

## LOAN AGREEMENT

THIS LOAN AGREEMENT, dated as of May 19, 2017 (as amended, restated, replaced, supplemented or otherwise modified from time to time, this "**Agreement**"), by and among **JPMORGAN CHASE BANK, NATIONAL ASSOCIATION**, a banking association chartered under the laws of the United States of America, having an address at 383 Madison Avenue, New York, New York 10179 ("**Lender**"),

[REDACTED] limited partnership ("**Sponsor**" and together with Propco, Mark Sub and Mark Holding, collectively, "**Borrower**"), each having an address at c/o [REDACTED]

[REDACTED], New York, New York 10155 ("**Operating Lessee**") and **MARK 2 RESTAURANT LLC**, a Delaware limited liability company, having an address at c/o Alexico Group LLC, 150 East 58<sup>th</sup> Street, 33<sup>rd</sup> Floor, New York, New York 10155 ("**Mark Restaurant**" and together with Operating Lessee and Borrower, each individually, a "**Borrower Party**" and together, collectively, the "**Borrower Parties**").

### WITNESSETH:

WHEREAS, Borrower desires to obtain the Loan (as hereinafter defined) from Lender; and

WHEREAS, Lender is willing to make the Loan to Borrower, subject to and in accordance with the terms of this Agreement and the other Loan Documents (as hereinafter defined).

NOW THEREFORE, in consideration of the making of the Loan by Lender and the covenants, agreements, representations and warranties set forth in this Agreement, the parties hereto hereby covenant, agree, represent and warrant as follows:

### ARTICLE I – DEFINITIONS; PRINCIPLES OF CONSTRUCTION.

**Section 1.1 Definitions.** For all purposes of this Agreement, except as otherwise expressly required or unless the context clearly indicates a contrary intent:

"**25 E. 77<sup>th</sup> Street Property**" shall mean the parcel of land located at 25 East 77<sup>th</sup> Street, New York as more particularly described in the Mortgage, the Improvements thereon and all personal property that is owned by Borrower and encumbered by the Mortgage with respect thereto, together with all rights pertaining to such property and Improvements, as more particularly described in the granting clauses of the Mortgage and referred to therein.

"**1000 Madison Avenue Property**" shall mean the parcel of land located at 1000 Madison Avenue, New York as more particularly described in the Mortgage, the Improvements