

Store No. 132
Klamath Falls, Oregon
Shasta Plaza Shopping Center

"A" Copy

13102 VOL 1710 PAGE 6205
TERM AGREEMENT

AGREEMENT, made and entered into this 19th day of May, 1970, by and between O. & E. CORPORATION, an Oregon corporation, having an office address at 519 Main Street, Klamath Falls, Oregon (hereinafter called "Landlord") and J. C. PENNEY COMPANY, INC., a Delaware corporation, with offices at 1301 Avenue of the Americas, New York, New York 10019 (hereinafter called "Tenant"),

W I T N E S S E T H: That

WHEREAS, by Indenture of Lease dated February 12, 1965, between Erickson Investment Company, Landlord's predecessor in interest, and Tenant, there as demised and leased unto Tenant certain premises situated at Shasta Plaza Shopping Center, City of Klamath Falls, County of Klamath, and State of Oregon, a Memorandum form of which was recorded on March 7, 1966 in the Office of the County Clerk, Klamath County, Oregon, in Volume M-66 of Deeds, at Page 1857, for a term commencing on the date on which Tenant opens for business in the demised premises and continuing for a period of twenty (20) years from the first day of the month immediately following such date of opening, said lease, including all modifications or amendments thereof by supplemental agreements, if any, being hereinafter referred to as "said lease", and

WHEREAS, Tenant opened for business in the demised premises on November 5, 1969.

NOW, THEREFORE, the parties hereto do hereby covenant and agree as follows:

1. The term of said lease commenced on November 5, 1969 and shall expire on November 30, 1989, unless sooner terminated or extended as in said lease provided.

2. The first "lease year" of the term of said lease shall be considered to have commenced on December 1, 1969 and to expire on November 30, 1970, and all subsequent lease years shall begin and terminate on the same dates in subsequent years.

IN WITNESS WHEREOF, the parties hereto have caused this Term Agreement to be duly executed and sealed the day and year first above written.

ATTEST:

Alex Jokay
Alex Jokay Secretary

O. & E. CORPORATION

By *Vern H. Otte*
Vern H. Otte President

ATTEST:

Elting H. Smith
Assistant Secretary

J. C. PENNEY COMPANY, INC.

By *W. L. Leaso*
Vice President

Application

Ann' Ap

CODE
ACCT.

PROPERTY DESCRIPTION
PROPERTY DESCRIPTION

JUL 27 11 11 AM '70

21. NAME
S
252
Per
631
Supt

24. DECO
AFGO

25. EDUCAT
N/A

26. NON-PAY
NO

6206

COUNTY OF } ss.:

On this the _____ day of _____, 19____, before me, a Notary Public duly authorized in and for the said County in the State aforesaid to take acknowledgments, personally appeared _____

known to me to be the person(s) who subscribed to the foregoing instrument and acknowledged having executed the same as a free and voluntary act for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

My Commission Expires: _____

STATE OF INDIANA } ss.
COUNTY OF ALLEN

On this the 1st day of July, 1970, before me, a Notary Public duly authorized in and for the said County in the State aforesaid to take acknowledgments, personally appeared V. H. Otte ~~notary public~~, residing at Fort Wayne, Indiana, to me known and known to me to be _____ President of O. & E. CORPORATION

one of the corporations described in the foregoing instrument, and acknowledged that as such officer, being authorized so to do, he executed the foregoing instrument on behalf of said corporation by subscribing the name of such corporation by himself as such officer and caused the corporate seal of said corporation to be affixed thereto, as his free and voluntary act, and as the free and voluntary act of said corporation, for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

My Commission Expires: _____

August 4, 1971

Mildred Kaiser
Mildred Kaiser, Notary Public

STATE OF NEW YORK } ss.
COUNTY OF NEW YORK

On this the 26 day of July, 1970, before me, a Notary Public duly authorized in and for the said County in the State aforesaid to take acknowledgments, personally appeared *J. C. Penney*, residing at *34-15 80th Street, Jackson Heights, N.Y. 11372*, to me known and known to me to be Vice President of J. C. PENNEY COMPANY, INC., one of the corporations described in the foregoing instrument, and acknowledged that as such officer, being authorized so to do, he executed the foregoing instrument on behalf of said corporation by subscribing the name of said corporation by himself as such officer and caused the corporate seal of said corporation to be affixed thereto, as his free and voluntary act, and as the free and voluntary act of said corporation, for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

My Commission Expires: _____

Michael Lowenkron
MICHAEL LOWENKRON
Notary Public, State of New York
No. 31-7609525
Qualified in New York County
Commission Expires March 20, 1972

STATE OF OREGON, } ss.
County of Klamath

Filed for record at request of:
J. C. Penney Company, Inc.
on this 27th day of July, A.D., 1970
at 10:59 o'clock A.M. and duly
recorded in Vol. M-70 of Deeds
Page 6205

WM. D. MILNE, County Clerk

By *Harold K. Kestner*
Fee \$3.00 Deputy.

Application

App

CODE
ACCT.

PROPERTY DESCRIPTION

JUL 27 11 31 AM '70

TRANS

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30