

RECORDING REQUESTED BY  
AND WHEN RECORDED MAIL TO:

Driscoll Strawberry Associates, Inc.  
345 Hemsted, Suite B  
Redding, CA 96002  
Attn: Karen Chipley

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

### MEMORANDUM OF LEASE

THIS MEMORANDUM OF LEASE (this "**Memorandum**") is made as of March 28, 2000, by and between Melvin Charles Hendrickson and Virginia Kay Hendrickson, as trustees of the Melvin Charles Hendrickson and Virginia Kay Hendrickson 1992 Revocable Living Trust (collectively "**Lessor**"), and Driscoll Strawberry Associates, Inc., a California corporation ("**Lessee**").

#### Recitals

- A. Lessor, as Trustee of the Melvin Charles Hendrickson and Virginia Kay Hendrickson 1992 Revocable Living Trust (the "**Trust**"), holds title to certain real property located in Malin, Oregon, more particularly described on Exhibit A attached hereto and incorporated herein by this reference (the "**Land**") in trust for the Trust beneficiaries.
- B. Lessor and Lessee have entered into that certain Lease of even date herewith (the "**Lease**"), pursuant to which Lessor has Leased to Lessee a portion of the Property, consisting of approximately Six (6) acres, as shown by cross-hatching on Exhibit B attached hereto and incorporated herein by this reference (the "**Premises**").
- C. Lessor and Lessee desire to execute this Memorandum to provide notice to all third parties of Lessee's rights under the Lease.

In consideration of the mutual promises and covenants contained in the Lease and for other good and valuable consideration, the receipt and sufficiency are hereby acknowledged, the parties agree as follows:

1. Lessor hereby Leases the Premises to Lessee, pursuant to the terms and conditions contained in the Lease, for a term commencing on March 28, 2000 and expiring on the last day of December 2000.

2. This Memorandum and the Lease are governed by the laws of the State of California. This Memorandum shall not be construed as modifying the terms or conditions of the Lease. In the event of a conflict between this Memorandum and the Lease, the Lease shall control. This Memorandum may be signed in counterparts, each of which shall be deemed an original and all of which together shall constitute one and the same Memorandum.

IN WITNESS WHEREOF, the parties hereto have duly executed and delivered this Memorandum as of the day and year first above written.

Lessor:

Melvin Charles Hendrickson and Virginia Kay  
Hendrickson 1992 Revocable Living Trust

By: Melvin C. Hendrickson

Name: Melvin C. Hendrickson

Title: Trustee

By: Virginia Kay Hendrickson

Name: Virginia Kay Hendrickson

Title: Trustee

Lessee:

Driscoll Strawberry Associates, Inc.

By: L. Gary Gionnette

L. Gary Gionnette, President

By: Thomas P. Driscoll

Thomas P. Driscoll, Secretary

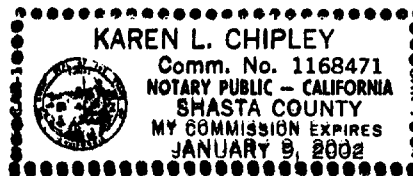
Or Clint Miller, Assistant Secretary

STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF Shasta )

On March 28, 2000, before me, Karen L. Chipley, Notary Public, personally appeared Melvin C. Hendrickson, personally known to me (~~or proved to me on the basis of satisfactory evidence~~) to be the person(s) whose name(s) (~~is/are~~) subscribed to the within instrument and acknowledged to me that (~~he/she/they~~) executed the same in (~~his/her/their~~) authorized capacity(ies), and that by (~~his/her/their~~) signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS MY HAND AND OFFICIAL SEAL

John A. Carr  
Notary Public



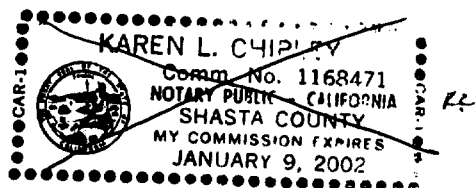
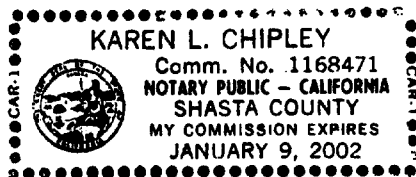
STATE OF CALIFORNIA )  
 ) ss.  
 COUNTY OF Shasta )

On March 28, 2000, before me, Karen L. Chipley, Notary Public, personally appeared Virginia Kay Herndrickson, personally known to me (~~or proved to me on the basis of satisfactory evidence~~) to be the person(s) whose name(s) (~~is/are~~) subscribed to the within instrument and acknowledged to me that (~~he/she/they~~) executed the same in (~~his/her/their~~) authorized capacity(ies), and that by (~~his/her/their~~) signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS MY HAND AND OFFICIAL SEAL

Karen L. Chipley

Notary Public

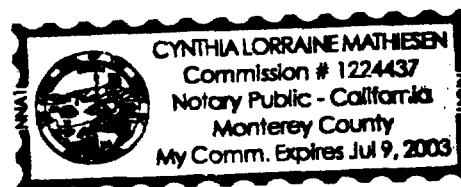


STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF Santa Cruz )

On April 3, 2000, before me, Guthrie L. Mathieson Notary Public, personally appeared L. Garry Giannette and Clint Miller, personally known to me (or ~~proved to me on the basis of satisfactory evidence~~) to be the person(s) whose name(s) (is/are) subscribed to the within instrument and acknowledged to me that ~~(he/she/they)~~ executed the same in (his/her/their) authorized capacity(ies), and that by (his/her/their) signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS MY HAND AND OFFICIAL SEAL

