



W2700104

Record and Return To:

Sheppard Mullin Richter & Hampton LLP
2099 Pennsylvania Avenue, NW
Washington, DC 20006
Attn: Michele E. Williams, Esq.

41547

19-016-0081-SP76

E# 2700104 PG 1 OF 6
ERNEST D ROWLEY, WEBER COUNTY RECORDER
27-Aug-14 1238 PM FEE \$22.00 DEP SC
REC FOR: METRO NATIONAL TITLE
ELECTRONICALLY RECORDED

Parcel I.D. No.: 19-016-0081

MEMORANDUM OF LEASE

AGNL PASTRY, L.L.C., as Lessor

and

CSM BAKERY PRODUCTS NA, INC., as Lessee,

Location of Premises

West 2700 North 1400
Pleasant View, Utah

Memo of Lease
West 2700 North 1400
Pleasant View, Utah

MEMORANDUM OF LEASE

THIS MEMORANDUM OF LEASE, (this "Memorandum"), is dated this 19th day of August, 2014, between **AGNL PASTRY, L.L.C.**, a Delaware limited liability company, having an office at c/o Angelo Gordon & Co., L.P., 245 Park Avenue, 26th Floor, New York, NY 10167-0094 ("Lessor"), and **CSM BAKERY PRODUCTS NA, INC.**, a Delaware corporation, having an office at 1912 Montreal Road, Tucker, Georgia 30084 ("Lessee").

1. AGNL Pastry, L.L.C., as Lessor, and CSM Bakery Products NA, Inc., as Lessee, are parties to that certain lease dated as of August 19, 2014 (the "Lease"), covering that certain parcel of land and the improvements thereon described in Schedule A annexed hereto (the "Premises").
2. Lessor's address, as set forth in the Lease, is c/o Angelo Gordon & Co., L.P., 245 Park Avenue, 26th Floor, New York, NY 10167-0094.
3. Lessee's address, as set forth in the Lease, is 1912 Montreal Road, Tucker, Georgia 30084.
4. The term of the Lease is for 20 years, subject to two five-year renewal options, and in the event Lessee makes certain alterations to the Premises, an additional renewal option.
5. The commencement date of the Lease is August 19, 2014.
6. The expiration date of the Lease is September 30, 2034, subject to earlier termination pursuant to the terms of the Lease or applicable law, and extension pursuant to the renewal options.
7. Subject to and in accordance with the terms of the Lease, Lessor has granted Lessee a right of first offer to purchase the Premises.
8. Lessor, its successors and assigns may, upon the expiration or sooner termination of the Lease, unilaterally execute and record an instrument evidencing the expiration or sooner termination of the Lease. Lessor, its successors and assigns, is hereby irrevocably appointed attorney-in-fact for Lessee, its successors and assigns, effective upon the expiration or sooner termination of the Lease, to execute and record such instrument.
9. All of the terms, covenants and conditions of the Lease are incorporated herein and made a part hereof. The purpose of this Memorandum is to give notice of the existence of the tenancy created by the Lease; and shall not be construed to vary or otherwise affect the rights or obligations of the parties under the Lease as it may be amended.


[signature pages follow]

IN WITNESS WHEREOF, the parties have duly executed this Agreement as of the date first above written.

LESSOR:

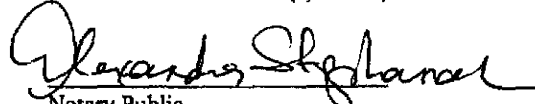
AGNL PASTRY, L.L.C., a Delaware limited liability company

By: AGNL Manager III, Inc., a Delaware corporation, its manager

By: 
Gordon J. Whiting, President

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

On the 15th day of August, in the year 2014 before me, the undersigned, a Notary Public in and for said State, personally appeared Gordon J. Whiting, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(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 capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.


Notary Public


My Commission Expires:

Alexandra Stephanatos
Notary Public, State of New York
No. 01ST6278082
Qualified in New York County
Commission Expires March 18, 2017

[signatures continue on next page]

LESSEE:

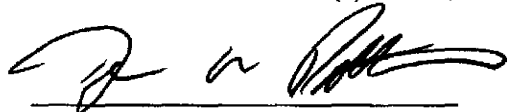
CSM BAKERY PRODUCTS NA, INC.,
a Delaware corporation

By: 
Name: George Batten
Title: Senior VP

STATE OF CT
COUNTY OF Fairfield ss.:

On the 15 day of August in the year 2014 before me, the undersigned, a Notary Public in and for said State, personally appeared George Batten, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(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 capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

DENIS W. PATTERSON
Notary Public, Stamford, CT
My Commission Expires 12/31/18


Notary Public

My Commission Expires:

