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K-36641

ASSIGNMENT AND ASSUMPTION OF LEASE

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This Assignment and Assumption of Lease, effective as of the 1st day of December, 1984, is made by and between: CHICAGO TITLE INSURANCE COMPANY, a Missouri corporation, 111 West Washington Street, Mail Location 0971, Chicago, Illinois 60602, ("Assignor") and NEWVECTOR COMMUNICATIONS, INC., a Colorado corporation, 3350 161st Avenue Southeast, P. O. Box 7329, Bellevue, Washington 98008, ("Assignee"), respecting the Option and Lease Agreement dated October 3, 1983 made by and between George E. Yates and Ellen V. Yates, husband and wife, 3102 Crosby, Klamath Falls, Oregon 97603, as Lessor, and the Assignor, as Lessee, of which an Agreement was recorded January 4, 1984 under Document Number 32182 in Volume M84 at Page 136 in the County of Klamath, State of Oregon, demising to the Lessee the land described on Exhibit A attached hereto and made a part hereof, for a term of five years.

WHEREAS THE PARTIES for valuable consideration, the assignment of the Lease, and the agreement of Assignee to pay the rent and perform the covenants and conditions thereof, mutually agree as follows:

ASSIGNMENT OF LEASE: Assignor does hereby assign, transfer, convey and deliver to Assignee all of its rights, title and interest in the Lease and leasehold estate, including the right to exercise any renewal options, to have and to hold the leasehold premises from and after the effective date stated above, for the remainder of the term and any renewal term set forth in the Lease, subject to the rents, covenants, conditions and agreements therein contained. This Assignment is on a nonrecourse, quitclaim basis, except Assignor for itself and its successors and assigns, represents and warrants that it has not done or caused to be done anything whereby its interest in the Lease has been alienated or encumbered in any way whatsoever.

ASSUMPTION OF LEASE BY ASSIGNEE: Assignee covenants and agrees that from and after the effective date of this Assignment of Lease, Assignee will and does hereby assume the obligations of Lessee under the Lease and will pay all rent when due and fully perform all covenants, conditions and agreements of Lessee under the Lease for the remaining term and any renewal term set forth in the Lease; and further, that Assignee will protect and save Assignor harmless from any and all claims and judgments arising on account of breach of the Lease by Assignee or anyone holding by, under or through Assignee.

MAIL TO:

MOLLY TAKATA GROVE-0971  
CHICAGO TITLE INSURANCE CO.  
111 WEST WASHINGTON STREET  
CHICAGO, ILLINOIS 60602

*Return as  
Soon As  
Possible*

Notices to Assignee from Lessor shall be addressed and delivered as follows:

NewVector Communications, Inc.  
3350 161st Avenue Southeast  
P. O. Box 7329  
Bellevue, Washington 98008  
Attention: Manager, Real Estate and Zoning

IN WITNESS THEREOF, the parties have caused their duly authorized officers to execute this Assignment and Assumption of Lease on the day and year indicated.

ASSIGNOR:

CHICAGO TITLE INSURANCE COMPANY,  
a Missouri corporation

By: Richard J. Pozdol  
Richard J. Pozdol, Vice President

By: Gloria J. Kuhles  
Gloria J. Kuhles, Assistant Secretary

ASSIGNEE:

NEWVECTOR COMMUNICATIONS, INC.,  
a Colorado corporation

By: David Laube  
David Laube, Vice President

By: Joseph C. O'Neill  
Joseph C. O'Neill, Secretary

KLA-A

STATE OF ILLINOIS)  
COUNTY OF COOK )ss

3929

I, the undersigned, a Notary Public, in and for the said County, and in the said State, DO HEREBY CERTIFY that Richard J. Pozdol, Vice President and Gloria J. Kuhles, Assistant Secretary, personally known to me to be duly authorized officers of the corporation and personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed and delivered the said instrument and caused the corporate seal to be affixed thereto, pursuant to authority given by the Board of Directors of said corporation, as their free and voluntary act and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

Given under my hand and official seal, this 1st day of December, 1984.

*Miriam Schneider*  
Miriam Schneider, Notary Public

My Commission expires May 21, 1985.

STATE OF WASHINGTON)  
COUNTY OF KING )ss

I, the undersigned, a Notary Public, in and for the said County, and in the said State, DO HEREBY CERTIFY that David Laube, Vice President and Joseph C. O'Neil, Secretary, personally known to me to be duly authorized officers of the corporation and personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed and delivered the said instrument and caused the corporate seal to be affixed thereto as their free and voluntary act and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

Given under my hand and official seal, this 28<sup>th</sup> day of January, 1985.

*Milo R. Kraemer*  
MILO R. KRAEMER Notary Public

My Commission expires 5-8-88

This instrument was prepared by:  
Miriam Schneider, Attorney at Law  
111 West Washington Street  
Chicago, Illinois 60602

Exhibit A

Beginning at the Southwest corner of Lot 10, Block 1, "First Addition to Altamont Acres", according to the Official Plat thereof, now of record in Klamath County, Oregon; thence along the West line of said Lot 10, North 60.0 feet; thence East 60.0 feet; thence South 60.0 feet to the South line of said Lot 10; thence West along said South Line 60.0 feet to the Point of Beginning.

TOGETHER WITH an easement, 20.0 feet in width, for ingress and egress lying East of and contiguous to the following described line; beginning at the Northwest corner of the above described tract; thence North along the West line of aforesaid Lot 10 a distance of 135 feet, more or less, to the South line of Crosby Street for the point of terminus.

STATE OF OREGON, )  
County of Klamath )  
Filed for record at request of

on this 15th day of March A.D. 19 85  
at 1:00 o'clock P M, and duly  
recorded in Vol. M85 of Deeds  
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**EVELYN BIEHN**, County Clerk  
By [Signature] Deputy  
Fee 17.00