

When Recorded Please Return To:  
LAWRENCE A. PIRKLE  
321 West Washington, Suite 300  
Mount Vernon, WA 98273  
(360) 336-6587



201211050129  
Skagit County Auditor

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This space for Recorders use only

### MEMORANDUM OF LEASE

LESSOR: JOSEF W. BIRINGER, JR.

LESSEE: BIRINGER NURSERY, L.P., a Washington Limited Partnership

Legal Description:

TPN: 22272

Lot 1, Short Plat No. PL01-0396, approved August 17, 2001 and recorded September 17, 2001, under Auditor's File No. 200109170138, and being a portion of the North 1/2 of the North 1/2 of the Northeast 1/4 of Section 22, Township 34 North, Range 3 East, W.M.

Situate in the County of Skagit, State of Washington.

THIS MEMORANDUM OF LEASE (the "Memorandum") is executed this 31 day of October, 2012 by and between JOSEF W. BIRINGER, JR. ("Lessor") and BIRINGER NURSERY, L.P., a Washington Limited Partnership, ("Lessee").

1. Lease. Lessor has leased the real property legally described above and all improvements thereon (the "Premises") at a rent and on the terms and conditions set forth in that certain Lease Agreement dated August 1, 2012, by and between Lessor and Lessee (the "Lease"). The term of the Lease extends through July 31, 2037. The Lease contains an option to renew the Lease, on the terms set forth in the Lease.

2. Purpose of Memorandum. This Memorandum is prepared for purpose of giving record notice of the Lease only, and does not set forth all of the terms and conditions set forth in the Lease. In the event there is any conflict between the terms and conditions of the Lease and this Memorandum, the Lease shall control.

Dated the 31<sup>st</sup> day of October, 2012

LESSOR:

*Josef W. Biringer, Jr.*  
JOSEF W. BIRINGER, JR.

LESSEE:

BIRINGER NURSERY, L.P.

By: BIRINGER CONTROL CORPORATION,  
General Partner

By: *Josef W. Biringer*  
JOSEF W. BIRINGER, President

By: *Mary Ann Biringer*  
MARY ANN BIRINGER, Secretary

SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

NOV - 5 2012

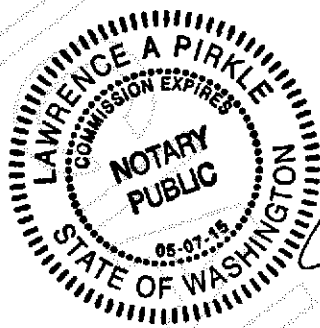
Amount Paid \$  
Skagit Co. Treasurer  
By *MF* Deputy



STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF SKAGIT )

I certify that I know or have satisfactory evidence that JOSEF W. BIRINGER, JR. is the individuals who appeared before me, and said individual acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

GIVEN under my hand and official seal this 31<sup>st</sup> day of October, 2012.



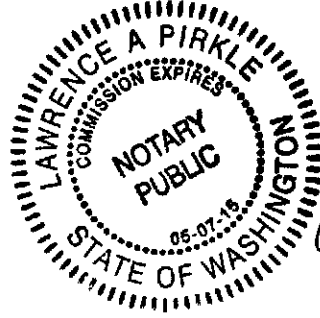
LAWRENCE A. PIRKLE

NOTARY PUBLIC in and for the  
State of Washington  
Residing at Mount Vernon  
My Commission Expires: 5/7/15

STATE OF WASHINGTON )  
 ) ss  
COUNTY OF SKAGIT )

On this day personally appeared before me JOSEF W. BIRINGER and MARY ANN BIRINGER, to me known to be the Officers of BIRINGER CONTROL CORPORATION, which is the General Partner of BIRINGER NURSERY, L.P., a Washington Limited Partnership and acknowledged the said instrument to be the free and voluntary act and deed of said Partner for the uses and purposes therein mentioned, and on oath stated that JOSEF W. BIRINGER and MARY ANN BIRINGER were authorized to execute said instrument on behalf of said Corporation as the General Partner of the Limited Partnership.

GIVEN under my hand and official seal this 22 day of October, 2012.



LAWRENCE A. PIRKLE

NOTARY PUBLIC in and for the  
State of Washington  
Residing at Mount Vernon  
My Commission Expires: 5/7/15

Memorandum of Lease



201211050129  
Skagit County Auditor