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MEMORANDUM OF LEASE

ASPEN BA767

Vol_<u>M89</u>Page_ 7522

THIS MEMORANDUM OF LEASE, dated this February 2, 1989, is between RHC Associates, successor in interest to SIXTH TOTTENHAM PROPERTIES, INC., a Delaware corporation (the "LANDLORD"), whose address is c/o Rod Cushman, Mill Hill Road, Mill Neck, NY 11765, and McDONALD'S CORPORATION, a Delaware Corporation, successor in interest to Franchise Realty Interstate Corporation (the "TENANT"), whose principal place of business is located at One McDonald's

LANDLORD hereby leases to TENANT the demised premises with improvements and appurtenant easements, if any, in the City of Klamath Falls, County of Klamath, State of Oregon, described in Exhibit A attached and made a part of this Momenandum of Lease

TERM: TO HAVE AND TO HOLD for a term commencing on November 1, 1972 1. and ending October 31, 2007.

OPTION TO EXTEND: LANDLORD grants to TENANT the option to extend the 2. term of the lease at the expiration of the original term for successive

OPTION TO PUFCHASE: LANDLORD grants to TENANT an option to purchase 3 the demised premises during the last year of the option term.

4. MEMORANDUM: The rentals to be paid by TENANT and all of the obligations and rights of LANDLORD and TENANT are set forth in the Lease dated September 1, 1972 executed by the parties. This instrument is merely a Memorandum of Lease and is subject to all of its terms, conditions and provisions. In the event of any inconsistency between the terms of the Lease and this instrument, the terms of the Lease shall prevail as between the parties. This Memorandum is binding upon and shall inure to the benefit of the heirs, successors, assigns, executors and administrators of the parties.

To indicate their agreement to the above, the parties or their authorized representatives or officers have signed this document.

LANDLORD:	RHC ASS	OCIATES	
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Its: Een	eral	Paulmes	

WITNESS:

TENANT: MCDONALD'S CORPORATION
By: Aumon Cucaman CO Vice President
ATTEST:
Assistant Secretary
WITNESS:
Algalan

(ATTACH ACKNOWLEDGEMENT OF SIGNATURES AND EXHIBIT A)

Prepared by and Return to:

Cheryle Z. Girten Real Estate Legal Department McDONALD'S CORPORATION One McDonald's Plaza Oak Brook, Illinois 60521

PLEASE RETURN TO: JUDY O'CONNELL TICOR TITLE INSURANCE CO. 203 N. LASALLE ST. **SUITE 1400** CHICAGO, IL 60601 RE: A-5089-38

