

2007-016841

Klamath County, Oregon



00032127200700168410060067

09/26/2007 09:00:33 AM

Fee: \$46.00

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THE COUNTY RECORDING OFFICE

**RECORDING COVER SHEET (Please Print or Type)**

This cover sheet was prepared by the person presenting the instrument for recording. The information on this sheet is a reflection of the attached instrument and was added for the purpose of meeting first page recording requirements in the State of Oregon, ORS 205.234, and does NOT affect the instrument.

**AFTER RECORDING RETURN TO:**

US Recordings, Inc. 41598207  
2925 Country Drive  
St. Paul, MN 55117

**1) TITLE(S) OF THE TRANSACTION(S) ORS 205.234(a)**

Amendment to Short Form Lease

**2) DIRECT PARTY / GRANTOR(S) ORS 205.125(1)(b) and 205.160**

Klamath-Hilyard, LLC

**3) INDIRECT PARTY / GRANTEE(S) ORS 205.125(1)(a) and 205.160**

AutoZone Development Corporation

**4) TRUE AND ACTUAL CONSIDERATION**

ORS 93.030(5) – Amount in dollars or other

\$ \_\_\_\_\_  Other

**6) SATISFACTION of ORDER or WARRANT**

ORS 205.125(1)(e)

CHECK ONE:  FULL  
(If applicable)  PARTIAL

**5) SEND TAX STATEMENTS TO:**

\_\_\_\_\_

**7) The amount of the monetary  
obligation imposed by the order  
or warrant. ORS 205.125(1)(c)**

\$ \_\_\_\_\_

**8) If this instrument is being Re-Recorded, complete the following statement, in  
accordance with ORS 205.244: "RERECORDED TO CORRECT \_\_\_\_\_  
PREVIOUSLY RECORDED IN  
BOOK \_\_\_\_\_ AND PAGE \_\_\_\_\_, OR AS FEE NUMBER \_\_\_\_\_."**

**AMENDMENT TO SHORT FORM LEASE**

**THIS AMENDMENT TO SHORT FORM LEASE** (the "Amendment") is made this 10th day of September, 2007 between **Klamath-Hilyard, LLC, an Oregon limited liability company ("Landlord") and AutoZone Development Corporation, a Nevada corporation ("Tenant")**.

**WITNESSETH:**

**WHEREAS**, pursuant to that certain unrecorded Building Lease dated October 24, 2006, (the "Lease"), Landlord, leased to Tenant certain real property (the "Demised Premises") situated in the City of Klamath Falls, County of Klamath, State of Oregon, consisting of land described as the "Demised Premises" (which is part of the Entire Premises) in Exhibit "A", attached hereto and shown on Exhibit "B" attached hereto and made a part hereof, and

**WHEREAS**, pursuant to said Lease, Landlord and Tenant executed a "Short Form Lease", which Short Form Lease was recorded on August 10, 2007, as Document No. 2007-014134 of Official Records of Klamath County, Oregon; and

**WHEREAS**, the Landlord and Tenant now desire to amend the Short Form Lease to correctly set forth the legal description and site plan of the Demised Premises.

**NOW THEREFORE**, for and in consideration of the mutual covenants and agreements herein contained, and other good and valuable consideration, the receipt and sufficiency of all of which both parties hereto do hereby acknowledge, Landlord and Tenant do hereby amend the Short Form Lease as follows:

1. Exhibit "A" and Exhibit "B" attached hereto shall hereby replace Exhibit "A" and Exhibit "B" of the Short Form Lease referenced above.

2. All other provisions of the Short Form Lease shall remain in full, force, effect except as modified by this Amendment. If there is a conflict between this Amendment and the Short Form Lease, then the provisions of this Amendment shall control. All terms used but not otherwise defined herein shall have the meanings ascribed to them in the Lease.

**IN WITNESS WHEREOF**, Landlord and Tenant have executed this Amendment, in multiple originals, as of the day, month and year first written above.

**Klamath-Hilyard, LLC,  
an Oregon limited liability company**

By: Danell L. Hill

Its: MANAGING MEMBER

**AutoZone Development Corporation,  
a Nevada corporation**

By: Mark D. Johnson  
Vice President

Its: \_\_\_\_\_

By: Kim L. Johnson  
Vice President

Its: \_\_\_\_\_

APPROVED, VERIFIED AND  
PASSED FOR SIGNING

BD

*Unofficial  
Copy*

STATE OF OREGON

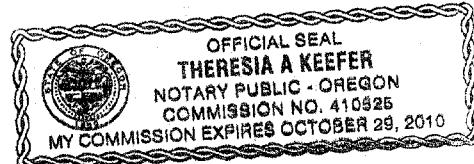
COUNTY OF BENTON

This instrument was acknowledged before me on Sept. 13 2007 by  
Darren Dickerhoof

Theresia A. Keefer  
Notary Public

Print Name: Theresia A. Keefer

My Commission Expires: 04. 29. 2010



STATE OF TENNESSEE

COUNTY OF SHELBY

On this 7<sup>th</sup> day of September in the year 2007, before me Tom J. Bullock  
Brian L. Campbell Notary Public, personally appeared Wm. David Gilmore and Vice President and Vice President known or identified to me to be the Vice President and Vice President of AutoZone Development Corporation, a Nevada corporation that executed the above instrument or the person who executed the instrument on behalf of said corporation and acknowledged to me that such corporation executed the same.

