

2011-010020

Klamath County, Oregon



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09/01/2011 01:08:21 PM

Fee: \$47.00

RECORDING REQUESTED BY, AND WHEN RECORDED RETURN TO:

Joshua S. Gutzwiler
Real Estate Manager
MAC P6101-140
1300 SW 5th Ave.
Portland, OR 97201-5667

THIS MEMORANDUM OF LEASE (the "Memorandum") is made and entered into this 16 day of August, 2011, by and between BPOE, LODGE NO. 1247, an Oregon non-profit corporation ("Landlord"); and WELLS FARGO BANK, N.A., a national banking association ("Tenant"), to evidence Landlord's demising to Tenant of certain premises pursuant to the ATM Lease described below.

Date of Lease 8/16, 2011.

Description of Property and Demised Premises: See Exhibit "A" attached hereto.

Term: Five (5) years following the last day of the month in which the Lease was dated.

Renewal Option: One (1) five (5) year renewal option.

Use Restrictions: For so long as Tenant (or its successor or assign) is operating an automated teller machine facility on the Property, Landlord shall not permit any use of the Property for banking and other financial services, and Landlord shall not lease to, nor permit any use of the Property (including, without limitation, use for automatic teller machines) by, any financial institution, commercial, or savings bank, savings and loan association, credit union, or any other entity offering the services of a financial institution (whether with or without federally insured deposits). Notwithstanding the foregoing, Landlord and its tenant shall be free to operate point-at-sale electronic fund transfer processing systems utilizing debit and credit cards at various point-of-sale locations within or upon the Property. The foregoing restriction shall run with the Property and be binding on Landlord and its successors and assigns.

The purpose of this Memorandum of Lease is to give record notice of the Lease and of the rights created thereby, all of which are hereby confirmed.

IN WITNESS WHEREOF, the parties have executed this Memorandum of Lease as of the dates set forth in their respective acknowledgments.

"Landlord"

"Tenant"

BPOE, LODGE NO. 1247, an Oregon
Non-profit corporation

By: Andrew L. Jones
Name: Andrew L. Jones
Title: Director

Date: August 11, 2011

STATE OF OREGON)
) ss.
COUNTY OF KLAMATH)

I certify that I know and have satisfactory evidence that **Andrew Jones** is the person who appeared before me, and acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as a Director of **Klamath Falls Lodge No. 1247, B. P. O. E.** to be the free and voluntary act of such parties for the uses and purposes mention in this instrument.

Dated: August 11, 2011



STATE OF OREGON)
) ss.
COUNTY OF MULTNOMAH)

I certify that I know and have satisfactory evidence that **Joshua S. Gutzwiler** is the person who appeared before me, and acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as a **Real Estate Manager of Wells Fargo Bank, N.A.** to be the free and voluntary act of such parties for the uses and purposes mention in this instrument.

Dated: August 16, 2011



WELLS FARGO BANK, N. A. a
national banking association

By: Joshua S. Gutzwiler
Name: Joshua S. Gutzwiler
Title: REM

Date: 8/16, 2011

David Davis
UP
8/19/11

Michael Spencer
Notary Public for the State of
Residing at 407 Main St, Klamath Falls, OR
My commission expires 1-27-2014

S. Mc Guire
Notary Public for the State of
Residing at 1300 SW 5th Ave, Portland, OR
My commission expires Sept. 12, 2013

ACKNOWLEDGMENT

State of California
County of San Francisco

On Aug 19 2011 before me, Judy Gonzales, Notary Public
(insert name and title of the officer)

personally appeared David Doner
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 California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.



Signature Judy Gonzales (Seal)