0548.1

Given under van dind notarial seal, this $\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \$			
COUNTY OF DUPAGE SS: I. CONCETTA S. RONCOME a Notary Public in and for the county and site a aforesaid, DD HEREBY CERTIFY that Seymour Greenman, Vice-President, and Michael J. Sise, Assistant Secretary of McChondris Corporation, a Delaware corporation, who are personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such Vice-President and Assistant Secretary, respectively, appeared before me this day in person and acknowledged that the free and voluntary act as such Vice-President and Assistant Secretary, respectively, and as the free and voluntary act of said corporation for the uses and purposes thurein set forth. Is diven under my hand and notarial seal, this TML day of Helevart, Notary Public My commission expires <u>August 3, 1992</u> (ACKNOWLEDGMENT - INDIVIDUAL) STATE OF WYOW/NE State aforesaid, DD HIREBY CERTIFY that <u>Reduce H</u> Customs and acknowl deged and elivered the said instrument as the foregoing instrument appeared before me this day in person and acknowl- oth. Cites and purposes therein set for the uses and purposes therein set orth. Commission expires <u>August 3, 1992</u> (ACKNOWLEDGMENT - INDIVIDUAL) STATE OF WYOW/NG State aforesaid, DD HIREBY CERTIFY that <u>Reduce H</u> Customs and acknowl- a the foregoing instrument appeared before me this day in person and acknowl- of the foregoing instrument appeared before me this day of <u>Mount</u> , Notary Public Motary Public Mota		Mc (ACKN	:DONALD'S IOWLEDGMENT)
corporation, who are personally known to McLonall's Corporation, a Delaware are subscribed to the foregoing instrument as such Vice-President and Assistant Secretary, respectively, appeared before me this day in person and their free and voluntary act as such Vice-President and Assistant Secretary, respectively, and as the free and voluntary act of said corporation for the uses and purposes there in set forth. Given under my hand and notarial seal, this TM day of Advard, Assistant Secretary, respectively, and as the free and voluntary act of said corporation for the uses and purposes there in set forth. Assistant Secretary, respectively, and as the free and voluntary act of said corporation for the uses and purposes there in set forth. Assistant Secretary, respectively, and as the free and voluntary act of said corporation for the uses and purposes there in set forth. Assistant Secretary, respectively, appeared before me this day in person and acknowl- th (their) free and Singer, act for the uses and purposes therein set orth. Given under withing a sealed and delivered the said instrument as orth. Given under withing act for the uses and purposes therein set orth. Given under withing act for the uses and purposes therein set orth. Given under withing act for the uses and purposes therein set of the foregoing instrument appeared before me this day of Mark, Motary Public (ACKNOWLEDGMENT - CORPORATE) ATE OF UNITY OF SS: 1. ACKNOWLEDGMENT - CORPORATE) ATE OF UNITY OF SS: 1. ACKNOWLEDGMENT - CORPORATE) ATE or proparition, who are personally known to me to be the person and acknowledged in they such and acknowledged in they such as such President and Secretary of the uses and purposes therein as they are as used the defore me this day in person and acknowledged in they singed, sealed and delivered the said instrument as such President and pretary, respectively, appeared before me this day in person and acknowledged in they such sealed and delivered the said instrument as their free and in the such p	STATE OF ILLINO COUNTY OF DUPAG		an filina an filina an filina an taon ann an taon an ta Taon an taon an Taon an taon an
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(ACKNOWLEDGMENT - INDIVIDUAL) STATE OF WYOMING COUNTY OF Tetor SS: I, Verne SF CUSHMON, a Notary Public in and for the county and tate aforesaid, DO HIREBY CERTIFY that <u>Perfure</u> <u>Who</u> (is)(are) per- who (is)(are) per- who (is)(are) per- who (is)(are) per- who (is)(are) subscribed dged that (he)(they) <u>Hangd</u> , sealed and delivered the said instrument as h (their) free and of UDEAT watch for the uses and purposes therein set orth. Given under <u>Handd</u> , and notary list day of <u>Mark</u> , <u>Strementand</u> Given under <u>Handd</u> , and notarill seal, this <u>List</u> day of <u>Mark</u> , <u>Notary Public</u> r commission expires <u>I - 15 - 92</u> . (ACKNOWLEDGMENT - CORPORATE) ATE OF UNTY OF SS: I, <u>a Notary Public in and for the county and</u> <u>corporation</u> , who are personally known to me to be the persons cretary, respectively, appeared before me this day in person and acknowledged at they signed, sealed and delivered the said instrument as their free and untary act as such President and Secretary, respectively, and as the free th.	703 Vevtator	SETTAS ROVICONE SELIC STATE OF ILLINOIS	Concetta 5 Roncon Notary Public
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Given under my hand and notarial seal, this day of,	nose names are sub ecretary, respecti hat they signed, s oluntary act as su nd voluntary act o orth.	oscribed to the forego ively, appeared before sealed and delivered t uch President and Secr of said corporation fo	oing instrument as such President and e me this day in person and acknowledged the said instrument as their free and retary, respectively, and as the free or the uses and purposes therein set
	Given under my 9	hand and notarial sea	1, this day of,
Notary Public			Notary Public

Klamath Falls, Klamath County, Oregon

7524

The following described real property in Klamath Falls, Klamath County, Oregon;

PORTION of Tracts 36 and 43 ENTERPRISE TRACTS, in the NW 1/4 NW 1/4 Section 3, Township 39 South, Range 9 East of the Willamette Meridiaa, more particularly described as follows:

BEGINNING at an iron pin on the South line of Shasta Way, which bears South $^{\circ}$ 00 1/2" East a distance of 73.0 feet and North 89° 54' East a distance of 510 feet from the iron pipe which marks the Northwest corner of said Section 3, Township 39 South, Range 9 East of the Willamette Meridian;

thence South 0° 00 1/2' East a distance of 647.38 feet to the Northwesterly corner of that certain parcel described n Mortgage given by Rickfalls, Inc., to the United States National Bank of Portland, dated March 28, 1961, recorded April 4, 1961 in Volume 201 page 355, Mortgage Records of Klamath County, Oregon;

thence South 59° 21 1/2' East a distance of 330.67 feet, more or less, to the Northwesterly line of Avalon Street and the TRUE POINT OF BEGINNING of this description;

thence North 30° 38' 30" East along the Northwesterly line of Avalon Street, a distance of 140.0 feet to a point;

thence North 59° 21' 30" West, at right angles to Avalon Street, a distance of 200.0 feet;

thence south 30° 38' 30" West parallel with Avalon Street, a distance of 140.0 feet;

thence South 59° 21' 30" East at right angles to Avalon Street, a distance of 200.0 feet to the POINT OF BEGINNING.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed f	for record at request of	Aspen Title Co.	the 1st	
of	<u>May</u> A.D., 19 <u>8</u>	9 at <u>3:46</u> o'clock <u>PM.</u> , and o	duly recorded in Vol M89	day
	of	Deeds on Page75		,
FEE	\$18.00		County Clerk	
TEE	φ10.00	By Sauce	une Muilendare	

Exhibit A

RE6286-49/1-86