SCHEDULE A
TO MEMORANDUM OF LEASE

A part of the South Half of Section 25, Township 7 North, Range 2 West, Salt Lake Base and Meridian, U.S. Survey: Beginning at a point (North 89°52' West 1268.0 feet) North 89°34'13" West 1250.97 feet along the Section Line and (North 26°12' West) North 25°54'13" West 48.10 feet from the Southeast corner of said Section 25 and which point is the intersection of the Westerly right-of-way boundary of the Oregon Short Line Railroad and the Northerly line of 2700 North Street - Utah State Route 134 (80 foot wide right-of-way); running thence North 89°53'58" West 1059.83 feet, along said Northerly line of 2700 North Street to a point being 300.00 feet perpendicularly distant Easterly from the Quarter Section line; thence North 0°39'40" East 300.01 feet, along a line parallel to and being 300.00 feet perpendicularly distant Easterly from the Quarter Section line to a point being 300.00 feet perpendicularly distant Northerly from the Northerly line of 2700 North Street; thence North 89°53'58" West 500.02 feet along a line parallel to and being 300.00 feet perpendicularly distant Northerly from said Northerly line of Street to a point being 200.00 feet perpendicularly distant Westerly from the Quarter Section line; thence North 0°39'40" East 1399.39 feet along a line parallel to and being 200.00 feet perpendicularly distant Westerly from the Quarter Section line; thence North 64°05'47" East 641.95 feet along a line perpendicular to the Westerly right-of-way line of the Oregon Short Line Railroad to a point on said Westerly Railroad right-of-way line; thence (South 26°12' East) South 25°54'13" East 2203.90 feet along said Westerly line of the Railroad right-of-way to the point of beginning.

EXCEPTING THEREFROM the following: A parcel of land in fee for the widening of the existing highway State Route 134 known as project No. SP-0134(2)11, being part of an entire tract of property, situated in the SW1/4SE1/4 and the SE1/4SE1/4 of Section 25, T.7N., R.2W., S.L.B. & M. The boundaries of said parcel of land are described as follows: Beginning at the Southeast corner of said entire tract 43.14 feet perpendicularly distant northerly from the control line of said project at engineers station 49+08.38, which point is 1250.97 feet North 89°34'13" West and 48.10 feet North 25°54'13" West from the Southeast corner of said Section 25; and running thence North 89°53'56" West 1,060.01 feet along the Southerly boundary line of said entire tract to the Southwest corner of said entire tract, which corner is 37.01 feet perpendicularly distant Northerly from said control line; thence North 0°39'40" East 17.99 feet along the Westerly boundary line of said entire tract to a point 55.00 feet perpendicularly distant Northerly from said control line; thence South 89°34'05" East 321.63 feet along a line parallel to said control line to a point 55.00 feet perpendicularly distant Northerly from said control line; thence North 49°20'28" East 52.89 feet to a point 89.76 feet perpendicularly distant northerly from said control line; thence South 89°42'31" East 40.49 feet to a point 89.86 feet perpendicularly distant Northerly from said control line; thence South 48°45'15" East 53.34 feet to a point 55.00 feet perpendicularly distant Northerly from said control line; thence South 89°34'05" East 258.75 feet along a line parallel to said control line to a point 55.00 feet perpendicularly distant Northerly from said control line; thence North 53°53'50" East 50.39 feet to a point 85.00 feet perpendicularly distant Northerly from said control line; thence South 89°34'05" East 40.95 feet to a point 85.00 feet perpendicularly distant Northerly from said control line; thence South 52°41'47" East 50.00 feet to a point 55.00 feet perpendicularly distant Northerly from said control line; thence South 89°34'05" East 231.51 feet to a point in the Easterly boundary line of said entire tract, which point is 55.00 feet perpendicularly distant Northerly from said control line; thence South 25°54'13" East 13.24 feet along said Easterly boundary line to the point of beginning as shown on the official map of said project on file in the office of the Utah Department of Transportation. (E#2078401)

EXCEPTING THEREFROM the following: A parcel of land in fee for the widening of the existing highway State Route 134 known as Project No. SP-0134(2)11, being part of an entire tract of property, situated in SW1/4SE1/4 and the SE1/4SE1/4 of Section 25, T.7N., R.2W., S.L.B. & M. The boundaries of

said parcel of land are described as follows: Beginning at a point in the Easterly boundary line of said entire tract 55.00 feet perpendicularly distant Northerly from the control line of said project at engineers station 49+02.51, which point is 1,250.97 feet North 89°34'13" West and 61.34 feet North 25°54'13" West from the Southeast corner of said Section 25; and running thence North 89°34'05" West 11.16 feet along a line parallel to said control line to a point 55.00 feet perpendicularly distant Northerly from said control line; thence North 25°54'13" West 42.21 feet to a point 92.83 feet perpendicularly distant Northerly from said control line; thence North 64°06'18" East 10.00 feet to a point in the Easterly boundary line of said entire tract 97.26 feet perpendicularly distant Northerly from said control line; thence South 25°54'13" East 47.16 feet along said Easterly boundary line to the point of beginning as shown on the official map of said project on file in the office of the Utah Department of Transportation. (E#2078402)