



Dana DeBeauvoir

Dana DeBeauvoir, County Clerk
Travis County, Texas

Aug 20, 2019 12:21 PM Fee: \$42.00

2019126188

Electronically Recorded

AFTER RECORDATION, RETURN TO:

Austin C Arboretum Propco, LP
c/o Singerman Real Estate, LLC
980 N. Michigan Ave. Suite 1700
Chicago, IL 60611

103.50519000 48

THE STATE OF TEXAS

§
§
§

KNOW ALL BY THESE PRESENTS:

COUNTY OF TRAVIS

MEMORANDUM OF LEASE

THIS MEMORANDUM OF LEASE is made and entered into as of the 14 day of ~~AUGUST~~, 2019 by and between AUSTIN C ARBORETUM PROP CO, LP, a Delaware limited partnership ("Landlord"), and AUSTIN C ARBORETUM OPCO, LP a Delaware limited partnership (the "Tenant").

WITNESSETH:

WHEREAS, Landlord is the fee owner of the hotel and other property located at 9409 Stonelake Blvd., Austin, Texas 78759 (the "Hotel"), legally described on Exhibit A attached hereto and made a part hereof; and

WHEREAS, Landlord has leased the Hotel to Tenant pursuant to that certain Lease Agreement dated of even date herewith (as the same may be further amended, modified, or supplemented, the "Lease").

NOW, THEREFORE, in consideration of the foregoing and of the mutual agreements herein contained, and for Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Landlord and Tenant hereby agree as follows:

1. **Definitions.** To the extent not otherwise defined in this Memorandum of Lease, all capitalized terms shall have the same meaning as ascribed to them in the Lease.
2. **Agreement of Lease.** Landlord has leased the Hotel to Tenant, all for the Term, upon the rentals and subject to all of the terms, provisions and conditions contained in the Lease.

3. **Conflicts.** In the event of a conflict or discrepancy between the terms, conditions and provisions of the Lease and this Memorandum of Lease, the Lease shall prevail.

4. **Notice.** The purpose of this instrument is to give notice of the existence of the tenancy created hereby and by the Lease, and of the existence of the Lease which, together with this instrument, constitutes the agreement between the parties hereto.

5. **Counterparts.** This instrument may be executed in multiple counterparts.

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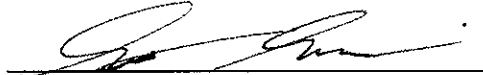
IN WITNESS WHEREOF, Landlord and Tenant have executed this Memorandum of Lease as of the day and year first above written.

LANDLORD:

AUSTIN C ARBORETUM PROPCO, LP,
a Delaware limited partnership

By: SRE 4610 TX GP, LLC,
a Delaware limited liability company

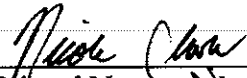
Its: Sole General Partner

By: 
Name: Seth Singerman
Title: President

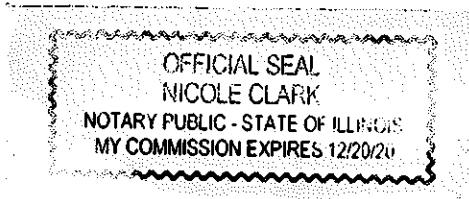
STATE OF ILLINOIS)
) SS:
COUNTY OF COOK)

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Seth Singerman, as the President of SRE 4610 TX GP, LLC, a Delaware limited liability company, the sole General Partner of AUSTIN C ARBORETUM PROPCO, LP, a Delaware limited partnership, personally known to me or proved to me on the basis of satisfactory evidence 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 a free and voluntary act, and as the free and voluntary act of said company, for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 9th day of August, 2019.


Printed Name: Nicole Clark
Notary Public

My commission expires: 12/20/20



TENANT:

AUSTIN C ARBORETUM OPCO, LP,
a Delaware limited partnership

By: SRE 4610 TX OPCO GP PLEDGOR, LLC,
a Delaware limited liability company

Its: Sole General Partner

By: [Signature]
Name: Seth Singerman
Title: President

STATE OF ILLINOIS)
) SS:
COUNTY OF COOK)

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Seth Singerman, as the President of SRE 4610 TX OPCO GP PLEDGOR, LLC, a Delaware limited liability company, the sole General Partner of AUSTIN C ARBORETUM OPCO, LP, a Delaware limited partnership, personally known to me or proved to me on the basis of satisfactory evidence 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 a free and voluntary act, and as the free and voluntary act of said company, for the uses and purposes therein set forth.

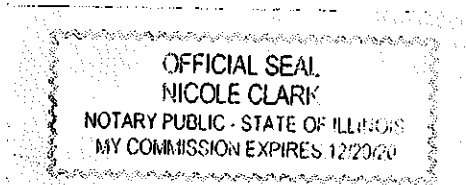
Given under my hand and Notarial Seal this 9th day of August, 2019.

[Signature]
Printed Name: Nicole Clark
Notary Public

My commission expires: 12/20/20

THIS DOCUMENT PREPARED BY:

Lindsay A. Jewell, Esq.
Perkins Coie LLP
2901 N. Central Avenue, Suite 2000
Phoenix, AZ 85012
Phone: 602-351-8000



*Signature Page to Memorandum of Lease
Courtyard Austin Northwest Arboretum*

EXHIBIT A

LEGAL DESCRIPTION

Lot 1, Block "A", ANW SUBDIVISION, a subdivision in TRAVIS County, Texas, according to the map or plat thereof recorded in Book 99, Page 258, of the Plat Records of TRAVIS County, Texas.

CHARTER TELE COMPANY
11 GREENWAY PLAZA
SUMMIT TOWER, SUITE 120
HOUSTON, TEXAS 77046