Tom J. Bullock  
Notary Public

My Commission Expires: 4-7-09

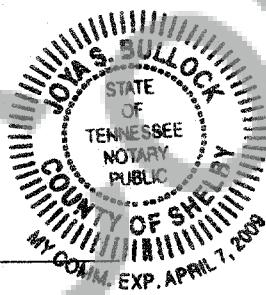


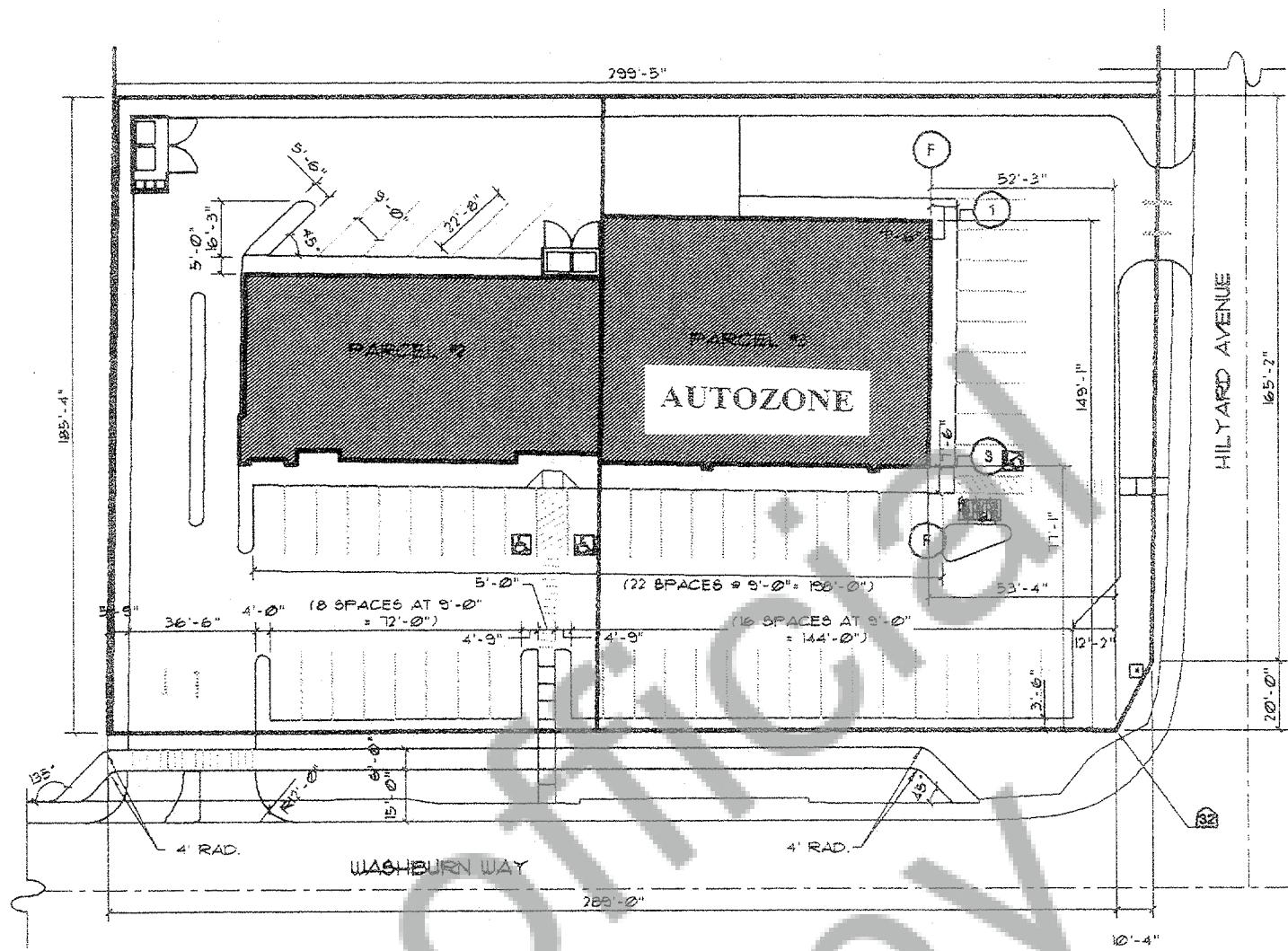
EXHIBIT "A"

Demised Premises:

Parcel 3 of Land Partition 22-00 in the SW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 3, Township 39 South, Range 9 East, Willamette Meridian, as on file with the Clerk of Klamath County, Oregon.

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Copy

EXHIBIT "B"



U41598207-01AZ06

AMENDMENT TO LEA  
LOAN# 3753ASF  
U.S. Recordings