

Prepared by and Return to: Michael C. Frue  
Senior Staff Attorney  
59 Woodfin Place  
Asheville, NC 28801

STATE OF NORTH CAROLINA            )  
  )  
COUNTY OF BUNCOMBE                )                   **MEMORANDUM OF LEASE**

THIS MEMORANDUM OF LEASE AGREEMENT, made this the \_\_\_\_ day of September, 2014, by and between Buncombe County, a body politic and corporate of the State of North Carolina (hereinafter sometimes referred to as "County"), and **WICKED WEED BREWING, LLC**, a North Carolina limited liability company (hereinafter sometimes referred to as "Wicked Weed").

WITNESSETH:

Whereas, County and Wicked Weed entered into that certain Agreement for Lease of Real Property of even date herewith ("Lease"), whereby County leased to Wicked Weed a parcel of real property located in Asheville, North Carolina, and described as follows:

Being all that certain tract or parcel of land shown as Phase III Lot A, 5.80± Acres (D.M.D.), as shown on plat recorded in Plat Book 106, Page 194 Buncombe County Registry reference to which plat is hereby made for purposes of description.

Whereas, pursuant to the terms of the Lease, and for the consideration recited therein, County and Wicked Weed desire to record this Memorandum in the Office of the Buncombe County Register of Deeds to provide notice of the Lease and the Premises, as follows:

The term of the Lease shall begin for an Initial Term on October 1, 2014 and end at 12:59:59 p.m. on June 30, 2014 and then automatically renew for one additional term of Two and One-Half (2 ½) years to begin July 1, 2015 and end at 12:59:59 p.m. on December 31, 2017, unless sooner terminated as provided therein.

All the provisions of the said Lease of even date herewith as hereinabove referenced are hereby incorporated in this Memorandum by reference, and reference is made to the full text of the Lease for its full terms and conditions. This Memorandum may be executed in any number of counterparts, each of which shall be deemed an original and which together shall constitute one and the same instrument. A copy of the Lease is on file with the Clerk to the Board of Buncombe County.

IN WITNESS WHEREOF, the parties have executed this Memorandum of Lease as of the day and year first above written.

[Signature Pages Follow]

BUNCOMBE COUNTY

By: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Kathy Hughes, Clerk to the Board

STATE OF NORTH CAROLINA

COUNTY OF BUNCOMBE

I, \_\_\_\_\_, Notary Public for said County and State, has personal knowledge of the identity of Kathy Hughes, and hereby certifies that said Kathy Hughes, Clerk to the Board, personally appeared before me this day and acknowledged that she is Clerk to the Board of Commissioners of County of Buncombe and that \_\_\_\_\_ of Buncombe County, and that by authority duly given and as the act of the County of Buncombe, the foregoing instrument was signed in its name by said \_\_\_\_\_, sealed with its official seal, and voluntarily attested to by herself as its Clerk as the act and deed of the County of Buncombe, all by authority duly given.

Witness my hand and official stamp or seal, this the \_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Notary Public

My Commission Expires:

Wicked Weed Brewing, LLC

By: \_\_\_\_\_

By: \_\_\_\_\_

ATTEST:

\_\_\_\_\_

STATE OF NORTH CAROLINA  
COUNTY OF BUNCOMBE

I, \_\_\_\_\_, a Notary Public of the County and State aforesaid, certify that \_\_\_\_\_ personally appeared before me this day and acknowledged that he is a Member/Manager of Wicked Weed and that he, as Member/Manager, being authorized to do so, voluntarily executed the foregoing instrument on behalf of the company, as its act and deed.

Witness my hand and official stamp or seal, this the \_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Notary Public

My Commission Expires: