

MEMORANDUM
OF
COMMERCIAL LEASE
AND
OPTION AGREEMENT

Date:

June / 1, 1995.
~~May~~

Between:

Audie Soyland and Linda Soyland,
husband and wife,
3120 Shield Crest Drive
Klamath Falls, Oregon 97603

("Owner" and "Landlord")

And:

Janki Enterprise, L.L.C.
P.O. Box 41160
San Jose, California 95160

("Optionee" and "Tenant")

By instruments in writing dated the date of this Memorandum, Owner and Landlord and Optionee and Tenant have entered into a Commercial Lease and an Option Agreement and Agreement to Purchase concerning the real property and business commonly known as Motel 8 at 5225 Highway 97 N, Klamath Falls, Oregon situated upon the following described real property situated in Klamath County, Oregon:

Real Property. Parcel 1 of Minor Land Partition No. 5-83 as filed in the office of the Klamath County Clerk, more particularly described as follows: A tract of land situated in the SW ¼ of Section 7, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows: Beginning at the center of the ¼ corner of Section 7, thence North 89° 49' 00" West 489.5 feet to a point on the Westerly right of way line of Wocus Road (The old Dalles California Highway); thence South 06° 02' 00" West along said road, 1230.3 feet to a ½ " iron rebar; thence North 89° 49' 00" West 614.76 feet to a 5/8 iron rebar with a plastic cap marked "LS 993", and being the true point of beginning of this description; thence continuing North 89° 49' 00" West 273.73 feet to a ½ " rebar on the Easterly right of way line of Highway 97; thence, along said right of way line, South 11° 36' 11" East 275.00 feet to 5/8" iron rebar with plastic cap marked "LS 993"; thence South 89° 49' 00" East 197.56 feet to a said "LS 993" rebar; thence North 45° 11' 00" East 28.28 feet to a said "LS 993" rebar; thence North 00° 11' 00" East 249.20 feet to the point of beginning, and with bearings based on Minor Land Partition No. 5-83.

This Memorandum is executed to evidence and confirm the Commercial Lease and the Option Agreement and Agreement of Purchase and Sale referred to above, to which reference is made for its terms and conditions which include the following:

Upon recording return original to:

Brandsness, Brandsness & Rudd, P.C.
411 Pine Street, Klamath Falls, OR 97601
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Forward Tax Statements to:

Audie Soyland & Linda Soyland
3120 Shield Crest Dr.
Klamath Falls, OR 97603

1. Commercial Lease. The Commercial Lease shall commence on June 1, 1995 and terminate on May 31, 2005 without any provisions for renewal.

2. Option Agreement. The Option Agreement and Agreement of Purchase and Sale shall allow the Optionee the exclusive right to purchase the property during a 60 day period commencing on June 1, 2005, and earlier upon the occurrence of other specified events.

Owner and Landlord:

Optionee and Tenant:

Audie Soyland
Audie Soyland

Janki Enterprise, L.L.C.

Prakesh Patel
Its Manager

STATE OF OREGON)

) ss. 1st June
May, 1995

County of Klamath)

Personally appeared Audie Soyland and Linda Soyland, and acknowledged the foregoing instrument to be their voluntary act and deed. Before me:

Kristen L. Redd

Notary Public for Oregon

My Commission expires: 11/16/95

STATE OF OREGON)

) ss. 1st June
May, 1995

County of Klamath)

Personally appeared Prakesh Patel who, being duly sworn, stated he is Manager of Janki Enterprise, L.L.C. and that said instrument was signed on behalf of said limited liability company by authority of its members; and he acknowledged said instrument to be its voluntary act and deed. Before me:

Kristen L. Redd

Notary Public for Oregon

My Commission expires: 11/16/95

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STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Brandsness & Brandsness the 1st day
of June A.D., 19 95 at 3:27 o'clock P M., and duly recorded in Vol. M95
of Deeds on Page 14509

FEE \$35.00

Berntha G. Letsch, County Clerk

Berntha G. Letsch