which Tenant opens for business at the Property, or (ii) one hundred twenty (120) days after Landlord delivers possession of the Property to Tenant.

5. **ALL TERMS NOT CONTAINED IN THIS MEMORANDUM:** All of the terms of the Lease are not contained in this Memorandum. This Memorandum neither expands nor modifies the Lease and the Lease shall control over this Memorandum in the event of any conflict or inconsistency. Any person who is potentially interested in the Property or the Lease should make further inquiry of the parties hereto.

**SIGNATURES ON FOLLOWING PAGE**



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**LANDLORD:**

**BURLINGTON DOUGHNUT SITE**  
a Washington limited liability company

By: Wahl & Associates Incorporated, Manager

By: Arthur L. Wahl  
Arthur L. Wahl, President

Dated: 12 July 02

**TENANT:**

**KREMEWORKS WASHINGTON, LLC**  
A Washington limited liability company

By: [Signature]  
Its: \_\_\_\_\_





STATE OF Illinois )  
 )  
COUNTY OF Cook ) ss.

The foregoing instrument was acknowledged before me this 9<sup>th</sup> day of July, 2002, by Gerard V. Centoi, the President & CEO of Kremeworks Washington, LLC, a Washington limited liability company, who acknowledged the said instrument to be the act and deed of said company.

In witness whereof, I have hereunto set my hand and affixed my official seal the day and year first above written.

Name: Antionette Y. Johnson  
NOTARY PUBLIC, State of IL  
My appointment expires 1-28-03

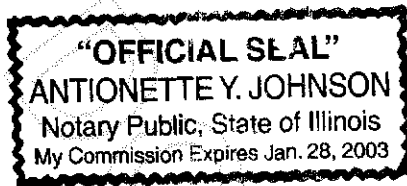


EXHIBIT A

LOT 3 OF CITY OF BURLINGTON BINDING SITE PLAN ENTITLED  
HAGGEN CENTER BINDING SITE PLAN NO. 1, RECORDED ON JULY  
10, 2002, UNDER AUDITORS FILE NO. 200207100176, RECORDS OF  
SKAGIT COUNTY, WASHINGTON; BEING A PORTION OF  
GOVERNMENT LOT 1, IN SECTION 6, TOWNSHIP 34 NORTH, RANGE 4  
EAST OF THE WILLAMETTE MERIDIAN.

MEMORANDUM OF LEASE AGREEMENT



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