



KAREN ELLISON, RECORDER

THIS SPACE FOR USE BY RECORDING OFFICIAL

Prepared by and mail after recording to:

Thomas E. Schoenheit, Esquire  
Family Dollar Stores, Inc.  
Post Office Box 1017  
Charlotte, NC 28201-1017  
Phone: (704) 847-6961

11876 Wellington 1st Amend

STATE OF NEVADA

COUNTY OF DOUGLAS

MEMORANDUM OF FIRST AMENDMENT  
TO LEASE AGREEMENT

THIS MEMORANDUM OF FIRST AMENDMENT TO LEASE AGREEMENT ("Memorandum") is made and entered into this 10th day of October, 2017, by and between VIA REAL ESTATE, LLC, a Nevada limited liability company ("Landlord"), and FAMILY DOLLAR, INC., a North Carolina corporation ("Tenant").

W I T N E S S E T H:

In consideration of the covenants set forth in this Lease, to all of which Landlord and Tenant agree, Landlord demises to Tenant, and Tenant leases from Landlord the property, building, and other improvements described below that are situated on the east side of Albite Road, adjacent to the right-of-way of Highway 208, in the City of Wellington, County of Douglas, State of Nevada. The property fronts approximately 114.40 feet on Albite Road and extends approximately 268.06 feet along the right-of-way of Highway 208 as shown on Exhibit A – Site Plan. The property includes a building that contains approximately 8,400 (70' x 120') square feet and the paved, marked, lighted parking, service, and access areas shown outlined in a bold black line on Exhibit A – Site Plan. The property, building, and other improvements are the "Demised Premises." The Demised Premises are described on Exhibit B – Legal Description.

Tenant will have and hold the Demised Premises for an initial term ending on the 30th day of June, 2027, upon the rents, terms, covenants, and conditions contained in a certain Lease Agreement between the parties dated May 26, 2016, as amended by the First Amendment to Lease Agreement and bearing even date herewith (the "Lease"), which Lease is incorporated in this Memorandum by reference. The Lease will be automatically extended, in accordance with the terms of the Lease, one period at a time, for six (6) successive periods of five (5) years each unless Tenant cancels the Lease. The Tenant has been and is hereby granted, in accordance



with the terms of the Lease, certain exclusive use rights with respect to its business in the Demised Premises.

Landlord's Address:  
VIA REAL ESTATE, LLC  
13105 CR 1820  
Lubbock, Texas 79424

Tenant's Address:  
FAMILY DOLLAR, INC.  
Post Office Box 1017  
Charlotte, North Carolina 28201-1017  
Attn: Lease Administration Department

Witnesses:

LANDLORD  
VIA REAL ESTATE, LLC

Connie Love  
Ruby J. Wini

By: Chad Merchant  
Manager

STATE OF TEXAS

NOTARY

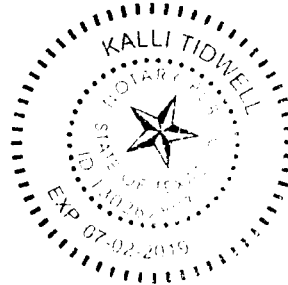
COUNTY OF LUBBOCK

I, Kalli Tidwell, Notary Public in and for the aforesaid State and County, do hereby certify that Chad Merchant, Manager, personally appeared before me this day and that by the authority duly given and on behalf of VIA REAL ESTATE, LLC, the foregoing instrument was signed and executed by them for the purposes therein expressed.

WITNESS my hand and notarial seal this the 12 day of October, 2017.

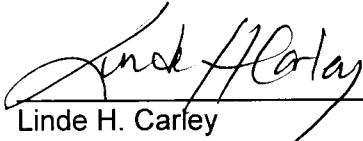
Kalli Tidwell  
Printed Name: Kalli Tidwell  
Notary Public


My Commission Expires: 7/2/19



ATTEST:

TENANT  
FAMILY DOLLAR, INC.

  
\_\_\_\_\_  
Linde H. Carley  
Assistant Secretary

By:   
\_\_\_\_\_  
Thomas E. Schoenheit  
Vice President

STATE OF NORTH CAROLINA  
COUNTY OF MECKLENBURG

NOTARY

I, Crystal M. Campbell, a Notary Public in and for the aforesaid State and County, do hereby certify that THOMAS E. SCHOENHEIT and LINDE H. CARLEY, Vice President and Assistant Secretary, respectively, of FAMILY DOLLAR, INC., personally appeared before me this day and that by the authority duly given and as the act of the corporation, the foregoing instrument was signed and executed by them for the purposes therein expressed.

