

LEASE AGREEMENT

THIS AGREEMENT OF LEASE, made as of this 30th day of May, 2012, between 20 [REDACTED] ET REALTY LLC, a New York limited liability company, having an office at 9 West 57th Street, New York, New York 10019 ("Landlord") and [REDACTED] CHILDS OF NEW YORK LLC, a New York limited liability company, having an office at 3260 State Route 90, Aurora, New York, 13026 ("Tenant").

WITNESSETH:

The parties hereto, for themselves, their legal representatives, successors and assigns, hereby covenant as follows:

DEFINITIONS

"ADA" shall mean the American Disabilities Act of 1990, Public Law 101-336, U.S.C. § 12101 et seq., as same may be amended from time to time, together with all regulations and guidelines promulgated pursuant thereto and in connection therewith.

"Additional Rent" shall mean all items of rent and charges payable by Tenant under this Lease but excepting Fixed Rent.

"Affiliate" shall mean a Person which shall (1) Control, (2) be under the Control of; or (3) be under common Control with the Person in question.

"Alterations" shall mean the Initial Alterations and any alterations, installations, improvements, additions or other physical changes in, on or about the Premises.

"Applicable Rate" shall mean the lesser of (x) four percent (4%) above the rate of interest publicly announced from time to time by JPMorgan Chase, or its successor, as its "prime lending rate" (or such other term as may be used by JPMorgan Chase, from time to time, for the rate presently referred to as its "prime lending rate"), and (y) the maximum rate permitted by applicable law.

"Assessed Valuation" shall have the meaning set forth in Section 28(a) hereof.

"Assignee Security" shall have the meaning set forth in Article 13(h)(2).

"Bankruptcy Code" shall mean 11 U.S.C. Section 101 et seq., or any statute of similar nature and purpose.

"Base Tax" shall have the meaning set forth in Section 28(a) hereof.

"Basement Premises" shall mean, subject to the provisions of this Lease, that portion of the basement of the Building, deemed to consist of approximately 2,500 usable square feet, indicated by the hatching on the floor plan attached hereto and made a part hereof as Exhibit A-1.