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TA-24405

MEMORANDUM OF LEASE

KNOW ALL MEN BY THESE PRESENTS THAT:

FREDERICK D. EHLERS and HELEN ANN EHLERS, his wife whose address is P. O. Box 7148, Klamath Falls, Oregon 97601 hereinafter "LESSOR", does hereby lease, rent, let and demise unto BURGER KING CORPORATION, a Florida corporation, whose address is 7360 North Kendall Drive, Miami, Florida, 33156, hereinafter "LESSEE", its successors and assigns, and LESSEE takes and hires from LESSOR under a certain unrecorded Lease dated October 23, 1982, the following described premises, lying and being in the County of Klamath, State of Oregon, more particularly described as follows, to wit:

See Exhibit "A" attached hereto.

This Memorandum of Lease is for recording notice purposes.

Said Lease is now in effect for a term commencing as stated in the Lease and expiring Twenty (20) years thereafter with the right and privilege in the LESSEE to extend for Lease for four (4) additional terms of five (5) year each, unless sooner terminated in accordance with the provisions thereof, with respect to termination by default, or for other causes; that said Lease itself contains the contract of leasing and otherwise between the parties, including the amount of rent, times when said rent shall be paid, and other provisions and covenants as regulate and govern the relationship of LESSOR and LESSEE between the parties; and all persons are hereby put on notice of the existence of such

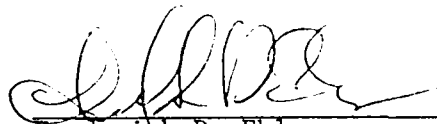
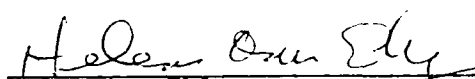
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#A-4739L
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Lease and are referred to said Lease itself for its terms and conditions, including Lessee's right of first refusal to purchase.

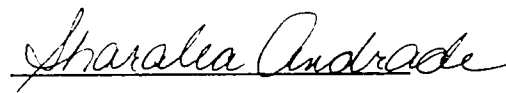

This Memorandum of Lease shall serve as an Amendment to and Modification of the Lease Agreement dated October 23, 1982 insofar as it amends and modifies the legal description as contained in said Lease.

IN WITNESS WHEREOF, this Memorandum of Lease has been duly executed, under seal, as of the 15 day of NOVEMBER, 1982.

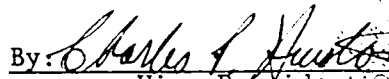
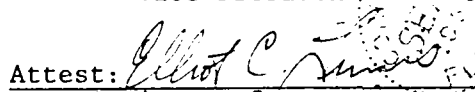
Witnesses:


Frederick D. Ehlers

Helen Ann Ehlers

Witnesses:

BURGER KING CORPORATION

By: 
Vice President
Attest: 
Assistant Secretary

STATE OF FLORIDA
COUNTY OF DADE

BEFORE ME, the undersigned authority, personally appeared Charles P. Hueston
and Elliot C. Tunis
to me well known and known to me to be the individuals described in and who executed the foregoing
instrument as Vice President and Assistant Secretary of BURGER KING CORPORATION, a Florida corporation,
and severally acknowledged to and before me that they executed such instrument as such Vice President and
Assistant Secretary respectively of said corporation and that the seal affixed to the foregoing instrument is the
corporate seal of said corporation, and that it was affixed to said instrument by due and regular corporate
authority, and that said instrument is the free act and deed of said corporation.

WITNESS my hand and official seal this 5th day of November, 1982.

Notary Public

My Commission Expires:

NOTARIAL COMMISSION EXPIRATION
OCTOBER 19, 1984

STATE OF
COUNTY OF

BEFORE ME, the undersigned authority, personally appeared _____ and _____
to me well known and known to me to be the individuals described in and who executed the foregoing
instrument as _____ President and _____ Secretary of _____
a _____ corporation, and severally acknowledged to and before me that they executed
such instrument as such _____ President and _____ Secretary respectively of said corporation
and that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that it was
affixed to said instrument by due and regular corporate authority, and that said instrument is the free act and
deed of said corporation.

WITNESS my hand and official seal this _____ day of _____, 19 ____.

