

After recording return document to:

MGP XI CASCADE, LLC  
425 California Street, 10<sup>th</sup> Floor  
San Francisco, CA 94104  
Attn: Lease Administration #732-P02

REVIEWED BY  
SKAGIT COUNTY TREASURER  
DEPUTY Lena Thompson  
DATE 01/19/2022

**MEMORANDUM OF LEASE TERMINATION**

**Grantors:** PPR CASCADE LLC, a Delaware limited liability company, assumed by MGP XI CASCADE, LLC, a Delaware limited liability company

**Grantee:** JOHNNY CARINO'S OF SKAGIT VALLEY, LLC, a Washington limited liability company

**Legal Description:** See Exhibit 1 attached hereto.

**Assessor's Tax Parcel Number:** 340406-4-001-0019, 340406-4-001-0900, 340406-4-001-0324

**Address of Property:** 150 Cascade Mall Drive, Burlington, WA 98233.

THIS MEMORANDUM OF TERMINATION is made and entered into as of January 4, 2022, by and between MGP XI CASCADE, LLC, a Delaware limited liability company ("Grantor"), and JOHNNY CARINO'S OF SKAGIT VALLEY, LLC, a Washington limited liability company ("Grantee").

**I. RECITALS**

**A.** WHEREAS, MGP XI CASCADE, LLC, a Delaware limited liability company, by assumption of lease, entered into a Ground Lease with JOHNNY CARINO'S OF SKAGIT VALLEY, LLC, a Washington limited liability company dated July 13, 2005, as amended by that certain First Amendment to the Ground Lease dated May 30, 2006, as amended by that certain Second Amendment to the Ground Lease dated May 2, 2007(collectively, the "Lease"), and evidenced by a Memorandum of Lease recorded the 27<sup>th</sup> day of February County under Auditor's File No. 200702270131, records of Skagit County, Washington.

B. The Parties mutually desire to terminate the Memorandum of Lease.

NOW, THEREFORE, the Parties give notice that said Lease was terminated effective September 22, 2020.

Signed this 4<sup>th</sup> day of January, 2022

**MGP XI CASCADE, LLC,**  
a Delaware limited liability company

By: Merlone Geier XI, LLC,  
a California limited liability company,  
its Manager

By: Gabriela Parcela

Name: GABRIELA PARCELLA  
EXECUTIVE MANAGING DIRECTOR  
Title: \_\_\_\_\_

SIGNED IN COUNTERPART  
By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA )  
 )  
 ) ss:  
COUNTY OF San Francisco )

On January 4, 2022 before me, Elizabeth Prost, Notary Public (insert name and title of the officer), personally appeared Gabriela Parcela who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: [Signature]



B. The Parties mutually desire to terminate the Memorandum of Lease.

**NOW, THEREFORE, the Parties give notice that said Lease was terminated effective September 22, 2020.**

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

**MGP XI CASCADE, LLC,**  
a Delaware limited liability company

By: Merlone Geier XI, LLC,  
a California limited liability company,  
its Manager

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

**SIGNED IN COUNTERPART**

By: *Gary Muljat*

Name: **GARY MULJAT**  
**MANAGING DIRECTOR**

Title: \_\_\_\_\_

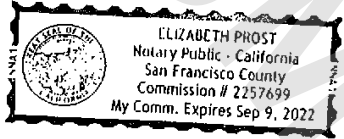
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA )  
 ) ss:  
COUNTY OF San Francisco )

On January 4, 2022 before me, Elizabeth Prost, Notary Public (insert name and title of the officer), personally appeared Gary Muljat who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.  
Signature: *[Signature]*





# Exhibit 1

CHICAGO TITLE COMPANY OF WASHINGTON

COMMITMENT NO. 820040787  
REVISION

## SCHEDULE A (continued)

5. The Land is described as follows:

For APN/Parcel ID(s): 340406-4-001-0019, 340406-4-001-0900 and 340406-4-001-0324

### PARCEL A:

Those portions of Lots 3 and 6, CASCADE MALL BINDING SITE PLAN, recorded October 19, 1989 in Volume 8 of Short Plats, page 170, under Auditor's File No. 8910190065, records of Skagit County, Washington; being a portion of the Southeast Quarter of the Northeast Quarter and the East Half of the Southeast Quarter of Section 6, Township 34 North, Range 4 East of the Willamette Meridian, more particularly described as follows:

Beginning at the East 1/4 corner of Section 6, Township 34 North, Range 4 East of the Willamette Meridian; thence South 0°32'18" East along the East line of said Section a distance of 1,355.19 feet; thence South 89°27'43" West a distance of 134.99 feet to the Southeast corner of said Lot 3; thence North 0°25'23" East along the East line of said Lot 3 a distance of 274.13 feet to the true Point of Beginning; thence South 36°32'16" West a distance of 12.11 feet; thence North 53°27'44" West a distance of 118.51 feet; thence North 0°32'18" West a distance of 58.76 feet; thence North 37°29'24" East a distance of 72.14 feet; thence South 52°30'36" East a distance of 58.74 feet to the beginning of a curve to the left having a radius of 128.50 feet; thence along the arc of said curve passing through a central angle of 30°57'55" an arc distance of 69.45 feet; thence South 04°02'15" West a distance of 51.35 feet; thence South 36°32'16" West a distance of 79.82 feet to the intersection of the East line of said Lot 3 and the true Point of Beginning.

Situated in Skagit County, Washington

### PARCEL B:

Those certain non-exclusive easements as described in that certain Declaration of Restrictions and Grant of Easements by Pan Pacific Development (Cascade) Inc. recorded July 21, 1989 under Auditor's File No. 8907210046, records of Skagit County, Washington and amended by instruments recorded October 30, 1997 and May 8, 1998, under Auditor's File No. 9710300078 and 9805080072, respectively, affected by Assignment of Reciprocal Easement Agreements recorded under recording number 9902240173, records of Skagit County, Washington.

Situated in Skagit County, Washington

END OF SCHEDULE A

*This page is only a part of a 2016 ALTA<sup>®</sup> Commitment for Title Insurance issued by Chicago Title Insurance Company. This Commitment is not valid without the Notice, the Commitment to Issue Policy, the Commitment Conditions, Schedule A, Schedule B, Part I-Requirements, Schedule B, Part II-Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.*

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