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State of Oregon, County of Klamath Recorded 09/24/04 9.01a m Vol M04 Pg 641413 Linda Smith, County Clerk Fee \$ 3/a # of Pgs 3

## AMENDED MEMORANDUM OF AGREEMENT

KNOW ALL PERSONS BY THESE PRESENTS, that on the 12th day of August, 2004, ROBERT V. KUENZEL and ANNE R. POLLACK, (Kuenzel-Pollack), Trustees of THE KUENZEL-POLLACK FAMILY TRUST (the Trust) and PHILIP F. BENEDETTI and LAURA B. BENEDETTI, husband and wife, (Benedetti) entered into an Amendment to Property Sharing and Ownership Agreement covering that certain real property located in Klamath County, Oregon, which is more particularly described as follows:

Cabin/Lot D2, Lake of the Woods, Oregon, together with all improvements located thereon.

Original Memorandum of Agreement recorded in Volume M00 at Page 44621 of the Official Records of Klamath County, Oregon.

The parties agree that the U. S. Forest Service permit and improvements on said real property will continue to be held solely in the name of the Kuenzel-Pollack Family Trust subject to the provisions of the Property Sharing and Ownership Agreement and Amendment. Pursuant to said Agreement and Amendment the beneficiaries of the Trust other than Benedetti hold a one-half (1/2) beneficial interest in the improvements and Benedetti holds a one-half (1/2) beneficial interest in said improvements.

The consideration consists of or includes other property or value given which is the whole consideration and which is more particularly set forth in said Agreement and Amendment.

AFTER RECORDING, RETURN TO:

SEND ALL TAX STATEMENT TO:

GRANTLAND, BLODGETT & SHAW 1818 E. McANDREWS ROAD MEDFORD, OR 97504

Anne Pollock & Robert Kuenzel, Trustees of The Kuenzel-Pollack Family Trust 98 Pine Street, Ashland, OR 97520

-1- AMENDED MEMORANDUM OF AGREEMENT

Law Offices of GRANTLAND, BLODGETT & SHAW, LLP 1818 E. McAndrews Rd. Medford, OR 97504 (541) 773-6855

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THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS, BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

THE PROPERTY DESCRIBED IN THIS INSTRUMENT MAY NOT BE WITHIN A FIRE PROTECTION DISTRICT PROTECTING STRUCTURES. THE PROPERTY IS SUBJECT TO LAND USE LAWS AND REGULATIONS, WHICH, IN FARM OR FOREST ZONES, MAY NOT AUTHORIZE CONSTRUCTION OR SITING OF A RESIDENCE. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND EXISTENCE OF FIRE PROTECTION FOR STRUCTURES.

IN WITNESS WHEREOF, the parties have executed this Amended Memorandum of Agreement this /2<sup>m</sup>day of August, 2004.

THE KUENZEL-POLLACK FAMILY TRUST

By Robert V. Kuenze

Anne R. Pollack

F. Benedetti

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AMENDED MEMORANDUM OF AGREEMENT -2-

STATE OF OREGON	)
	: ss.
County of Jackson	)

Personally appeared before me this <u>Lo</u> day of August, 2004, the above named ROBERT V. KUENZEL and ANNE R. POLLACK, Trustees of THE KUENZEL-POLLACK FAMILY TRUST and acknowledged the foregoing instrument to be their voluntary act and deed.



Notary Public for Oregon
My Commission Expires 7,2000

STATE OF OREGON ) : ss.
County of Jackson )

Personally appeared before me this [21 day of August, 2004, the above named PHILIP F. BENEDETTI and LAURA B. BENEDETTI and acknowledged the foregoing instrument to be their voluntary act and deed.



Notary Public for Oregon

My Commission Expires 09-18-07

-3- AMENDED MEMORANDUM OF AGREEMENT