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2011-007802

Klamath County, Oregon



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Recording Requested By:
378604437 9001
47271850-09
Sterling Savings Bank

06/29/2011 03:11:46 PM

Fee: \$47.00

and When Recorded Mail to:
Sara Sue Smith & Heidi Rae McLean
P.O. Box 500
Fort Klamath, OR 97626

(Space above this line for Recorder's use)

MEMORANDUM OF LEASE

This memorandum of lease is made JUNE 27, 2011 between SARA SUE SMITH and HEIDI RAE MCLEAN ("Landlord") and ASPEN INN, LLC, AN OREGON LIMITED LIABILITY COMPANY ("Tenant"),

1. TERMS AND PREMISES. Landlord leases to Tenant, and Tenant leases from Landlord, the real property located in the City of FORT KLAMATH, State of OREGON described in Exhibit A attached to this memorandum of lease, for a term of TWENTY-FIVE (25) YEARS WITH ONE, FIVE (5) YEAR OPTION TO RENEW, commencing on MAY 16, 2011 pursuant to the provisions of the lease between the parties, which lease is dated MAY 16, 2011 ("the Lease"). These provisions are incorporated into this memorandum of lease by reference.
2. PROVISIONS BINDING ON LANDLORD. The provisions of the Lease to be performed by Landlord, whether to be performed at the premises or in any other portion of the premises and whether affirmative or negative in nature, are intended to and shall bind Landlord and its successors and tenants at any time, and shall inure to the benefit of Tenant and its successors.
3. PURPOSE OF MEMORANDUM OF LEASE. This memorandum of lease is prepared for the purpose of recordation, and it in no way modifies the provisions of the lease referred to in subparagraph 1.

(Landlord) -SARA SUE SMITH and HEIDI RAE MCLEAN

By: Sara Sue Smith
SARA SUE SMITH, INDIVIDUALLY

By: Heidi Rae McLean
HEIDI RAE MCLEAN, INDIVIDUALLY

(Tenant) -ASPEN INN, LLC, AN OREGON LIMITED LIABILITY COMPANY

By: Sara Sue Smith
SARA SUE SMITH, CHIEF EXECUTIVE MEMBER

By: Heidi Rae McLean
HEIDI RAE MCLEAN, MEMBER

State of Oregon

County of Klamath

On June 28, 2011 before me Tamara L.

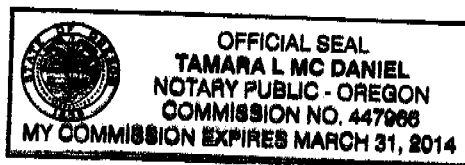
McDaniel
Sara Sue Smith, Notary Public, personally appeared

who 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.

I certify under PENALTY OF PERJURY under the laws of the State of _____ that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Signature] (Seal)



State of Oregon

County of Klamath

On June 28, 2011 before me Tamara L.

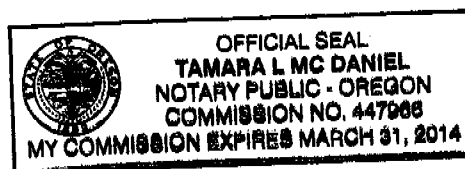
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who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is~~^{are} subscribed to the within instrument and acknowledged to me that ~~he~~^{she}~~they~~ executed the same in ~~his~~^{her}~~their~~ authorized capacity(ies), 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.

I certify under PENALTY OF PERJURY under the laws of the State of _____ that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Signature] (Seal)



Rev 01/08

Memorandum of lease
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EXHIBIT A

LEGAL DESCRIPTION: Real property in the County of Klamath, State of Oregon, described as follows:

All of Blocks 2 and 3 of HESSIG ADDITION TO FORT KLAMATH, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

TOGETHER WITH vacated Pine Street lying between said Blocks, also the N1/2 of vacated Fifth Street lying between the East line of Hessig Street and the center line of vacated Short Street, also the W1/2 of vacated Short Street abutting said Block 2.

EXCEPTING THEREFROM that portion of Blocks 2 and 3, vacated Pine Street and W1/2 of vacated Short Street lying within the boundaries of the Crater Lake Highway.

ALSO EXCEPTING THEREFROM a parcel of land in the Hessig Addition to Fort Klamath located in the Northwest one-quarter of Section 22, Township 33 South, Range 7 1/2 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Beginning at a point on the Easterly right of way line of Hessig Street 165.34 feet South 00 degrees 01'23" West from the original Northwest corner of Block 3 Hessig Addition to Fort Klamath; running thence East 143.50 feet; thence South 00 degrees 01'23" West 50.00 feet; thence East 78.50 feet; thence South 00 degrees 01'23" West 30.00 feet to the centerline of vacated 5th Street; thence along said centerline, West 222.00 feet to the Easterly right of way of Hessig Street, thence along said right of way line, North 00 degrees 01'23" East 80.00 feet to the point of beginning.

FURTHER EXCEPTING THEREFROM that portion deeded to Wood River Properties thru Property Line Adjustment 12-05, recorded August 9, 2005 in M05-61569, records of Klamath County, Oregon