

MISC 2003110560

RICHARD M. JARECHI  
REGISTER OF DEEDS  
DOUGLAS COUNTY, NE.



JUN 11 2003 09:39 P 6

RECEIVED

#31.00

ASSIGNMENT OF LEASE

PREPARED BY,  
RECORDING REQUESTED BY,  
AND WHEN RECORDED MAIL TO:

AFTER RECORDING RETURN TO:  
LANDaMERICA NCS, Dallas  
7557 Rambler Road, Ste 1200, LB31  
Dallas, TX 75231  
Attn: Helen Sullivan

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

DATE: 30 day of May 2003

ASSIGNOR: HEARTLAND AUTOMOTIVE SERVICES, INC., a Minnesota corporation, with an address at 11308 Davenport Street, Omaha, Nebraska 68154 ("Assignor")

ASSIGNEE: HEARTLAND AUTOMOTIVE SERVICES II, INC., a Delaware corporation, with an address at 11308 Davenport Street, Omaha, Nebraska 68154 ("Assignee").

CONSIDERATION: Ten and No/100 Dollars (\$10.00) and other good and valuable consideration in hand paid, the receipt and sufficiency of which is hereby acknowledged.

LEGAL DESCRIPTION: described in EXHIBIT A attached hereto

LEASE DESCRIPTION: described in EXHIBIT B attached hereto

For and in consideration of the consideration above stated, Assignor does hereby assign unto Assignee, and Assignee hereby acknowledges, accepts and assumes, all of Assignor's right, title and interest in and to the existing lease(s), any and all modifications and amendments relating thereto together with all security deposit(s) with respect thereto and all facilities, fixtures and other improvements thereon and all transferable licenses and other appurtenances thereto.

Assignee does hereby assume full responsibility from and after the date hereof with respect thereto and Assignee agrees to hold Assignor harmless with respect thereto insofar as any event or occurrence after the date hereof.

misc 71-16593-41  
FEE 3150 FB MC-16595-1,3,4  
DEL \_\_\_\_\_  
⑧

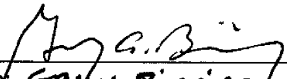
STORE NO. 2889  
ADDRESS: 3715 North 147<sup>th</sup> Street, Omaha, Nebraska 68116  
NEWYORK 1040658 (2K)  
Store #2889 - Assignment of lease

✓1969 NT 31.00

IN WITNESS WHEREOF, Assignor and Assignee have executed this agreement as of the date first above written.

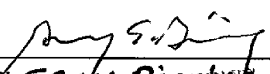
**ASSIGNOR:**

**Heartland Automotive Services, Inc.,  
a Minnesota corporation**

By:   
Name: Gary Binning  
Title: VICE PRESIDENT

**ASSIGNEE:**

**Heartland Automotive Services II, Inc.,  
a Delaware corporation**

By:   
Name: Gary Binning  
Title: VICE PRESIDENT

NEWYORK 1040658 (2K)  
Store #2889 - Assignment of lease

State of New York )  
 ) ss.  
County of New York )

On this 29 day of May, 2003, before me, a Notary Public, personally appeared Gary Binning, to me personally known, or who being by me duly sworn did say, that he/she is the Vice President of HEARTLAND AUTOMOTIVE SERVICES, INC., a Minnesota corporation, that the foregoing instrument was signed on behalf of said Corporation; and the identical person who signed the foregoing instrument and acknowledged the execution thereof to be his/her voluntary act and deed as such officer and the voluntary act and deed of said Corporation.

Witness my hand and notarial seal this 29 day of May, 2003.

My Commission Expires:

[Signature]  
Notary Public:

\_\_\_\_\_

Commissioned in \_\_\_\_\_ County

[NOTARIAL SEAL]

KRISTIN BARBER  
Notary Public, State of New York  
No. 01BA6063772  
Qualified in New York County  
Commission Expires September 10, 2006



State of New York )  
 ) ss.  
County of New York )

On this 29 day of May, 2003, before me, a Notary Public, personally appeared Gary Binning, to me personally known, or who being by me duly sworn did say, that he/she is the Vice President of HEARTLAND AUTOMOTIVE SERVICES II, INC., a Delaware corporation, that the foregoing instrument was signed on behalf of said Corporation; and the identical person who signed the foregoing instrument and acknowledged the execution thereof to be his/her voluntary act and deed as such officer and the voluntary act and deed of said Corporation.

Witness my hand and notarial seal this 29 day of May, 2003.

My Commission Expires:

[Signature]  
Notary Public:

\_\_\_\_\_

Commissioned in \_\_\_\_\_ County

[NOTARIAL SEAL]

KRISTIN BARBER  
Notary Public, State of New York  
No. 01BA6063772  
Qualified in New York County  
Commission Expires September 10, 2005

EXHIBIT A  
Legal Description

Street Address	City	County	State	Zip
3715 North 147 <sup>th</sup> Street	Omaha	Douglas	Nebraska	68116

Tax Parcel No.: 1596-1054-13

*mc-16595*

Lot 3 & 4, Hillsborough Plaza, a subdivision as surveyed, platted and recorded in Douglas County, Nebraska, and together with Roadway Easement over a part of Lot 1, Hillsborough West Replat adjoining on the East, Recorded in Miscellaneous Book 1337, Page 97. *71-16593*

A-1

3715 North 147th Street  
Omaha, Douglas County, NE

**EXHIBIT B**

**Subject Lease**

That certain Lease Agreement entered into as of August 15, 2001, pursuant to which HEARTLAND AUTOMOTIVE SERVICES, INC., a Minnesota corporation, leases all or a portion of the Property from FANTASY'S, INC., a Nebraska corporation, a memorandum of which was recorded on March 13, 2002, in Book 1428, Pages 581-586.

NEWYORK 1040658 (2K)  
Store #2889 - Assignment of lease