

**FIFTH AMENDMENT TO THE LEASE AGREEMENT BETWEEN
THE VILLAGE OF OAK PARK AND ROBINSON'S NO. 1 RIB, INC.**

THIS FIFTH AMENDMENT TO THE LEASE AGREEMENT between the Village of Oak Park, an Illinois home rule municipal corporation (hereinafter referred to as "Village"), and Robinson's No. 1 Rib, Inc., an Illinois corporation (hereinafter referred to as "Tenant"), is entered into this _____ day of September, 2016 (collectively referred to as the "Parties").

RECITALS

WHEREAS, the Parties previously entered into a Lease Agreement dated March 24, 2015 ("Agreement"); and

WHEREAS, the original term of the Lease Agreement was extended from November 30, 2015 and that term was extended pursuant to a First Amendment to the Agreement to March 31, 2016 and a Second Amendment to May 31, 2016, a Third Amendment to July 31, 2016 and a Fourth Amendment to August 31, 2016; and

WHEREAS, the Parties seek to further extend the term of the Agreement pursuant to this Fourth Amendment through October 31, 2016, subject to the Tenant becoming current on its rent payments and water and sewer utility services payments to the Village.

NOW, THEREFORE, in consideration of the foregoing, and the mutual covenants and agreements contained herein and other good and valuable consideration, the receipt and sufficiency of which is acknowledged by the Parties, the Parties hereto agree as follows:

1. **RECITALS INCORPORATED.** The above recitals are incorporated herein as though fully set forth.

2. **AMENDMENT TO AGREEMENT.** Section 2.1 of the Agreement is amended by adding the underlined language and deleting the overstricken language as follows:

2.1. The term of this Lease shall commence upon the closing date on the sale of the Property to Landlord by Tenant ("Commencement Date") and end at 11:59 p.m. on August 31, 2016 October 31, 2016, unless terminated earlier subject to the notice and termination provisions set forth in Section 10.0 and Section 15.0 below. There shall be no extension of the term of this Lease.

3. **OTHER PROVISIONS OF THE AGREEMENT TO REMAIN IN EFFECT.** All other terms and conditions of the Agreement shall remain in full force and effect.

4. **EFFECTIVE DATE.** This Amendment to the Agreement shall be effective on the date of its execution by the Village Manager of the Village.

IN WITNESS WHEREOF, the parties hereto have caused this First Amendment to be signed by their duly authorized representatives on the dates set forth below.

VILLAGE OF OAK PARK

ROBINSON'S NO. 1 RIB, INC.

By: Cara Pavlicek
Its: Village Manager

By: Charlie Robinson
Its: President

Dated: September ___, 2016

Dated: September ___, 2016

ATTEST

ATTEST

By: Teresa Powell
Its: Village Clerk

By: Cordell Robinson
Its: Vice President

Dated: September ___, 2016

Dated: September ___, 2016