



MISC 2016057313



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COMP: MJ

Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
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2016057313

This Instrument Prepared By
and Upon Recordation return to:
Shopko Stores Operating Co., LLC
700 Pilgrim Way
Green Bay, Wisconsin 54304
Attn. Legal Counsel

MEMORANDUM OF LEASE

Chicago Title NS L20163391
THIS MEMORANDUM OF LEASE ("Memorandum") made as of the 30th day of June, 2016, by and between **SHOPKO STORES OPERATING CO., LLC**, a Delaware limited liability company ("Tenant"), and **LUND 144 CENTER, LLC**, a Nebraska limited liability company, and **OVERLAND WOLF BUILDING PARTNERSHIP**, a Nebraska partnership (collectively, "Landlord").

WITNESSETH:

1. **Premises.** Landlord and Tenant have entered into a lease ("Lease") dated June 30, 2016, for that certain real property lying, being and situate in the County of Douglas, City of Omaha, State of Nebraska, more particularly described on EXHIBIT A attached hereto and made a part hereof, together with the buildings and improvements located thereon (the "Premises").
2. **Term and Renewal Options.** The Lease has an initial term with respect to the Premises that expires on December 31, 2031, subject to extension (at Tenant's option) as provided therein for two (2) successive additional periods of ten (10) years each.
3. **Incorporation of Lease.** This Memorandum is for informational purposes only and nothing contained herein shall be deemed to in any way modify or otherwise affect any of the terms and conditions of the Lease, the terms of which are incorporated herein by reference. This instrument is merely a memorandum of the Lease and is subject to all of the terms, provisions and conditions of the Lease. In the event of any inconsistency between the terms of the Lease and this instrument, the terms of the Lease shall prevail.

*GRANTOR = LANDLORD
GRANTEE = TENANT*

4. **Binding Effect.** The rights and obligations set forth herein shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, personal representatives, successors and assigns.

[Signature Pages Follow]

EXHIBIT A

Premises

Real property in the City of Omaha, County of Douglas, State of Nebraska, described as follows:

Lot 2, Crescent Oaks Plaza Replat, an Addition to the City of Omaha, Douglas County, Nebraska.

Together with non-exclusive easement rights created by Corporation Quitclaim Deed, filed May 16, 1984 in Book 1730 at Page 43, Deed Records, Douglas County, Nebraska.

Together with non-exclusive easement rights created by Cross-Easement Agreement by and between Shopko Stores, Inc., a Minnesota corporation, and K.V. Company, a Nebraska Partnership, filed June 13, 1986 in Book 777 at Page 469, Miscellaneous Records, and First Amendment to Cross-Easement Agreement, filed September 24, 1997 in Book 1223 at Page 298, Miscellaneous Records, Douglas County, Nebraska.

TAX I.D.: 1070-1502-09

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Omaha, NE

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