

RECORDING REQUESTED BY:
AND WHEN RECORDED MAIL TO:
Jeffrey E. Langan, Esq.
Sr. Vice President and General Counsel
Tibarom, Inc.
668 North Coast Highway, No. 517
Laguna Beach, California 92651

Douglas County - NV
Werner Christen - Recorder
Page: 1 Of 5 Fee: 18.00
BK-0205 PG- 9582 RPTT: 0.00



139335 RB

MEMORANDUM OF LEASE

THIS "**MEMORANDUM OF LEASE**" is made and entered into on as of the date of the Lease, but for purposes of recordation is dated as of February 14th, 2005, by and between MARK CUNNINGHAM and/or assignee "**Lessor**," and **TIBAROM INC.**, a Delaware corporation, "**Lessee**." Lessor and Lessee have entered into that certain Lease Agreement ("**Lease**") for an initial term of twenty (20) years, together with two (2) extension terms of five (5) years each. The Lease "**Commencement Date**" is as defined in the Lease. All the terms and conditions of which are made a part of this Memorandum of Lease as though fully set forth herein for the "**Premises**" located in the City of Minden, State of Nevada, Nevada and the Premises are described more particularly described on "**Exhibit A**" attached hereto.


LESSOR:

LESSEE:

MARK CUNNINGHAM and/or assignee

TIBAROM, INC.,
a Delaware corporation

By: 
Mark Cunningham

By: 
Jeffrey E. Langan
Sr. Vice President & General Counsel

[NOTARY ACKNOWLEDGEMENTS FOLLOW]

ACKNOWLEDGEMENT OF NOTARY PUBLIC

STATE OF CALIFORNIA)
COUNTY OF MARIN)

On 17 February 2005 before me, Ernest Lacey, a notary public in and for said County and State, personally appeared MARK CUNNINGHAM personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s), acted, executed the instrument.

WITNESS my hand and official seal:

[Signature]
MARK CUNNINGHAM



SEAL

STATE OF CALIFORNIA)
COUNTY OF Orange)

On February 11, 2005 before me, Anna-Lisa Lonier, a notary public in and for said County and State, personally appeared Jeffrey E. Langan personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s), acted, executed the instrument.

WITNESS my hand and official seal:

[Signature]

SEAL

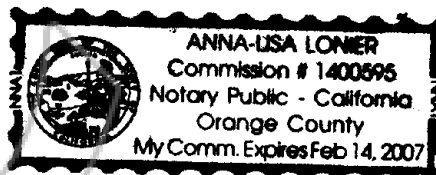


EXHIBIT "A"
LEGAL DESCRIPTION

The land referred to hereon is situated in the City of Minden, County of Douglas, State of Nevada, and is more particularly described as follows:

APN: 1320-30-211-098

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Exhibit "D", Page 3



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Page: 3 Of 5

BK- 0205
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EXHIBIT 'A'

PARCEL ONE:

A parcel of land located within a portion of the West one-half (W 1/2) of Section 30, Township 13 North, Range 20 East, Mount Diablo Meridian, Douglas County, Nevada, described as follows:

Commencing at the Southeast corner of Parcel 1 as shown on the Parcel Map for MINDEN IRONWOOD PARTNERS AND CHARLES H. PAYA, recorded in Book 1095 at page 4101 as Document No. 373418; Douglas County, Nevada, Recorder's Office;

Thence South 00°18'00" West, 331.08 feet to the Point of Beginning;
Thence continuing South 00°18'00" West 113.46 feet;
Thence North 89°42'00" West, 139.64 feet;
Thence North 00°18'00" East, 113.46 feet;
Thence South 89°42'00" East, 139.64 feet to the Point of Beginning;

Parcel A as shown on the Record of Survey for FOOTHILL DEVELOPMENT GROUP, MINDEN IRONWOOD (a Commercial Subdivision), filed April 14, 1997 as File No. 410525.

The above metes and bounds description appeared previously in that certain document recorded December 16, 1997 in Book 1297, page 3317 as Document No. 428626 of Official Records.

PARCEL TWO:

Ingress and egress access easements and utility easements as contained on Parcel Map recorded September 6, 1990 as Document No. 233981 and as contained on Parcel Map recorded October 16, 1991 as Document No. 262864. Access easements contained in Commercial Subdivision Map recorded March 24, 1997 as Document No. 408980.

PARCEL THREE:

Reciprocal easements for ingress, egress, utilities and public access as contained on the Record of Survey Map recorded April 14, 1997 as Document No. 410525.

PARCEL FOUR:

Rights to use of the sewer as set forth in a Covenant executed by Minden-Gardnerville Sanitation District and Hickey Bros., Inc., recorded June 27, 1979 as Document No. 33951.

PARCEL FIVE:



Ingress and egress easements along common access drives between the parcel and the public streets, and the utility easements, as set forth in Declaration and Establishment of Covenants, Conditions and Restrictions and Grants of Easements, recorded March 24, 1997 as Document No. 408981.

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