

59-804

MEMORANDUM OF SUBLEASE

THIS MEMORANDUM, made and entered into this 31<sup>st</sup> day of January, 1986, by and between NASH-FINCH COMPANY, a Delaware corporation, hereinafter called "Sublessor", and FREDERICK BROTHERS, INC., a Nebraska corporation, hereinafter called "Sublessee",

WITNESSETH:

1. The parties have entered into a Sublease Agreement (the "Sublease") dated November 4, 1985, covering the real estate described in Exhibit "A" annexed hereto (the "Leased Premises") together with all buildings and improvements thereon and all appurtenances thereto. The Sublease is hereby incorporated by reference and made a part hereof as if fully set forth herein.

2. The term of the Sublease commences on November 4, 1985 and ends on November 3, 2000, and Tenant is granted options to renew the term of the Sublease which, if all such options are exercised, will extend the term of the Sublease to November 3, 2010.

3. The Sublease grants and gives Sublessee all rights and privileges given Sublessor including, but not limited to, the irrevocable first right and option to purchase and first right of refusal to lease the vacant land adjacent to the Leased Premises more particularly described in Exhibit "B" annexed hereto, at any time during the term of the Sublease, under the terms and conditions granted Sublessor.

4. In the event of any conflict or inconsistency between the terms of this Memorandum and the terms of the Sublease, the terms of the Sublease shall control.

IN WITNESS WHEREOF, Landlord and Tenant have executed this Memorandum as of the date first above written.

SUBLESSOR: NASH-FINCH COMPANY

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By R. N. Mammel  
Title PRESIDENT

RECORDED 15 JAN 30 1986

SUBLESSEE: FREDERICK BROTHERS, INC.

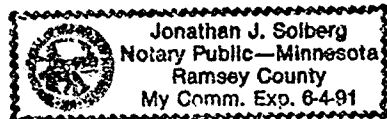
RECORDED 15 JAN 30 1986

By Donald J. Bismar  
Title President

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STATE OF MINNESOTA )  
 ) ss.:  
 COUNTY OF HENNEPIN )

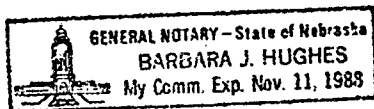
The foregoing instrument was acknowledged before me this 7 day of APRIL, 1986, by R. N. Mammel, PRESIDENT of Nash-Finch Company, a Delaware corporation, on behalf of the corporation.



Jonathan J. Solberg  
 Notary Public

STATE OF NEBRASKA )  
 ) ss.:  
 COUNTY OF DOUGLAS )

The foregoing instrument was acknowledged before me this 25<sup>th</sup> day of March, 1986, by Donald J. Bierman, President of Frederick Brothers, Inc. a Nebraska corporation, on behalf of the corporation.



Barbara J. Hughes  
 Notary Public

59-804B

EXHIBIT "A"

That part of the Northwest 1/4 of the Northeast 1/4 of Section 36, Township 14 North, Range 10 East of the 6th P.M., Sarpy County, Nebraska, described as follows: Commencing at the Northeast corner of Lot 277, WEST PLAINS, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska; thence S 89°56'40" E (assumed bearings) for 172.40 feet along the South Right-of-way line of the County road to the TRUE POINT OF BEGINNING; thence S 0°02'00"E for 146.09 feet parallel with the East line of said Lot 277; thence S 89°56'40"E for 120.00 feet parallel with the South Right-of-way line of County road; thence N 0°02'00" W for 146.09 feet parallel with the East line of said Lot 277 to the South Right-of-way line of the County road; thence N 89°56'40" W for 120.00 feet to the TRUE POINT OF BEGINNING. Contains 17531 Square Feet.

59-804C

EXHIBIT "B"

That part of the Northwest 1/4 of the Northeast 1/4 of Section 36, Township 14 North, Range 10 East of the 6th P.M., Sarpy County, Nebraska, described as follows: Commencing at the Northeast corner of Lot 277, WEST PLAINS, a subdivision as surveyed, platted, and recorded in Sarpy County, Nebraska; thence S 89°56'40" E (assumed bearings) for 50.00 feet along the South Right-of-way line of the County road to the TRUE POINT OF BEGINNING; thence continuing S 89°56'40" E for 122.40 feet along said South Right-of-way line; thence S 0°02'00" E for 146.09 feet parallel with the East line of said Lot 277; thence N 89°56'40" W for 122.40 feet parallel with the South Right-of-way line of the County road; thence N 0°02'00" W for 146.09 feet parallel with the East line of said Lot 277 to the TRUE POINT OF BEGINNING.