Cynthia L Mathieson  
Notary Public



**EXHIBIT "A"****Parcel 1**

The NW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  and the N  $\frac{1}{2}$  of the SW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 3, Township 41 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon

**Parcel 2**

NE  $\frac{1}{4}$  NW  $\frac{1}{4}$  in Section 3, Township 41 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon

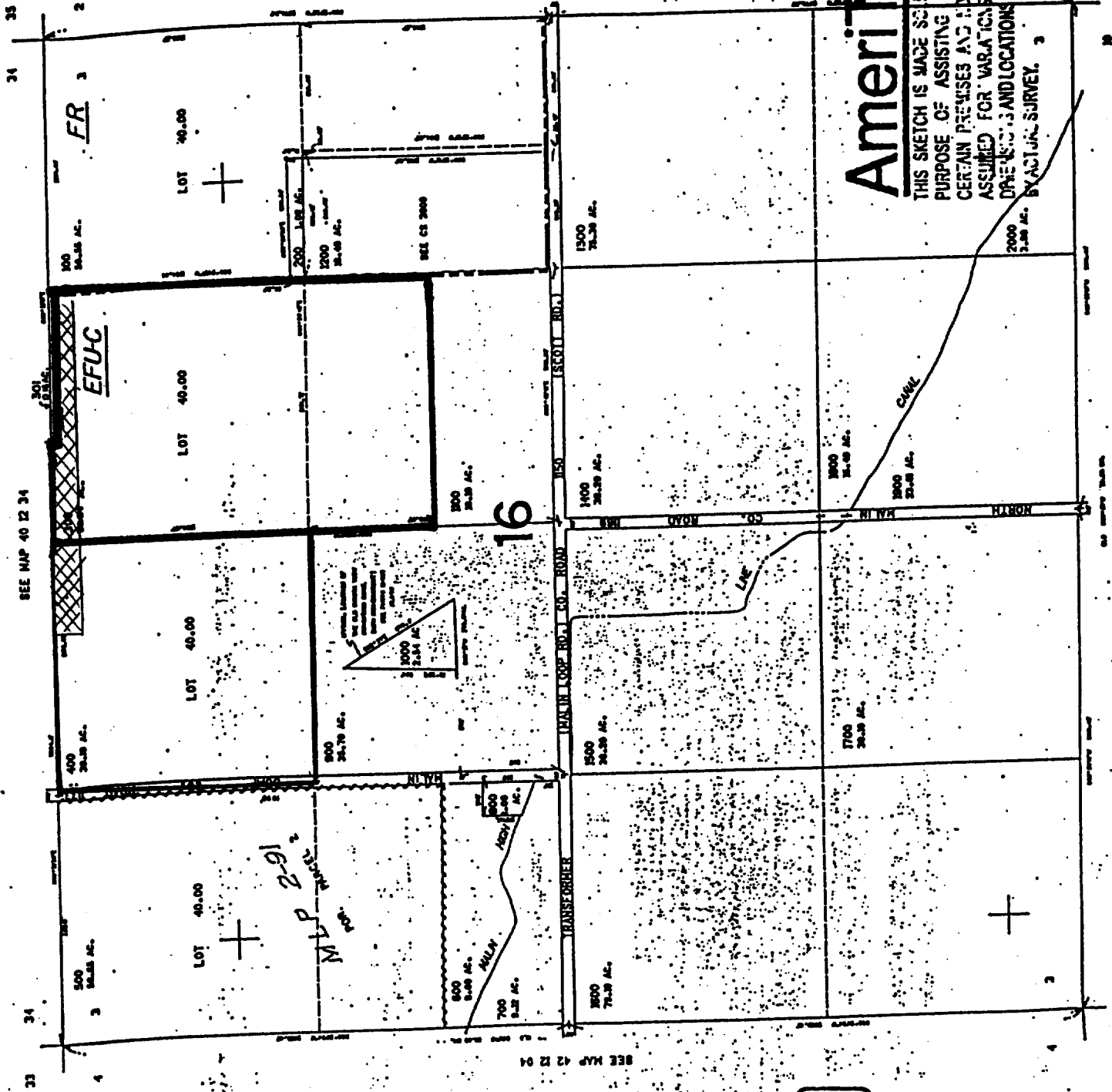
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41 12 03  
41 12 03

SECTION 03 T.41S. R.12E. WM.  
KLAMATH COUNTY

1-400'

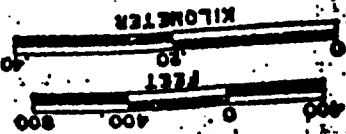
THIS MAP WAS PREPARED FOR  
ASSESSMENT PURPOSE ONLY.



**AmeriTitle**

THIS SKETCH IS MADE SOLELY FOR THE  
PURPOSE OF ASSISTING IN LOCATING  
CERTAIN PREMISES AND NO LIABILITY IS  
ASSUMED FOR VARIATIONS IF ANY IN  
DIMENSIONS AND LOCATIONS ASCERTAINED  
BY ACTUAL SURVEY.

State of Oregon, County of Klamath  
Recorded 04/17/00, at 4:27 a.m.  
In Vol. M00 Page 12331  
Linda Smith,  
County Clerk Fee\$ 51.00  
9.00



SCALE 1:19600