

37
TU


 Doc ID: 028240320007 Type: GEN
 Kind: MISCELLANEOUS
 Recorded: 01/22/2014 at 03:28:15 PM
 Fee Amt: \$42.00 Page 1 of 7
 Revenue Tax: \$0.00
 Polk County Iowa
 JULIE M. HAGGERTY RECORDER
 File# 2014-00058119
 BK 15088 PG 874-880

RETURN TO:
 Prepared by and Return to :
 Larry James Jr., Faegre Baker Daniels, LLP, 801 Grand Avenue, Suite 3300 ,Des Moines, IA 50309

Taxpayer Information:
 Ingersoll Square Phase III Associates, L.P., c/o Newbury Management, 3418 Woodland Ave., Suite 504,
 West Des Moines, IA 50266

MEMORANDUM OF OPTION TO PURCHASE

THIS MEMORANDUM OF OPTION TO PURCHASE, dated as of January 22, 2014, is by and between **INGERSOLL SQUARE PHASE III ASSOCIATES, L.P.** (hereinafter called "LANDLORD") and **VERIDIAN CREDIT UNION** (hereinafter called "TENANT").

RECITALS

A. Landlord and Tenant have entered into that certain Lease of even date herewith (hereinafter the "LEASE"), relating to certain office and drive through space located on the real property legally described on Exhibit "A" attached hereto and made a part hereof by reference (hereinafter called "INGERSOLL SQUARE PHASE III"), a portion of which is occupied by the Tenant depicted on Exhibit "B" attached hereto and made a part hereof by reference (hereinafter called the "DEMISED PREMISES"); and

B. Under the Lease, Landlord granted to Tenant an Option to Purchase the Demised Premises (hereinafter called the "OPTION"); and

C. Landlord and Tenant now wish to memorialize of record the existence of the Option and certain specific terms thereof.

NOW, THEREFORE, in consideration of the Lease and other good and valuable consideration, Landlord and Tenant agree as follows:

1. Subject to terms and conditions more particularly set forth in the Lease, all of which are hereby incorporated by reference, Tenant may exercise its Option between the Unhindered Occupancy Date, as such term is defined in the Lease, and the date Tenant vacates the Demised Premises.
2. Prior to exercising the Option, Tenant shall submit Ingersoll Square Phase III to a Horizontal Property Regime and create a separate tax parcel for the Demised Premises.
3. Reference is made to the Lease for a full statement of the terms and conditions of the Lease, all of which are hereby incorporated by reference.
4. Nothing in this Memorandum of Option to Purchase shall be construed to amend, modify, change, alter, amplify, interpret or supersede any of the terms and provisions of the Lease, which shall in all things control.

5. This Memorandum shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns.

6. This Memorandum may be executed in any number of counterparts, each of which is an original, but all of which constitute one instrument.

[SIGNATURES ON FOLLOWING PAGE]

LANDLORD:

Ingersoll Square Phase III Associates, L.P.,
an Iowa limited partnership

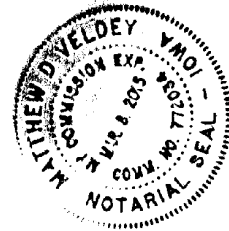
By: Ingersoll Square III GP, LLC,
an Iowa limited liability company, its General Partner

By: Frank Levy
Frank Levy, its Manager

STATE OF Iowa)
) SS
COUNTY OF Polk)

On this 22nd day of January, 2014, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared FRANK LEVY, Manager of INGERSOLL SQUARE III GP, LLC to me personally known, who being by me duly sworn did say that INGERSOLL SQUARE III GP, LLC is the General Partner of INGERSOLL SQUARE PHASE III ASSOCIATES, L.P., the limited partnership executing the foregoing instrument, that no seal has been procured by the limited partnership; that the instrument was signed on behalf of the limited partnership by authority of its partners; and that FRANK LEVY acknowledged the execution of the instrument to be the voluntary act and deed of the limited liability company by it voluntarily executed.

Matthew D. Veldey
Notary Public



TENANT:

Veridian Credit Union

By: Mark Koppedayer
Mark Koppedayer, VP of Branches

STATE OF IOWA)
) SS
COUNTY OF BLACK HAWK)

On this 14th day of JANUARY, 2014, before me, a Notary Public within and for said County, personally appeared MARK KOPPEDAYER, to me personally known, who, being first by me duly sworn, did say that he is the VICE PRESIDENT, of BRANCHES, and that the foregoing instrument was signed by him on behalf of Veridian Credit Union by authority of its Board of Directors and MARK KOPPEDAYER acknowledged said instrument to be the voluntary act and deed of Veridian Credit Union by it voluntarily executed.

