

2018-14059

RECORDER MARK BRANDENBURG

POTTAWATTAMIE COUNTY, IA

FILE TIME: 11/01/2018 10:48:00 AM

RECORDING FEE	25.00
RMA FEE	1.00
ECM FEE	1.00

WHEN RECORDED RETURN BY MAIL TO:

First American Title Company
National Commercial Services
1790 Hughes Landing Blvd., Suite 110
The Woodlands, Texas 77380
ATTN: Sharon P. Mork
Vice President/Manager
Sr. Commercial Escrow Officer

THIS DOCUMENT PREPARED BY:

Robert K. Brown, Esq.
Opus Law Group PLLC
1325 Fourth Avenue, Suite 1800
Seattle, WA 98101

On Behalf of:

Starbucks Coffee Company
2401 Utah Avenue South, Suite 800
Mailstop: S-LA3
Seattle, Washington 98134
Store: Broadway & 26th
Council Bluffs, IA
#55082

34-746834-H

RECORDED AT THE REQUEST OF
FIRST AMERICAN TITLE INS. CO.
AS A COURTESY WITH NO LIABILITY

MEMORANDUM OF LEASE

This Memorandum of Lease ("**Memorandum**") is entered into by and between **Council Bluffs X, LLC**, an Illinois limited liability company ("**Landlord**") having its principal place of business at c/o Bradley Heinrich, 10540 North Second Street, Machesney Park, Illinois 61115, and **Starbucks Corporation**, a Washington corporation having an office at 2401 Utah Avenue South, Seattle, Washington 98134 ("**Tenant**"), Landlord and Tenant having entered into a commercial lease having an Effective Date of Sept 21, 2018 (the "Lease").

1. The Lease covers certain commercial property located at 2550 West Broadway, Council Bluffs, Iowa consisting of approximately 2,100 square feet of Gross Leasable Area (the "**Premises**") all as more particularly described in the Lease. The legal description of the Property on which the Premises is located is attached hereto and incorporated herein by this reference.

2. The Lease provides for the rental of the Premises by Tenant for a term of ten (10) years (the “**Initial Term**”).

3. The Lease grants to Tenant the right to renew the Initial Term for up to four (4) consecutive five (5) year period(s) (the “**Extension Term(s)**”) under the same terms and conditions contained in the Lease, provided Tenant exercises the applicable Extension Term in accordance with the applicable terms of the Lease. Base Rent during any Extension Term(s) shall be as specified in the Lease.

4. Tenant may use and occupy the Premises for (a) a coffee store or (b) any other lawful retail or restaurant use, including without limitation the sale of beer and wine.

5. This Memorandum shall not, under any circumstances, be deemed to modify or change any provisions of the Lease, the provisions of which shall in all instances prevail.

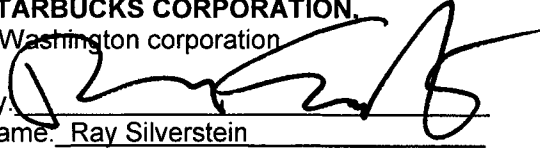
6. The Lease grants to Tenant the exclusive right to sell on the Property: (a) ground and whole coffee beans, (b) espresso, espresso-based and coffee-based drinks, (c) tea or tea-based drinks, (d) brewed coffee, and (e) blended beverages.

7. This Memorandum may be signed in two or more counterpart copies with the same effect as if the signature to each counterpart copy were on a single instrument. Each counterpart shall be deemed an original as to any party whose signature it bears and all such counterparts shall constitute one document. Facsimile or electronically scanned copies shall be deemed originals.

[SIGNATURES ON FOLLOWING PAGE(S)]

TENANT:

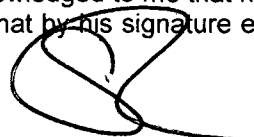
STARBUCKS CORPORATION,
a Washington corporation

By: 
Name: Ray Silverstein
Title: vice president

ACKNOWLEDGEMENT OF STARBUCKS CORPORATION

STATE OF WASHINGTON)
) SS.:
COUNTY OF KING)

On the 12 day of September, in the year 2018, before me, the undersigned, personally appeared Ray Silverstein, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity as vice president of **Starbucks Corporation**, and that by his signature executed this Memorandum of Lease on behalf of Starbucks Corporation.



Print Name: Sandra Robinson
Notary Public for the State of Washington
Commission expires: 1/19/21
Stamp or Seal

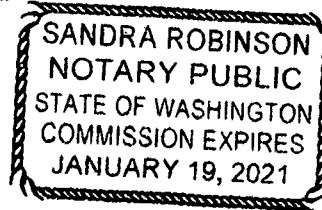


EXHIBIT A TO MEMORANDUM OF LEASE

Legally described as CENTRAL SUB LTS 15 THRU 17 AND W27' LT 18 BLK 36

Council Bluffs, Iowa 51501 (exact legal description to be verified survey)