WITNESS my hand and notarial seal this the 10th day of October, 2017.

  
\_\_\_\_\_  
Crystal M. Campbell  
Notary Public

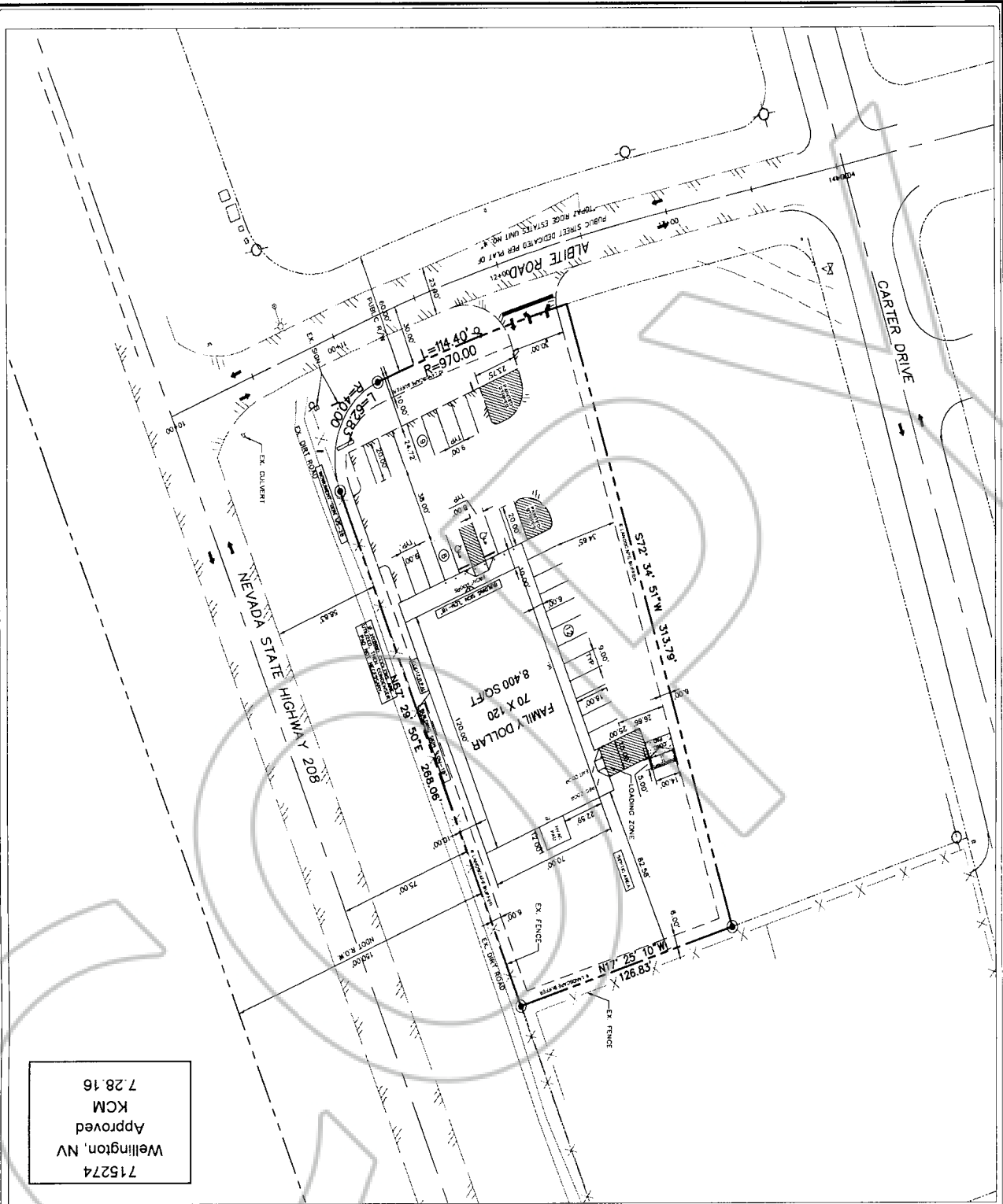
My Commission Expires: January 6, 2018

CRYSTAL M. CAMPBELL  
NOTARY PUBLIC  
Mecklenburg County  
North Carolina

INITIAL  
  
HERE

*HC*

LANDLORD: \_\_\_\_\_ TENANT: \_\_\_\_\_  
 LOCATION: WELLINGTON, NV  
 STORE NO. 11876  
 EXHIBIT A - SITE PLAN



715274  
 Approved  
 KCM  
 7.28.16

**FOR REVIEW ONLY**

CALL

UTILITY LOCATIONS  
 PERMITTED BY THE CITY OF WELLINGTON, NV. THE CITY ENGINEER SHALL BE NOTIFIED IN WRITING AT LEAST 14 DAYS PRIOR TO THE DATE OF CONSTRUCTION. THE CITY ENGINEER SHALL BE NOTIFIED IN WRITING AT LEAST 14 DAYS PRIOR TO THE DATE OF CONSTRUCTION. THE CITY ENGINEER SHALL BE NOTIFIED IN WRITING AT LEAST 14 DAYS PRIOR TO THE DATE OF CONSTRUCTION.

**SITE DATA:**  
 DATE: 11.18.2014  
 DRAWN BY: J. GARDNER  
 CHECKED BY: J. GARDNER  
 SCALE: AS SHOWN  
 PROJECT NO.: 14001-GRAD.DWG

**LEGEND**

**EXISTING**

**PROPOSED**

**NOTES:**

1. ALL DIMENSIONS ARE IN FEET AND INCHES.

2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

3. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

4. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

1 OF 8 SHEETS  
 SHEET C-1

**GARCIA ENGINEERING, P.C.**  
 8048 THUNDER BLUFF ST  
 LAS VEGAS, NV 89113  
 PHONE: (702) 281-1518  
 FAX: (702) 488-4207  
 ENGINEERING • PLANNING • GRADUATE • ENTITLEMENTS

**SITE PLAN**  
**FAMILY DOLLAR**  
**1499 ALBRITE RD.**  
 CITY OF WELLINGTON DOUGLAS COUNTY NEVADA

| NO. | DATE | DESCRIPTION | BY |
|-----|------|-------------|----|
|     |      |             |    |
|     |      |             |    |
|     |      |             |    |

DESIGNED: RC  
 CHECKED: RG  
 PROJECT NO.: GE14-001  
