


20140418000113520 1/4 \$23.00
Shelby Cnty Judge of Probate, AL
04/18/2014 11:35:43 AM FILED/CERT

SHORT FORM OF LEASE AGREEMENT

This **SHORT FORM OF LEASE AGREEMENT** ("Agreement") is made and entered into on this 31st day of March, 2014, by and between (i) **WELLER HOLDING COMPANY, LLC**, a Michigan limited liability company ("Landlord"), with a mailing address of 1500 Gezon Pkwy SW, Grand Rapids, Michigan 49509, and (ii) **JASPER WELLER, LLC**, an Indiana limited liability company ("Tenant"), with a mailing address of 815 Wernsing Road, Jasper, Indiana 47546.

WHEREAS, Landlord and Tenant, as successor to Weller Truck Parts, LLC, have previously entered into that certain Lease Agreement, dated October 1, 2012, as the same may be modified or amended from time to time ("Lease"), with respect to certain property located at 116 Total Solutions Way, Alabaster, Shelby County, Alabama 35007, as more particularly described on Exhibit A attached hereto and made a part hereof ("Property"), upon the terms and conditions set forth in the Lease; and

WHEREAS, the parties desire to record this Agreement to give record notice of the existence of, and certain terms and conditions relating to, the Lease as set forth herein.

NOW, THEREFORE, the parties hereby state as follows:

1. **TERM.** The term of the Lease commenced on October 1, 2012, and ends on September 30, 2015 ("Initial Term"), unless sooner terminated pursuant to the terms of the Lease. Tenant has two one-year renewal terms and then two five-year renewal terms following the expiration of the Initial Term.
2. **ASSIGNMENT.** Tenant shall not transfer or assign the Lease or sublet the Property in whole or in part without the written consent of Landlord.
3. **INCORPORATION BY REFERENCE.** This Agreement is subject to all of the terms, covenants and conditions contained in the Lease, all of which are incorporated herein by reference.
4. **BINDING EFFECT.** The terms and conditions of this Agreement and of the Lease shall be binding upon, and shall inure to the benefit of, the parties hereto and their respective successors, assigns, heirs and personal representatives.

5. **PURPOSE OF AGREEMENT.** This Agreement is prepared solely for the purpose of providing notice and is not intended, nor shall it be deemed, to modify any of the terms or conditions set forth in the Lease, or to construe any of the rights, duties or responsibilities of the parties thereunder. In the event of any conflict or inconsistency between the terms of the Lease and the terms of this Agreement, the terms of the Lease shall prevail.

IN WITNESS WHEREOF, this Agreement has been executed as of the date first written above.

WELLER HOLDING COMPANY, LLC

By: Paul A. Weller
Name: Paul ^A Weller
Title: Manager

("Landlord")

STATE OF MICHIGAN

)
) SS:
)

COUNTY OF KENT

The foregoing instrument was acknowledged before me, Polly S. Campbell, a Notary Public, of Barry County, State of Michigan, acting in Kent County, Michigan, this 28th day of March, 2014, by Paul A. Weller, as Manager on behalf of **WELLER HOLDING COMPANY, LLC**, a Michigan limited liability company, Landlord.

My commission expires: May 27, 2014

[SEAL]

Polly S. Campbell
NOTARY PUBLIC
POLLY S. CAMPBELL


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JASPER WELLER, LLC

By: Douglas A. Bawel
Name: Douglas A. Bawel
Title: Manager
("Tenant")

STATE OF INDIANA)
COUNTY OF Dubois) SS:
)

The foregoing instrument was acknowledged before me Kathyl Sanford, a Notary Public in and for said County and State, this 31st day of March, 2014, by Douglas A. Bawel, as Manager on behalf of JASPER WELLER, LLC, an Indiana limited liability company, Tenant.

My commission expires: 4-5-16

[SEAL]

Kathyl Sanford
NOTARY PUBLIC
County of Residence: Dubois

PREPARED BY AND WHEN RECORDED
RETURN TO:

Brian D. Zoeller, Esq.
Bingham Greenebaum Doll LLP
3500 National City Tower
101 South Fifth Street
Louisville, Kentucky 40202
502/589-4200

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EXHIBIT A

PROPERTY

All of that certain land situated, lying and being in the City of Alabaster, Shelby County, Alabama, more particularly described as the aggregate of the following tracts, parcels and lots, to-wit:

Lot A, according to Resurvey of Site 11, Shelby West Corporate Park, as recorded in Map Book 30, Page 56, in the Probate Office of Shelby County, Alabama.

GRAPIDS 58408-1 319107v1

