

8.2b,9

R

BOOK 622 PAGE 98

## MEMORANDUM OF LEASE

THIS Memorandum of Lease, executed this 5th day of October, 1979, by and between DEBAK PROPERTIES, an Iowa partnership, hereinafter called "Landlord", and MAY SEED & NURSERY CO., an Iowa corporation, whose mailing address is Box 500, 208 North Elm Street, Shanandoah, Iowa 51601, hereinafter called "Tenant".

## W I T N E S S E T H :

1. Landlord, in consideration of the rents herein reserved and of the covenants, agreements and conditions herein contained on the part of the Tenant to be kept and performed, does by these present lease and demise unto Tenant the following described real estate, to-wit:

A tract of land lying in the Northwest Quarter of the Northwest Quarter of Section 12, Township 14 North, Range 11 East of the 6th P.M., Douglas County, Nebraska, being more particularly described as follows:

Commencing at the Southeast corner of the Northwest Quarter of the Northwest Quarter of Section 12-14-11; thence North 89°10'20" West along the South line of the Northwest Quarter of the Northwest Quarter of Section 12-14-11 (A.K.A. the Northerly Right-of-Way of "U" Street), a distance of 36.33 feet to the point of beginning; thence continuing along said South line, a distance of 239 feet; thence North 00°05'57" West, a distance of 130.08 feet; thence North 52°53'44" East along a line 25 feet South-easterly from and parallel to the Southeasterly Right-of-Way line of Highway No. 50, a distance of 95.87 feet; thence South 89°10'20" East along a line 189 feet Northerly from and parallel to the Northerly Right-of-Way line of "U" Street, a distance of 162.43 feet; thence South 00°05'57" East, a distance of 189 feet to the point of beginning.

Containing: 42,914.488 square feet or 1.008 acres.

To have and to hold the above described premises with all improvements thereon and the rights, privileges and easements appertaining thereto for and during the period from date of acceptance of premises by Tenant until July 31, 2003.

Tenant shall have the option of extending this Lease for two periods of five years each.

2. This Memorandum of Lease has been executed solely for the purpose of providing record notice of the existence of a Lease between the parties dated July 17, 1978, to which reference is hereby made for a full and complete statement of the terms, conditions and provisions thereof.

3. Nothing herein contained shall be deemed to modify or amend the above described Lease or any of the terms, conditions or provisions therein set forth, all of which are hereby ratified and confirmed.

8. 79

BOOK 622 PAGE 99

IN WITNESS WHEREOF, the parties hereto have executed this Memorandum of Leases on the date first set forth above.

DEBAK PROPERTIES, an Iowa Partnership

By Edward W. May, Jr.  
Partner

By John R. Kidd  
Partner

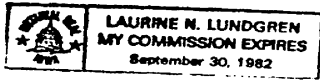
By Michael G. Sherman  
Partner

MAY SEED & NURSERY CO.

By Edward W. May  
President  
Title

STATE OF IOWA )  
 )ss.  
COUNTY OF PAGE )

The foregoing instrument was acknowledged before me, the undersigned Notary Public, this 5th day of October, 1979, by Edward W. May, Jr., John R. Kidd and Michael G. Sherman, partners of Debak Properties, an Iowa partnership, on behalf of said partnership.



Laurine N. Lundgren  
Notary Public

Fee 6.25  
Index 12-14-11  
Comped 12-14-11

Book 622  
Page 99  
of 100

RECEIVED  
1979 OCT 11 PM 3:33  
C. HAROLD OSTLER  
REGISTER OF DEEDS  
DOUGLAS COUNTY, IOWA

*3/11/80*