 FILED: 14001-GRAD.DWG

DEVELOPER:  
 78 BLDG. & DEVELOPMENT  
 13105 CR 1820  
 LUBBOCK, TX 79424  
 PHONE: (806) 638-7843  
 FAX: (806) 000-0000



**EXHIBIT B - LEGAL DESCRIPTION**

All that certain lot, piece or parcel of land lying entirely within Parcel B, as shown on the Official Plat of Topaz Ranch Estates Unit No.4, Recorded November 16, 1970, Book 1 of Maps, as Document No. 50212, filed for record in the office of the County Recorder, Douglas County Nevada, being more particularly described as follows:

Commencing at the Southwest corner of Lot 1, Block V, Topaz Ranch Estates Unit No.4 and proceeding thence along the Easterly side of Albite Road, South 12° 23' 37" East, 440.12 feet to the beginning of a curve to the left, the tangent of which bears the last described course; thence proceeding along said curve, having a central angle of 03° 21' 07", a radius of 970.00 feet, through an arc length of 56.74 feet to the true point of beginning, said point also being the beginning of a curve to the left, the tangent of which bears South 15° 44' 44" East; thence along said curve, having a central angle 06° 45' 26", a radius of 970.00 feet, through an arc length of 114.40 feet to a point of compound curvature, the tangent of which bears, South 22° 30' 10" East, thence along said curve to the left, having a central angle of 90° 00' 00", a radius of 40.00 feet, through an arc length of 62.83 feet to a point on the Northerly line of Nevada State Highway No. 3; thence along said Northerly line North 67° 29' 50" East 268.06 feet; thence North 17° 25' 10" West, 126.83 feet; thence South 72° 34' 51" West 313.80 feet to the True Point of Beginning.

**EXHIBIT A - SITE PLAN**

**STORE NO. 11876**

**LOCATION: WELLINGTON, NV**

**LANDLORD: \_\_\_\_\_ TENANT: \_\_\_\_\_**

*LHC*