(SEAL)

Notary Public

My Commission Expires:

STATE OF Oregon
COUNTY OF Klamath

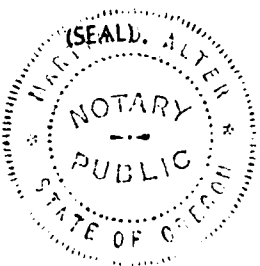
BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally
appeared Frederick D. Peters

to me known and known to me to be the person(s) whose name(s) is (are) subscribed to the foregoing instrument,
and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

WITNESS my hand and official seal this 15 day of NOVEMBER, 1982

Notary Public

My Commission Expires: 3-16-84



After recording return to:
TA

PARCEL 1:

A parcel of land lying in the Northwest quarter of Section 3, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, being more particularly described as follows:

Starting at the Northwest corner of Section 3, Township 39 South, Range 9 East of the Willamette Meridian; thence South $0^{\circ}00'30''$ East along the Westerly boundary of Section 3 and the centerline of Washburn Way 917.42 feet to its intersection with the centerline of South Sixth Street, formerly known as the Dalles-California Highway, at Engineer's Station 9+17.42 on Washburn Way and Engineer's Station 16+14.87 on South Sixth Street, the recorded bearing of the centerline of South Sixth Street being South $55^{\circ}52'30''$ East; thence continuing South $0^{\circ}00'30''$ East along the West line of said Section 3 and the centerline of Washburn Way 48.32 feet to a point on the South boundary of South Sixth Street which is 40.0 feet distant from, when measured at right angles to, the centerline of South Sixth Street thence South $55^{\circ}52'30''$ East parallel to said centerline 125.56 feet to the true point of beginning of this description; thence continuing South $55^{\circ}52'30''$ East parallel to said centerline 181.50 feet to a point; thence South $34^{\circ}07'30''$ West at right angles to said centerline 160.00 feet to a point; thence North $55^{\circ}52'30''$ West 150.27 feet to a point on the Easterly boundary of Washburn Way; thence North $0^{\circ}00'30''$ West along the Easterly boundary of Washburn Way 103.29 feet to the beginning of a 49.00 foot radius curve to the right; thence along said 49.00 foot radius curve, the long chord of which bears North $53^{\circ}51'50''$ East 79.16 feet, 92.14 feet, more or less, to the true point of beginning.

PARCEL 2 - a non-exclusive easement for ingress, egress, parking and utilities over the unconstructed portions of the following described property:

A parcel of land lying in the Northwest quarter of Section 3, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, being more particularly described as follows:

Starting at the Northwest corner of said Section 3; thence South $00^{\circ}00'30''$ East along the Westerly boundary of Section 3 and the centerline of Washburn Way 917.42 feet to the intersection with

the present centerline of Sixth Street, formerly known as the Dalles-California Highway, recorded bearing South 55°52'30" East, at Engineer's Station 9+17.42 feet on Washburn Way and Engineer's Station 16+14.87 feet on Sixth Street present centerline, and continuing thence along said boundary and centerline 48.32 feet to Engineer's Station 9+65.74 feet on South boundary of Sixth Street, which is distant 40 feet at right angles Southwesterly from centerline of Sixth Street at Engineer's Station 16+41.99 feet; thence South 55°52'30" East parallel to said centerline 463.02 feet to the true point of beginning of this description; thence from said true beginning point continuing South 55°52'30" East parallel to said centerline 795.36 feet; thence at right angles South 34°07'30" West, 204 feet; thence South 55°52'30" East parallel to Sixth Street 145.00 ; thence at right angles South 34°07'30" West, 183.80 feet; more or less, to Northerly right of way line of the Oregon, California and Eastern Railroad; thence North 66°57'30" West along said line 982.45 feet, more or less, to a point on the Easterly right of way line of Washburn Way which is 40.00 feet Easterly of said centerline; thence North 00°00'30" West, along said right of way line 503.39 feet; thence South 55°52'30" East, 306.22 feet; thence North 34°07'30" East, 160.00 feet to the true point of beginning.

PARCEL 3 - a non-exclusive easement for ingress, egress, parking and utilities over the unconstructed portions of the following described property:

A parcel of land lying in the Northwest quarter of Section 3, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, being more particularly described as follows:

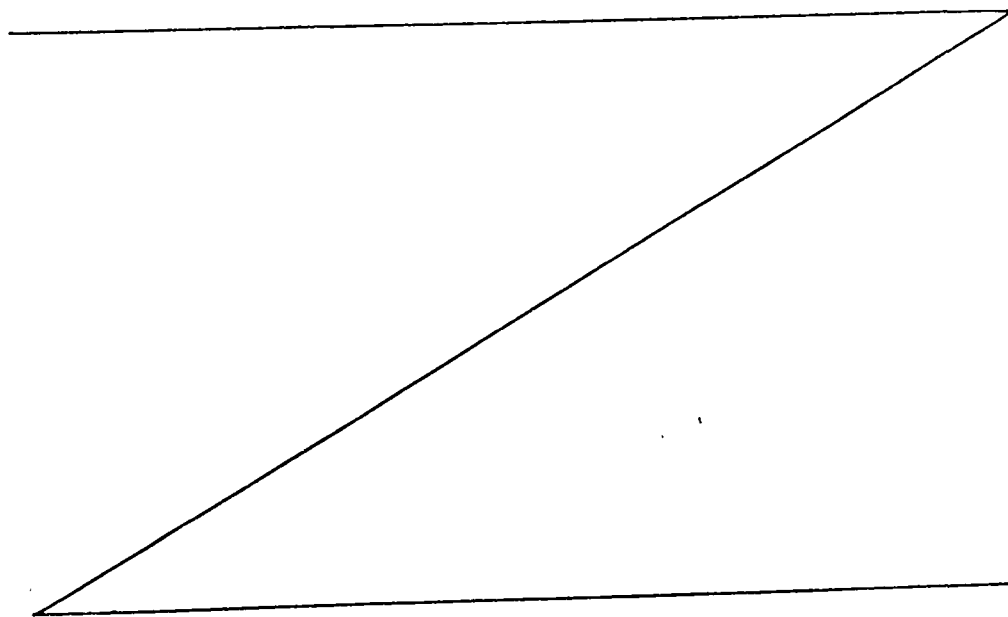
Starting at the Northwest corner of said Section 3; thence South 00°00'30" East along the Westerly boundary of Section 3 and the centerline of Washburn Way, 917.42 feet to the intersection with the present centerline of Sixth Street, formerly known as the Dalles-California Highway, recorded bearing South 55°52'30" East, at Engineer's Station 9+17.42 feet on Washburn Way and Engineer's Station 16+14.87 feet on Sixth Street present centerline, and continuing thence along said boundary and centerline 48.32 feet to Engineer's Station 9+65.74 feet on South boundary of Sixth Street, which is distant 40 feet at right angles Southwesterly from centerline of Sixth Street at Engineer's Station 16+41.99 feet, to the true point of beginning; thence South 55°52'30" East parallel to said centerline 463.02 feet; thence South 34°07'30" West 160.00 feet; thence North 55°52'30" West 306.22 feet to the East right of way of Washburn Way; thence North to the point of beginning.

EXCEPT THEREFROM that portion deeded to State of Oregon more particularly described as follows:

A parcel of land lying in Tract 44, ENTERPRISE TRACTS, situated in Section 3, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon; the said parcel being described as follows:

Beginning at the Northwest corner of Section 3, Township 39 South, Range 9 East of the Willamette Meridian; thence South $00^{\circ}00'30''$ East 977.8 feet along the Westerly line of said Section 3, to a point 50 feet Southwesterly of (when measured at right angles to) the centerline of the Dalles-California Highway (also known as South Sixth Street), as the same is now located and constructed; thence South $55^{\circ}52'30''$ East parallel with said centerline 36.2 feet, more or less, to a point 30 feet Easterly of (when measured at right angles to) the centerline of the relocated Midland Highway (also known as Washburn Way), which point is marked by a railroad spike with a cross on top, embedded in the pavement and is the true point of beginning; thence South $00^{\circ}00'30''$ East, parallel with said last mentioned centerline 227.83 feet to a point 30 feet Easterly of (when measured at right angles to) said last mentioned centerline at Engineer's Station 12+26; thence North $89^{\circ}59'30''$ East 10 feet; thence North $00^{\circ}00'30''$ West 143.12 feet to the point of tangency of a 49 foot radius curve right, thence North-easterly along said 49 foot radius curve right to a point South $55^{\circ}52'30''$ East 64.26 feet from the true point of beginning; thence North $55^{\circ}52'30''$ West 64.26 feet to the true point of beginning.

EXCEPT THEREFROM Parcel 1 above.



ASSIGNMENT

I, the undersigned HELEN ANN EHLERS, do hereby assign unto
 FREDERICK D. EHLERS all of my right, title and interest in and to that
 certain Lease wherein Swan Lake Moulding Company is Lessor and
 Frederick D. Ehlers and Helen Ann Ehlers are Lessee, dated May 1, 1979.

Dated this 4 day of December, 1982.

Helen Ann Ehlers
 HELEN ANN EHLERS

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record . . . 3:49
 on 6 day of Jan A.D. 19 83 at 3:49 o'clock P. M. and
 duly recorded in Vol. M83, of Deeds on p. 284
 Fee \$28.00 By Evelyn Bienn County Clerk