Kenneth P. Nelson
Notary Public

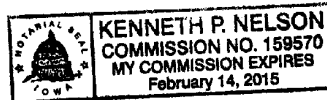
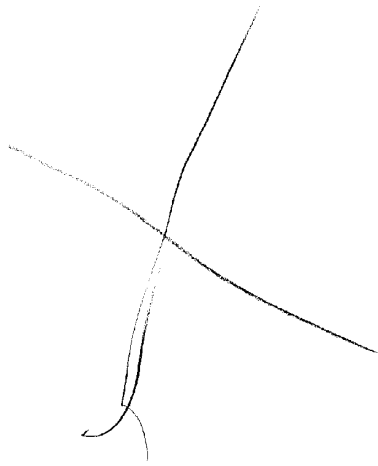


EXHIBIT "A"

INGERSOLL SQUARE PHASE III

Parcel "D" being described on Plat of Survey filed November 13, 2012, and recorded in Book 14528 Page 338 in the Office of the Recorder of Polk County, Iowa, being a part of Lots 1 through 6 in Harding Road Place and part of Lots 5 through 9 in Block B of West & Burton's Addition to Des Moines, Polk County, Iowa.

EXHIBIT "B"
DEMISED PREMISES



dms.us.53489671.01

INGERSOLL SQUARE III, LP

2005 INGERSOLL AVENUE
 OWNER/DEVELOPER

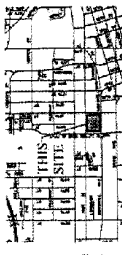
2005 INGERSOLL AVENUE
 OWNER/DEVELOPER
 INGERSOLL SQUARE III, LP
 2005 INGERSOLL AVENUE
 DES MOINES, IOWA 50319
 (515) 281-1111

