

**Return Address:**

New Albertson's Inc.  
c/o SUPERVALU INC.  
250 Parkecenter Blvd.  
Boise, Idaho 83706  
Attn: Brent Tingey (#74200)



201311080072

Skagit County Auditor

\$77.00

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**Document Title(s) (or transactions contained therein):**

Memorandum of Lease Termination

**Reference Number(s) of Document assigned or released:**

9210020069 and 9402160108

**Grantor/Landlord(s) (Last name first, then first name and initial(s)):**

100-310 East College Way Holdings, LLC, a Maryland limited liability company

**Grantee/Tenant(s) (Last name first, then first name and initial(s)):**

New Albertson's, Inc., an Ohio corporation

**Legal Description (abbreviated: i.e., lot, block, plat or section, township, range):**

Lot 2 Binding Site Plan No. MV-1-93, Skagit Valley Square, recorded 9/30/1993, Book 10 Short Plats, pages 240-246, File No. 9309300143, ptn of NE ¼ of SE ¼ Sec 18, T 34 N, Range 4 E, W.M., Skagit County, WA.

☒ Full legal is on Exhibit A of document**Assessor's Property Tax Parcel/Account Number(s):**

P104610; P104612; P104625; P104935

WHEN RECORDED RETURN TO:

New Albertson's, Inc.  
c/o SUPERVALU INC.  
250 Parkcenter Blvd.  
Boise, Idaho 83706  
Attn: Brent Tingey (#74200)

(Space above this line for Recorder's use only)

310 East College Way  
Mt. Vernon, WA

**Memorandum of Lease Termination**

THIS MEMORANDUM OF LEASE TERMINATION ("**Memorandum**") is made as of the 31st day of January, 2013, by and between 100-310 EAST COLLEGE WAY HOLDINGS, LLC, a Maryland limited liability company ("**Landlord**"), and NEW ALBERTSON'S, INC., an Ohio corporation ("**Tenant**").

1. Landlord, as successor to Skagit Mall 90 Associates, and Tenant, as successor to Albertson's, Inc. entered into that certain Shopping Center Lease dated April 22, 1992, as evidenced by a Memorandum of Shopping Center Lease recorded October 2, 1992, as Auditor's No. 9210020069, Records of Skagit County, Washington, as amendment by letter agreement dated April 22, 1992, Amendment to Shopping Center Lease dated December 21, 1993, recorded February 16, 1994, as Auditor's No. 9402160108, Records of Skagit County, Washington, and Amendment to Shopping Center Lease dated January 18, 2005 (collectively, the "**Lease**").

2. Pursuant to the Lease, Landlord leased to Tenant that certain real property located at 310 East College Way, Mt. Vernon, Washington, as more particularly described in **Exhibit A** attached hereto and made a part hereof.

3. Pursuant to the Lease Termination Agreement dated January 28, 2013 ("**Termination Agreement**"), Landlord and Tenant have agreed to terminate the Lease as of January 31, 2013.

4. Upon Tenant's delivery to Landlord of this Memorandum signed by Tenant, Landlord shall execute and cause the Memorandum to be recorded in the Records of Skagit County, Washington.



5. Other provisions regarding the termination of the Lease shall be as provided in the Termination Agreement. In the event of a conflict between the terms hereof and the terms of the Termination Agreement, the Termination Agreement shall control.

6. This Memorandum may be executed in any number of counterparts, each of which shall be deemed an original and all of which together shall constitute a single instrument. All the terms, conditions and covenants of the Termination Agreement, which may be inspected at the offices of the Tenant at 250 Parkcenter Blvd., Boise, Idaho 83706, are incorporated herein by this reference.

**[Signatures on the following pages]**



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IN WITNESS WHEREOF, the Landlord has executed this Memorandum as of the date first above written.

**LANDLORD:**

**100-310 EAST COLLEGE WAY  
HOLDINGS, L.L.C.,  
a Maryland limited liability company**

By: *Michael C. Miller*  
Name: Michael C. Miller  
Its: Vice President

STATE OF WA )  
County of King ) ss.

On this 8<sup>th</sup> day of February, 2013, before me, the undersigned, a Notary Public in and for said State, personally appeared Michael Miller, to me known to be the Vice President, of 100-310 East College Way, LLC, a Maryland limited liability company, the limited liability company that executed the foregoing instrument, and acknowledged to me that the said instrument is the free and voluntary act and deed of said limited liability company, for the uses and purposes therein mentioned, and on oath stated that he is authorized to execute the said instrument.

WITNESS MY HAND and official seal hereto affixed the day, month and year in this certificate first above written.

My commission expires:

4-29-16

*Genevieve E. Gallacher*  
Notary Public in and for the  
State of WA  
Residing at Renton, WA



IN WITNESS WHEREOF, the Tenant has executed this Memorandum as of the date first above written.

**TENANT:**

**NEW ALBERTSON'S INC.,**  
an Ohio corporation

By: Doyle Troyer  
Name: **DOYLE TROYER**  
Its: Vice President  
Corporate Tax

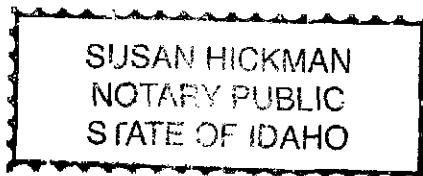
STATE OF IDAHO                    )  
                                          ) ss.  
County of ADA                    )

On this 25th day of January, 2013, before me, the undersigned, a Notary Public in and for said State, personally appeared Doyle Troyer, to me known to be the Vice President of New Albertson's, Inc., an Ohio corporation, the corporation that executed the foregoing instrument, and acknowledged to me that the said instrument is the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that he is authorized to execute the said instrument.

WITNESS MY HAND and official seal hereto affixed the day, month and year in this certificate first above written.

My commission expires:

5/13/17



Susan Hickman  
Notary Public in and for the  
State of Idaho  
Residing at Boise



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## **EXHIBIT A TO MEMORANDUM**

Lot 2, Binding Site Plan No. MV-1-93 entitled Skagit Valley Square, approved September 29, 1993, recorded September 30, 1993 in Book 10 of Short Plats, pages 240-246, inclusive, under Auditor's File No. 9309300143 and being a portion of the Northeast  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  of Section 18, Township 34 North, Range 4 East, W.M.

Situate in the County of Skagit, State of Washington.



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