



BK 0874 PG 385



MISC 1989 00544

THIS PAGE INCLUDED FOR  
INDEXING  
PAGE DOWN FOR BALANCE OF INSTRUMENT

2 Page  
1 Lot

MEMORANDUM OF LEASE

THIS MEMORANDUM OF LEASE, executed <sup>as of the</sup> ~~this~~ 4th day of January, 1989, by and between KV INTERNATIONAL, INC., a Nebraska corporation, hereinafter called the "Landlord" whose address for the purpose of this Memorandum of Lease is 11213 Davenport Street, Suite 222, Omaha, Nebraska 68154, and HY-VEE FOOD STORES, INC., an Iowa corporation, hereinafter called the "Tenant", whose address for the purpose of this Memorandum of Lease is 1801 Osceola Avenue, Chariton, Iowa 50049;

WITNESSETH THAT:

In consideration of the mutual covenants contained in the Lease Agreement between Landlord and Tenant dated of even date herewith, Landlord did lease and demise to Tenant, and Tenant did lease and take from Landlord, certain Demised Premises located on Phase I of Westridge Shopping Center, 132nd & West Dodge Road, Omaha, Nebraska 68154 (the "Shopping Center"), consisting of:

A store building measuring approximately 266 square feet in width by a depth of 208 square feet, plus dock, storage, vestibule and carry-out areas and containing a total area of approximately 55,328 square feet

together with the right to the nonexclusive use of automobile parking areas, access roads, truck loading areas, delivery areas, walkways, bus stops, landscaped areas, driveways and sidewalks now or hereafter located upon some portion of the Shopping Center, which is legally described as:

~~Lot 1, in KVI-132ND STREET PLAZA,~~ an Addition to the City of Omaha, as surveyed, platted and recorded, in Douglas County, Nebraska.

1. Term of Lease. The term of the Lease shall be for twenty (20) years following the commencement of the term, unless sooner terminated or extended as provided in the Lease.

2. Commencement of Term. The term of the Lease commences January 4th, 1989.

3. Options to Extend. If Tenant is not then in default under any of the terms and provisions of the Lease, Tenant shall have the option to extend the term of the Lease for four (4) consecutive five (5) year option periods.

4. Record Notice. This Memorandum of Lease is executed and may be recorded in the Office of the Register of Deeds of Douglas County, Nebraska, solely for the purpose of providing notice of the existence of the Lease. Nothing herein contained is intended to amend, modify, restrict or impair the terms and provisions of the Lease, which are hereby ratified and confirmed, and to which reference is made herein for a complete and full exposition of such terms and provisions.

IN WITNESS WHEREOF, the parties have set their hands the date and year first above written.

RECEIVED

1989 JAN 12 PM 12:12

GEORGE J. B. FROST  
REGISTER OF DEEDS  
DOUGLAS COUNTY, NEBRASKA

LANDLORD:

KV INTERNATIONAL, INC.

By: Doug Westrich  
Its President

By: Frank R. Kreci  
Its Sect.

544 F Mar

874  
PG 385-38692/279  
FEE 10.50  
IN MC  
59/21330  
COMP F/B KP

