

FILED FOR RECORD AT REQUEST OF  
AND WHEN RECORDED RETURN TO:

Horizon Tower Limited Partnership-II  
c/o Horizon Tower, LLC  
117 Town and Country Drive, Suite A  
Danville, CA 94526



201804180097

Skagit County Auditor

\$79.00

4/18/2018 Page

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6 2:13PM

Site: WHITEHALL SILO  
Site No.: WA4703

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Space above this line is for Recorder's use.

**MEMORANDUM OF OPTION AND LAND LEASE AGREEMENT**

Grantor: Terry James Gangler, as his separate estate

Grantee: Horizon Tower Limited Partnership-II, a  
Kansas limited partnership by Horizon Tower, LLC, its  
Operations Partner

Legal Description: **S28, T36N, R3E, Ptm, NE ¼, NE ¼, County of Skagit,  
State of Washington  
Official legal description as Exhibit A**

Assessor's Tax Parcel ID#: 360328-1-001-0000 (P48457)

Reference # (if applicable):

## MEMORANDUM OF OPTION AND LAND LEASE AGREEMENT

THIS MEMORANDUM OF OPTION AND LAND LEASE AGREEMENT evidences that an Option and Land Lease Agreement ("Agreement") was entered into as of April 10, 2018, by and between Terry James Gangler, as his separate estate (collectively "Lessor"), and Horizon Tower Limited Partnership-II, a Kansas limited partnership by Horizon Tower, LLC, its Operations Partner ("Lessee"), for certain real property located at 4202 Chuckanut Drive, Bow, County of Skagit, State of Washington, within the property of Lessor which is described in Exhibit "A" attached hereto ("Legal Description"), together with a right of access and to install and maintain utilities, for an initial term of five (5) years commencing as provided for in the Agreement, which term is subject to Lessee's rights to extend the term of the Agreement as provided in the Agreement.

IN WITNESS WHEREOF, Lessor and Lessee have duly executed this Memorandum of Option and Land Lease Agreement as of the day and year last below written.

LESSOR: Terry James Gangler, as his separate estate

By: Terry James Gangler  
Name: Terry James Gangler  
Date: 2-19-18

LESSEE: Horizon Tower Limited Partnership-II, a  
Kansas limited partnership  
By Horizon Tower, LLC, its Operations Partner

By: John V. Kapulica  
CEO  
Date: 4-10-18

Exhibit A – Legal Description

**LESSOR ACKNOWLEDGMENT**

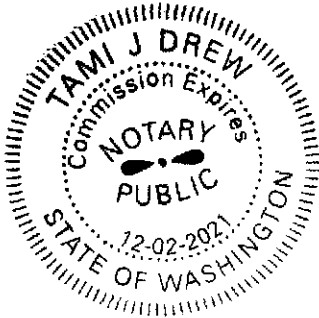
STATE OF WASHINGTON )

) ss.

COUNTY OF SKAGIT )

On this 19<sup>th</sup> day of February, 2018, before me, a Notary Public in and for the State of Washington, personally appeared TERRY JAMES GANGLER, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person who executed this instrument and acknowledged it to be His free and voluntary act and deed for the uses and purposes mentioned in the instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year first above written.



Tami J. Drew  
NOTARY PUBLIC in and for the State of Washington

residing at Bothell, WA

My appointment expires 12-2-21

Print Name Tami J. Drew

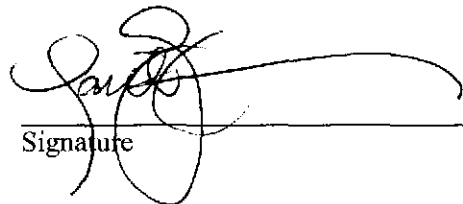
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

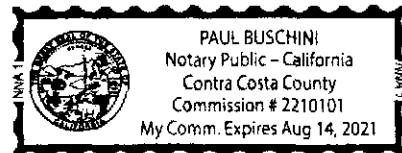
STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF CONTRA COSTA )

On April \_\_, 2018, before me, *Paul Buschini*, Notary Public, personally appeared, John Kapulica, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

  
\_\_\_\_\_  
Signature



Place Notary Seal Above

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

That portion of Section 28, Township 36 North, Range 3 East W.M., described as follows:

The Northeast quarter of the Northeast quarter, EXCEPT the North 730 feet thereof, EXCEPT right of way as conveyed to Bellingham and Skagit Railway Co., under Deed recorded in Volume 87 of Deeds, page 572, records of Skagit County, Washington, and EXCEPT roads, dike and ditch rights of ways.