

MTC1394-9419

2008-003293

Klamath County, Oregon



00041798200800032930030034

03/14/2008 11:26:58 AM

Fee: \$31.00

**After recording return to:**

Rebecca S. Schwarzkopf  
Arnold Gallagher Saydack  
Perrell Roberts & Potter  
P.O. Box 1758  
Eugene, Oregon 97440

**MEMORANDUM OF LEASE**

**Date:** September30, 2007

**Lessor:** CLOVER CREEK HOLDINGS LLC, an Oregon limited liability company

**Lessee:** SDI KLAMATH FALLS, RE, LLC, an Oregon limited liability company

Lessor has leased to Lessee certain premises located on the real property more particularly described in Exhibit A attached hereto on the terms and conditions contained in the Ground Lease between the parties dated as of the date hereof.

**LESSOR:**

CLOVER CREEK HOLDINGS LLC

By: [Signature]  
Its: member

**LESSEE:**

SDI KLAMATH FALLS, RE, LLC

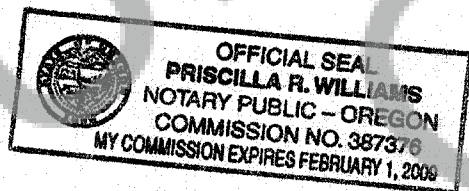
By: [Signature]  
Its: CEO

STATE OF OREGON )

) ss.

County of Jackson )

This instrument was acknowledged before me on September 26, 2007, by CA Galpin, on behalf Clover Creek Holdings LLC.



[Signature]  
Notary Public for Oregon  
My Commission Expires:

**Memorandum of Lease - 1**

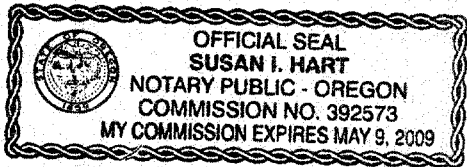
N/A - EVABRE, L.L.C. 14239 SONIC-K FALLS GROUND LEASE 14239-14 DOCUMENTS MEMO OF LEASE

AMERITITLE has recorded this instrument by request as an accommodation only, and has not examined it for regularity and sufficiency as to its effect upon the title to any real property that may be described therein.

3AMT

STATE OF OREGON       )  
                                  ) ss.  
County of Lane       )

This instrument was acknowledged before me on October 1, 2007 by  
Rich Olson, on behalf of SDI Klamath Falls, RE, LLC.



Susan I. Hart  
Notary Public for Oregon  
My Commission Expires: May 09, 2009

Unofficial  
Copy

**Memorandum of Lease - 2**

N\A - EABRE, L.L.C. 14239\SONIC-K.FALLS GROUND LEASE 14239-14\DOCUMENTS\MEMO OF LEASE.DOC

Exhibit A

**PARCEL 1**

Tract 4, GIENGER'S HOME TRACTS, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

EXCEPTING from the above described parcels that portion granted to the State of Oregon, by and through its State Highway Commission by Final Judgment filed October 25, 1964 in Case No. 64-163L for the widening of South 6<sup>th</sup> Street.

**PARCEL 2**

The Southerly 415 feet of Tract 5, GIENGER'S HOME TRACTS, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

**PARCEL 3**

The Northerly 280 feet of Tract 6 of GIENGER'S HOME TRACTS, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, LESS that portion thereof contained in the right of way of the Dalles-California Highway.

**PARCEL 4**

Beginning at the Northwesterly corner of Lot 5 of GIENGER'S HOME TRACTS, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, (being situated in the E1/2 E1/2 SW1/4 of Section 2, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon); thence from said point of beginning running Easterly 100 feet to a point; thence from said point and at right angles running southerly 225 feet to a point; thence from said point and at right angles running Westerly 100 feet to a point; thence from said point and at right angles to said Southerly line running Northerly to the point of beginning 225 feet; thereby constituting a tract of land 100 X 225 feet, less portion thereof contained in the right of the Dalles-California Highway.

LESS FURTHER EXCEPTING from Parcels 3 and 4 above that portion thereof conveyed to the State of Oregon, by and through its Highway Commission by Deed recorded April 23, 1964 in Volume 352, page 443, Deed Records of Klamath County, Oregon.

**Memorandum of Lease - 3**

N:\A - EVABRE, L.L.C. 14239\SONIC-K.FALLS GROUND LEASE 14239-14\DOCUMENTS\MEMO OF LEASE.DOC