

DOC # 0685308
09/27/2006 03:46 PM Deputy: SD
OFFICIAL RECORD
Requested By:
LAND AMERICA

Douglas County - NV
Werner Christen - Recorder
Page: 1 Of 4 Fee: 17.00
BK-0906 PG- 9646 RPTT: 0.00



Assessor's Parcel Number: 1220-04-501-004

Recording requested by and
when recorded return to:

✓ Sujata Yalamanchili, Esq.
Hodgson Russ LLP
One M&T Plaza, Suite 2000
Buffalo, New York 14203

When recorded mail to:
LandAmerica Financial Group, Inc.
Attn: A. BROWN
1850 N. Central Avenue, Suite 300
Phoenix, AZ 85004
Escrow No. 06-48958

MEMORANDUM OF LEASE

On AUGUST 25, 2006, the undersigned Lessor and Lessee entered into a certain Lease, wherein Lessor leased to Lessee the real property located in the County of Douglas, State of Nevada, which is described on Exhibit "A" attached hereto and incorporated herein by reference for a term commencing on August 25, 2006 and continuing until January 31, 2006. Lessee has the option, pursuant to the Lease, to extend the initial term for four (4) additional successive periods of five (5) years each.

DATED: AUGUST 25, 2006

[SIGNATURES ARE CONTAINED ON THE NEXT PAGE]

LESSOR:

LESSEE:

Angelo Ramos
Angelo Ramos

Lucy Ramos
Lucy Ramos

Jamie Ramos
Jamie Ramos

Maria C. Ramos
Maria C. Ramos

**BERRY-HINCKLEY INDUSTRIES, A
NEVADA CORPORATION**

By: [Signature]
Name: Veros Lopez
Title: Corporate Secretary

STATE OF California)
) :SS
COUNTY OF Santa Clara)

This instrument was acknowledged before me on 6/17/06, 2006 by Angelo Ramos an individual with an address of 6403 Firefly Drive, San Jose, CA 95120

[Signature]
NOTARY PUBLIC

My Commission expires: May 16, 2007

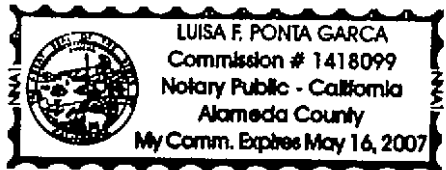
STATE OF California)
) :SS
COUNTY OF Santa Clara)

This instrument was acknowledged before me on 6/17, 2006 by Lucy Ramos an individual with an address of 6403 Firefly Drive, San Jose, CA 95120

[Signature]
NOTARY PUBLIC

My Commission expires: MAY 16, 2007

000160/09959 GBDOCS 386922v1



STATE OF California)
) :SS
COUNTY OF Santa Clara)

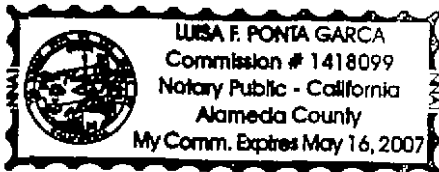
This instrument was acknowledged before me on June 17, 2006 by Jamie Jaime LEFG
Ramos an individual with an address of 1983 Lavonne Drive, San Jose, CA 95116

[Signature]
NOTARY PUBLIC
My Commission expires: May 16, 2007

STATE OF California)
) :SS
COUNTY OF Santa Clara)

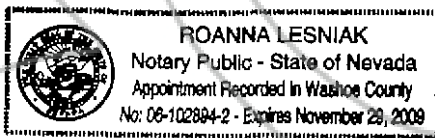
This instrument was acknowledged before me on June 17, 2006 by Maria C.
Ramos an individual with an address of 1983 Lavonne Drive, San Jose, CA 95116

[Signature]
NOTARY PUBLIC
My Commission expires: May 16, 2007



STATE OF NEVADA)
) :ss
COUNTY OF WASHOE)

The foregoing instrument was acknowledged before me on June 21, 2006 by
Trevor Lloyd, as Corp. Sec. of BERRY-HINCKLEY INDUSTRIES, a
Nevada corporation.



Roanna Lesniak
Notary Public
My Commission Expires: 11/29/09

EXHIBIT A

Property Address: 1357 U.S. Highway 395 South, Gardnerville, Nevada (APN 1220-04-501-004)
CONVENIENCE STORE

Parcel I:

Beginning a portion of the Northeast Quarter (NE 1/4) of Section 4, Township 12 North, Range 20 East, M.D.B. & M., described as follows:

COMMENCING at the Southeast corner of Lot 39, as shown on the map of CARSON VALLEY ESTATES SUBDIVISION, UNIT NO. 1, filed in the office of the County Recorder of Douglas County, Nevada, on July 19, 1965; thence North 89E46'07" East, a distance of 30.00 feet; thence South 38E54'53" West, a distance of 715.12 feet to a point on the Northeasterly right of way line of U.S. Highway 395; thence along said right of way line North 51E04' West, a distance of 30.00 feet to the True Point of Beginning; thence continuing along the Northeasterly right of way line of said U.S. Highway 395, North 51E04' West, a distance of 135.00 feet; thence North 38E54'53" East 100.00 feet; thence South 51E04' East, 135.00 feet; thence South 38E54'53" West, a distance of 100.00 feet to the Point of Beginning.

Parcel II:

A non-exclusive easement for roadway purposes that is described as follows:

Commencing at the most Southerly corner of the herein above conveyed parcel; thence North 38E54'53" East, along the Easterly line of said Parcel, a distance of 135.00 feet to the most Easterly corner thereof; thence South 51'04" East, 30.00 feet; thence South 38E54'53", West a distance of 135.00 feet to a point on the Northeasterly right-of-way line of U.S. Highway 395; thence along the right-of-way line North 51'04" West, a distance of 30.00 feet to the point of beginning.

Note: The above metes and bounds legal description appeared previously in that certain document recorded December 30, 2002 in Book 1202, Page 13431 as Instrument No. 562391 of Official Records, Douglas County, Nevada.

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