DELAWARE COUNTY IOWA
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DEBORAH L. BENTON
DELAWARE CO. RECORDER
$ 11.00

Chris. Christopher A. Butler
P.O. Box 189
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Preparer: Gary K. Norby, Kane, Norby & Reddick, P.C., 2477 JFK Rd., #102, Dubuque, IA 52002 (319) 582-7980

**MEMORANDUM OF ASSIGNMENT OF LEASE AGREEMENT**

This MEMORANDUM OF ASSIGNMENT OF LEASE AGREEMENT is made between TSCHIGGFRIE MATERIALS, INC., an Iowa corporation, as Assignor, and MATHY CONSTRUCTION COMPANY d/b/a RIVER CITY STONE, a Wisconsin corporation, as Assignee.

For valuable consideration, the receipt of which is acknowledged by Assignor, Assignor has assigned to Assignee all of Assignor's right, title and interest as Lessee under that certain Lease Agreement between John K. Hoeger and Marcia M. Hoeger, as Lessors, and Tschiggfrie Materials, Inc., as Lessee, dated the 31st day of October, 1992, and covering the following described real estate in Delaware County, Iowa:

A parcel located in the NW 1/4 of Section 33, Township 90 North, Range 5 West of the 5th P.M.

The Lease Agreement is for a 7-year term, commencing on the 31st day of October, 1992 and terminating on the 1st day of November, 1999.

The terms, covenants and conditions of the aforesaid Lease Agreement and Assignment of Lease Agreement are hereby referred to and made a part hereof, the same as though fully set forth herein.

This Memorandum of Assignment of Lease Agreement is recorded for the purpose of giving constructive notice of the rights of Assignor and Assignee under said Lease Agreement. In the event of a conflict between the provisions of this Memorandum and the form of Lease Agreement or Assignment of Lease Agreement, the terms and provisions of the Lease Agreement and Assignment of Lease Agreement shall prevail.

Dated this 4th day of January, 1999.

TSCHIGGFRIE MATERIALS, INC.,
Assignor

By _____
Edward D. Tschiggfrie
President

MATHY CONSTRUCTION COMPANY,
d/b/a River City Stone,
Assignee

By _____
Steven C. Mathy
Vice President

STATE OF IOWA )
COUNTY OF DUBUQUE ) ss:

On this 4th day of January, 1999, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Edward D. Tschiggfrie, to me personally known, who being by me duly sworn, did say that he is the President of Tschiggfrie Materials, Inc., the corporation executing the within and foregoing instrument; that the instrument was signed on behalf of said corporation by authority of its Board of Directors; and the said Edward D. Tschiggfrie acknowledged the execution of said instrument to be the voluntary act and deed of said corporation, by it and by him voluntarily executed.

_____
Notary Public
in and for State of Iowa

STATE OF IOWA )
COUNTY OF DUBUQUE ) ss:

On this 4th day of January, 1999, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Steven C. Mathy, to me personally known, who being by me duly sworn, did say that he is the Vice President of Mathy Construction Company, the corporation executing the within and foregoing instrument; that the instrument was signed on behalf of said corporation by authority of its Board of Directors; and the said Steven C. Mathy acknowledged the execution of said instrument to be the voluntary act and deed of said corporation, by it and by him voluntarily executed.

_____
Notary Public
in and for State of Iowa

SHEILA [illegible]
MY COMMISSION EXPIRES
5-8-2001

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