

MTL 62701

2009-008973

Klamath County, Oregon



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**RECORDING REQUESTED BY AND  
WHEN RECORDED RETURN TO:**

06/30/2009 12:18:23 PM

Fee: \$41.00

WELLS FARGO BANK, NATIONAL  
ASSOCIATION  
Commercial Real Estate Services  
1300 SW Fifth Avenue  
MAC P6101-121  
Portland, Oregon 97201  
Attention: George Horton

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**MEMORANDUM OF LEASE**

**NAME OF LANDLORD:** JAMES L. THOMPSON FAMILY LIMITED PARTNERSHIP, an  
Oregon limited partnership

**NAME OF TENANT:** TRINITY SALES & LEASING, INC.

**ASSESSOR'S  
PROPERTY TAX  
PARCEL ACCOUNT  
NUMBER(S):** R-3909-004DD-01000-000; R-3909-004DD-00300-000; R-3909-  
004DD-00400-000; R-3909-003CC-00200-000; R-3909-003CC-  
00201-000

Alpm

**MEMORANDUM OF LEASE**

THIS MEMORANDUM OF LEASE, is entered into this 10<sup>th</sup> day of June, 2009, by and between TRINITY SALES & LEASING, INC., an Oregon corporation ("Lessee"), and JAMES L. THOMPSON FAMILY LIMITED PARTNERSHIP, an Oregon limited partnership ("Lessor").

**WITNESSETH:**

WHEREAS, Lessee and Lessor have entered into a certain Lease dated as of January 1, 2009 (the "Lease") concerning the lease of property legally described on Exhibit A attached hereto and hereby made a part hereof (the "Premises"), by Lessor to Lessee; and

WHEREAS, the parties hereto desire to enter into this Memorandum of Lease.

- 1.1 The Lease shall have an initial term of six years commencing on January 1, 2009, and ending on December 31, 2014, unless sooner terminated as provided in the Lease.
- 1.2 Reference is hereby made to the Lease for all terms and conditions concerning the lease by Lessee of the Premises.

IN WITNESS WHEREOF, the parties hereto have made and entered into this Memorandum of Lease as of the day and year first above written.

LESSEE:

TRINITY SALES & LEASING, INC.

By: James L. Thompson

Its: President

LESSOR:

JAMES L. THOMPSON FAMILY  
LIMITED PARTNERSHIP

By: James L. Thompson

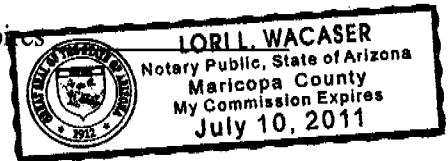
Its: General Partner

STATE OF AZ)  
COUNTY OF Maricopa) ss.

On this 10<sup>th</sup> day of June, 2009, before me Lori L. Wacaser, personally appeared James Thompson known or identified to me (or proved to me on the oath of

\_\_\_\_\_ ) to be the \* \_\_\_\_\_ of TRINITY SALES  
& LEASING, INC., an Oregon corporation that executed the instrument or the person who  
executed the instrument on behalf of said corporation, and acknowledged to me that such  
corporation executed the same.

Lori L. Wacaser  
NOTARY PUBLIC  
My Commission Expires \_\_\_\_\_



STATE OF AZ )  
COUNTY OF Maricopa ) ss.

On this 10th day of June, 2009, before me Lori L. Wacaser, personally  
appeared James Thompson known or identified to me (or proved to me on the oath of  
\_\_\_\_\_ ) to be the \*\* \_\_\_\_\_ of JAMES L.  
THOMPSON FAMILY LIMITED PARTNERSHIP, the limited partnership that executed the  
instrument or the person who executed the instrument on behalf of said limited partnership, and  
acknowledged to me that such company executed the same.

Lori L. Wacaser  
NOTARY PUBLIC  
Residing at Scottsdale AZ  
My Commission Expires \_\_\_\_\_



THIS INSTRUMENT DRAFTED BY:  
Winthrop & Weinstine, P.A. (JJH)  
Suite 3500  
225 South Sixth Street  
Minneapolis, Minnesota 55402

## **EXHIBIT A**

(Legal Description)

### **PARCEL 1**

A tract of land situate in Lot 4, Block 6, TRACT 1080, WASHBURN PARK, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, described as follows:

Beginning at a point on the East line of said Lot 4 which bears North 0 degrees 04' 50" East a distance of 51.29 feet from the iron pin marking the Southeast corner of said Lot 4; thence West a distance of 249.36 feet to a point; thence North 0 degrees 09' 45" East a distance of 379.06 feet, more or less, to the North line of said Lot 4; thence South 89 degrees 55' 10" East a distance of 248.82 feet to the iron pin marking the Northeast corner of said Lot 4; thence South 0 degrees 04' 50" West along said East line of Lot 4 a distance of 378.71 feet, more or less, to the point of beginning.

(Affects 3909-004DD, Tax Lot 300)

### **PARCEL 2**

A tract of land situated in Lots 4 and 5, Block 6, Tract 1080, WASHBURN PARK, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, more particularly described as follows:

Beginning at the East corner common to said Lots 4 and 5; thence South 00 degrees 04' 50" West, along the Westerly line of Washburn Way, 123.71 feet; thence West 249.61 feet; thence North 00 degrees 09' 45" East 175.00 feet; thence East 249.36 feet to said Westerly line of Washburn Way; thence South 00 degrees 04' 50" West 51.29 feet to the point of beginning, containing 1.00 acre (43,600 square feet) with bearings based on the subdivision plat of said Tract 1080, WASHBURN PARK.

(Affects 3909-004DD, portion Tax Lot 400)

### **PARCEL 3**

Lot 3, Block 5, Tract 1080, WASHBURN PARK, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

(Affects 3909-003CC, Tax Lots 200 and 201)

### **PARCEL 4**

The Southerly 220 feet of Lot 3 in Block 6 of TRACT 1080, WASHBURN PARK, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

(Affects 3909-004DD, Tax Lot 1000)

PARCEL 5

A tract of land situated in Lot 5, Block 6, Tract 1080, WASHBURN PARK, a duly recorded subdivision, Klamath County, Oregon, more particularly described as follows:

Commencing at the Southeast corner of said Lot 5; thence West along the North line of Hilyard Avenue, 194.04 feet; thence North 00 degrees 09' 45" East, 50.00 feet; thence West, 50.00 feet; thence North 00 degrees 09' 45", 354.06 feet to a point on the North line of said Lot 5 and being the True Point of Beginning of this description; thence North 89 degrees 55' 10" West, 210.57 feet to the Northwest corner of Lot 5; thence South 00° 04' 50" West, 124.36 feet along the West line of said Lot 5; thence leaving the West line of said Lot 5, East, 210.39 feet; thence North 00 degrees 09' 45" East, 124.06 feet to the True Point of Beginning, with bearings based on the subdivision plat of said Tract 1080, WASHBURN PARK.

(Affects 3909-004DD, portion Tax Lot 400)