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MEMORANDUM OF GROUND LEASE

SHEBOYGAN COUNTY, WI RECORDED ON 12/18/2006 09:57AM

ELLEN R. SCHLEICHER REGISTER OF DEEDS

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Name and Return Address

Attorney David Gass Rohde Dales LLP 607 N. 8th Street, 7th Floor Sheboygan, WI 53081

505730, 505740 and part of 505750

Parcel Identification Number (PIN)

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MEMORANDUM OF GROUND LEASE

THIS MEMORANDUM OF GROUND LEASE is entered into effective as of the ______ day of December, 2006, by and between the Redevelopment Authority of the City of Sheboygan, Wisconsin, a public body corporate of the State of Wisconsin, with it principal place of business located at 807 Center Avenue, Sheboygan, Wisconsin 53081 ("Landlord"), and HH2 Properties, LLC, a Wisconsin limited liability company, having an office for the transaction of business at 3235 West Riverland Drive, Mequon, Wisconsin 53092 ("Tenant").

NOTICE IS HEREBY GIVEN that:

- 1. Landlord and Tenant entered into a Ground Lease relating to the real estate located in Sheboygan, Wisconsin, legally described on **Exhibit A** attached to this Memorandum, on September 8, 2006, for a term of eighty-five (85) years commencing September 8, 2006.
- 2. The terms, covenants and provisions of the Ground Lease shall extend to and be binding upon the respective executors, administrators, heirs, successors and assigns of Landlord and Tenant.

Executed at Sheboygan, Wisconsin.

LANDLORD: REDEVELOPMENT AUTHORITY OF THE CITY OF SHEBOYGAN, WI

Chairperson

TENANT: HH2 PROPERTIES, LLC

By: c Steven J. Schmitt Manager

ACKNOWLEDGMENT OF LANDLORD

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STATE OF WISCONSIN

COUNTY OF SHEBOYGAN

On this state day of December, 2006, before me personally appeared Richard Hiers, to me personally known, who being by me duly sworn, did for himself say that he is the Chairperson of the Redevelopment Authority of the City of Sheboygan, Wisconsin, a public body corporate named in and which executed the foregoing Memorandum of Ground Lease, and that the seal affixed to the Memorandum of Ground Lease is the corporate seal of said corporation, and that the Memorandum of Ground Lease was signed and sealed on behalf of said corporation by authority of its board of directors; and said Richard Hiers Acknowledged before me the Memorandum of Ground Lease to be the free act and deed of said corporation.

Notary Public - Sheboygan County My Commission (is) <u>permanent</u> (expires)

ACKNOWLEDGMENT OF TENANT

STATE OF WISCONSIN

) SS

COUNTY OF SHEBOYGAN

On this <u>12</u>⁻ day of December, 2006, before me personally appeared Steven J. Schmitt, Manager of HH2 Properties, LLC, and to me known to be such manager of said limited liability company, and who executed the foregoing Memorandum of Ground Lease and acknowledged before me that he executed the same as Manager

of said LLC, by its authority.

Notary Public - Sheboygan County My Commission (is)

This instrument was drafted by Attorney David Gass Rohde Dales LLP

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EXHIBIT A

Legal Description

Part of Lots 3, 4, 5 and 6, Block 241, part of Lots 1, 2, 3, 4, 5 and 6, Block 242, and part of vacated East Water Street lying between Blocks 241 and 242, Original Plat of the City of Sheboygan, Sheboygan County, Wisconsin, being more particularly described as follows:

Commencing at the southwest corner of Block 241 of the Original plat of the City of Sheboygan; thence N. $01^{\circ}36'20''$ West 5.43 feet to the point of beginning; thence N. $01^{\circ}36'20''$ West 313.93 feet; thence S. $80^{\circ}26'25''$ East 348.74 feet; thence S. $01^{\circ}36'20''$ East 9.33 feet; thence S. $89^{\circ}29'25''$ East 10.26 feet; thence southwesterly 322.80 feet along the arc of a 403.50 foot radius curve to the right said curve having a chord which bears S. $42^{\circ}07'28''$ West 314.26 feet; thence southwesterly 48.44 feet along the arc of a 118.51 foot radius curve to the right said curve having a chord which bears S. $88^{\circ}27'44''$ West 88.05 feet to the point of beginning.

Tax Parcel Nos. 59281505730, 59281505740 and part of 59281505750.