

REC \$ 15⁰⁰
AUD \$ _____
R.M.F. \$ 1⁰⁰

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FILED NO. 33
BOOK 45 PAGE 177
98 JUL -1 PM 3:37
MICHELLE UTSLER
RECORDER
MADISON COUNTY, IOWA

Instrument drafted by: Sherry Bode, MetLife Capital, Limited Partnership, 10900 N.E. 4th Street, Suite 500, Bellevue, Washington 98004; 425-451-0090

NOTICE OF OPTION TO LEASE

This **Notice of Option to Lease** ("Notice") is made and entered into this 11 day of June, 1998, by and between **Randy Berry and JoAnn K. Berry**, husband and wife ("Optionor") and **MetLife Capital, Limited Partnership** ("Optionee").

WITNESSETH:

WHEREAS, Optionor is the owner in fee simple of certain land (the "Premises") located in the County of Madison in the State of Iowa and more particularly described in Exhibit "A" attached hereto;

NOW THEREFORE, in consideration of the sum of One Dollar (\$1.00) receipt of which is hereby acknowledged, and intending to be legally bound hereby the parties do mutually agree as follows:

1. Optionor does hereby grant to Optionee an option (the "Option") to lease the Premises upon the terms, covenants and conditions contained in a certain Option to Lease and Lease Agreement (the "Agreement") of even date herewith.
2. The Option shall be exclusive with the Optionee.
3. The sole purpose of this Notice is to give notice of the Agreement and its terms, covenants and conditions to the same extent as if the Agreement were fully set forth herein.
4. The terms and conditions of this Notice shall inure to the benefit of and be binding upon the parties hereto, their respective successors, assigns, heirs, personal representatives or nominees.

IN WITNESS WHEREOF, the parties hereto have executed this Notice the day and year first above written.

OPTIONOR:

Randy Berry and JoAnn K. Berry

By: Randy Berry
Randy Berry

By: JoAnn K. Berry
JoAnn K. Berry

OPTIONEE:

MetLife Capital, Limited Partnership
By: MetLife Capital Corporation, General Partner

By: [Signature]
Its: SR. V.P.

ACKNOWLEDGMENT - OPTIONOR

STATE OF IOWA)
COUNTY OF UNION)§

On this 11 day of June, before me, the undersigned, a Notary Public, personally appeared **Randy Berry and JoAnn K. Berry** to me known to be the individual or individuals described in and who executed the foregoing instrument and acknowledged the said instrument to be his/her free and voluntary act, for the uses and purposes therein mentioned.



Marion E. Jakes
NOTARY PUBLIC in and for the State of Iowa,
residing at Oriston, IA

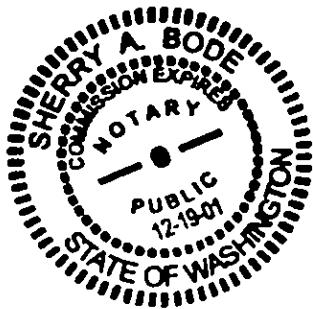
My Commission expires: Aug 26, 2000

ACKNOWLEDGMENT - OPTIONEE

STATE OF WASHINGTON)
COUNTY OF KING)§

On this 16th day of June 1998, before me, the undersigned, a Notary Public, personally appeared ~~Judy Johnston~~ ^{Vince Iaci} known to me (or proved to me on the basis of satisfactory evidence) to be the Vice President of MetLife Capital Corporation, who executed the foregoing instrument and acknowledged the said instrument was the free and voluntary act and deed of said Corporation, for the uses and purposes therein mentioned.

[NOTARIAL SEAL]



Sherry A. Bode
NOTARY PUBLIC in and for the State of Washington,
residing at Belleme

My Commission expires: 12/19/01

This Exhibit "A" attached to and made a part of that certain Notice of Option to Lease between Randy Berry and JoAnn K. Berry and MetLife Capital, Limited Partnership

EXHIBIT "A"

Legal Description

That part of the Northeast Quarter of Section Fifteen (15), Township Seventy-four (74) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, described as follows: commencing at the Southwest corner of the Northeast Quarter of Said Section 15; thence on an assumed bearing of North 90°00'00" East along the South line of said Northeast Quarter a distance of 904.59 feet to the point of beginning; thence North 03°49'33" East 1303.75 feet; thence North 90°00'00" East 322.22 feet; thence South 00°36'26" East 970.10 feet; thence South 89°23'34" West 75.00 feet; thence south 00°36'26" East 330.02 feet to the south line of the Northeast Quarter of said Section 15; thence North 90°00'00" West along said South line a distance of 348.00 feet to the point of beginning. Said parcel contains 10.56 acres and is subject to a Madison County Highway Easement over the Southerly 0.32 acres thereof.

EXCEPT the East 7.59 feet thereof.