COMP. PLAN LAND USE
 ZONING
 BENCHMARK
 LEGAL DESCRIPTION

PHASE I & II
 PHASE III

INGERSOLL COMMERCIAL
 BIKE RACK REQUIREMENTS
 PHASE III

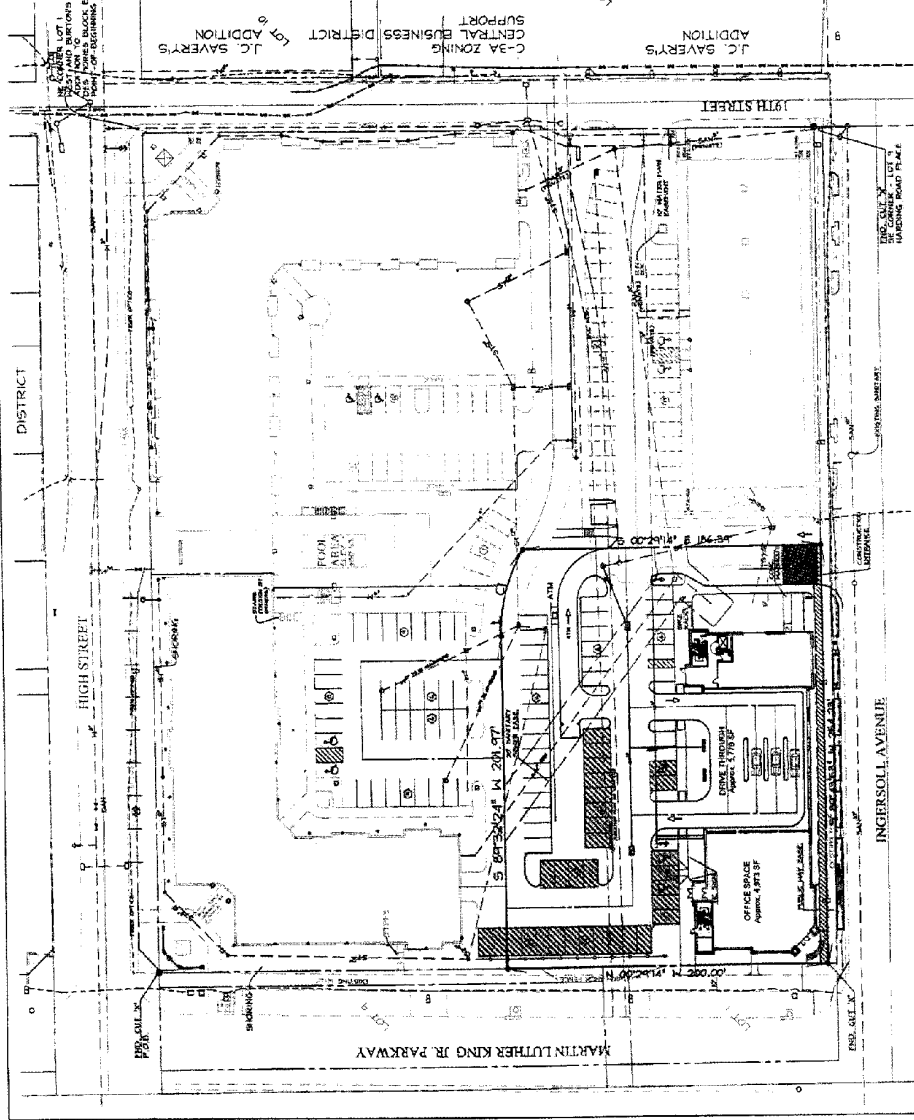
NUMBER OF DWELLING UNITS
 AT UNITS



VICINITY SKETCH SCALE: 1" = 100'
PARKING REQUIREMENT
 PHASE I & II
 PHASE III

INGERSOLL COMMERCIAL
 BIKE RACK REQUIREMENTS
 PHASE III

NUMBER OF DWELLING UNITS
 AT UNITS



30 RESERVED VERDIAN SPACES
 8-8 1/2 FT. 8-0 1/2 FT. 8-0 1/2 FT.

RESERVED VERDIAN SPACES
 8-8 1/2 FT. 8-0 1/2 FT. 8-0 1/2 FT.

RESERVED VERDIAN SPACES
 8-8 1/2 FT. 8-0 1/2 FT. 8-0 1/2 FT.

DISCREPANCY NOTES

1. ALL DIMENSIONS, DISTANCES AND LOCATIONS SHALL BE AS SHOWN ON THIS PLAN AND SHALL CONTROL OVER ALL OTHER DIMENSIONS, DISTANCES AND LOCATIONS.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF DES MOINES AND THE IOWA DEPARTMENT OF TRANSPORTATION.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE IOWA DEPARTMENT OF TRANSPORTATION.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE IOWA DEPARTMENT OF TRANSPORTATION.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE IOWA DEPARTMENT OF TRANSPORTATION.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE IOWA DEPARTMENT OF TRANSPORTATION.
7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE IOWA DEPARTMENT OF TRANSPORTATION.
8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE IOWA DEPARTMENT OF TRANSPORTATION.
9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE IOWA DEPARTMENT OF TRANSPORTATION.
10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE IOWA DEPARTMENT OF TRANSPORTATION.

CERTIFICATIONS

DESIGNED BY: [Signature]
 CHECKED BY: [Signature]
 DATE: [Date]

COOPER CRAWFORD & ASSOCIATES, L.L.C.
 CIVIL ENGINEERS
 415 E. 50th STREET, SUITE 100, DES MOINES, IOWA 50319
 (515) 281-1111

CC
1529
 SHEET
 1 OF 5

DIMENSION PLAN
 INGERSOLL SQUARE, LP

SITE PLAN

APPROVED WITH COMMENT
 IN ACCORDANCE WITH SECTION 87-207 (3) 2000 DES MOINES MUNICIPAL CODE AS AMENDED (AS APPROVED IN RESOLUTION 15891 DATED 11/11/09) WITH THE PLANNING DIRECTOR'S NEW AMENDED DATED PLAN.

DATE: [Date]

PLANNING AND ZONING

RESERVED VERDIAN SPACES
 1. CONTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF DES MOINES AND THE IOWA DEPARTMENT OF TRANSPORTATION.
 2. CONTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE IOWA DEPARTMENT OF TRANSPORTATION.
 3. CONTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE IOWA DEPARTMENT OF TRANSPORTATION.

PLANNING DIRECTOR

DATE: [Date]

PLANNING AND ZONING

RESERVED VERDIAN SPACES
 1. CONTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF DES MOINES AND THE IOWA DEPARTMENT OF TRANSPORTATION.
 2. CONTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE IOWA DEPARTMENT OF TRANSPORTATION.
 3. CONTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE IOWA DEPARTMENT OF TRANSPORTATION.

PLANNING DIRECTOR

DATE: [Date]

PLANNING AND ZONING

RESERVED VERDIAN SPACES
 1. CONTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF DES MOINES AND THE IOWA DEPARTMENT OF TRANSPORTATION.
 2. CONTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE IOWA DEPARTMENT OF TRANSPORTATION.
 3. CONTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE IOWA DEPARTMENT OF TRANSPORTATION.

PLANNING DIRECTOR

DATE: [Date]

PLANNING AND ZONING

RESERVED VERDIAN SPACES
 1. CONTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF DES MOINES AND THE IOWA DEPARTMENT OF TRANSPORTATION.
 2. CONTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE IOWA DEPARTMENT OF TRANSPORTATION.
 3. CONTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE IOWA DEPARTMENT OF TRANSPORTATION.

