

WTC 92270-KR

2012-001076

Klamath County, Oregon

RECORDING COVER SHEET

ORS 205.234

This cover sheet has been prepared by the person presenting the attached instrument for recording. Any error in this cover sheet DOES NOT affect the transaction(s) contained in the instrument itself.



00113313201200010760040049

01/31/2012 03:43:51 PM

Fee: \$52.00

Reference - Escrow No. MT92270-KR
Title Order No. 0092270

Please print or type information.

1. AFTER RECORDING RETURN TO -

Required by ORS 205.180(4) & 205.238:

Name: **Timothy Southwell and Kendi Southwell**

Address: **7705 River Road**

City, ST Zip: **Klamath Falls, OR 97603**

2. TITLE(S) OF THE TRANSACTION(S) - Required by ORS 205.234(1)(a)

Note: "Transaction" means any action required or permitted by law to be recorded, including, but not limited to, any transfer, encumbrance or release affecting title to or an interest in real property. Enter descriptive title for the lien instrument:

Document Title(s): Memorandum of Lease

3. DIRECT PARTY / GRANTOR Names and Addresses - Required by ORS 205.234(1)(b)
for Mortgages/Liens list Borrower/Debtor

Landlord Name & Address: **Timothy Southwell, 7705 Lost River Road, Klamath Falls, OR 97603**

Landlord Name & Address: **Kendi Southwell, 7705 Lost River Road, Klamath Falls, OR 97603,**

4. INDIRECT PARTY / GRANTEE Names and Addresses - Required by ORS 205.234(1)(b)
for Mortgages/Liens list Beneficiary/Lender/Creditor

Tenants Name & Address: **American Marine & RV, LLC, an Oregon limited liability company,
7705 Lost River Road
Klamath Falls, OR 97603**

**5. For an instrument conveying or contracting to convey fee title, the information required by ORS 93.260:
UNTIL A CHANGE IS REQUESTED, ALL TAX STATEMENTS SHALL BE SENT TO**

Name: **Timothy Southwell**

Address: **7705 Lost River Road**

City, ST Zip: **Klamath Falls, OR 97603**

6. True and Actual Consideration:

52Pmt

Recording Requested By:
378865029-1
50404050-01
Sterling Savings bank

and When Recorded Mail to:
TIMOTHY & KENDI SOUTHWELL
2345 WIARD STREET
KLAMATH FALLS, OR 97603

(Space above this line for Recorder's use)

MEMORANDUM OF LEASE

This memorandum of lease is made JANUARY 25, 2012 between TIMOTHY SOUTHWELL & KENDI SOUTHWELL ("Landlord") and AMERICAN MARINE & RV, 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 KLAMATH FALLS, State of OREGON described in Exhibit A attached to this memorandum of lease, for a term of TEN (10) YEARS, WITH THREE (3), FIVE (5) YEAR OPTIONS TO RENEW, commencing on CLOSE OF ESCROW pursuant to the provisions of the lease between the parties, which lease is dated JANUARY 25, 2012 ("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) -TIMOTHY SOUTHWELL & KENDI SOUTHWELL

By: 
TIMOTHY SOUTHWELL

By: 
KENDI SOUTHWELL

(Tenant) -AMERICAN MARINE & RV, LLC, AN OREGON LIMITED LIABILITY COMPANY

By: 
TIMOTHY SOUTHWELL, MEMBER

By: Kendi Southwell
KENDI SOUTHWELL, MEMBER

State of OREGON,
County of KLAMATH;

On January 26, 2012 before me Kristi L. Redd

Notary Public, personally appeared Timothy Southwell & Kendi Southwell, 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 Oregon that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Kristi L. Redd (Seal)



State of OREGON,
County of KLAMATH;

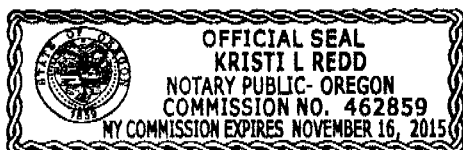
On January 26, 2012 before me Kristi L. Redd

Notary Public, personally appeared Timothy Southwell and Kendi Southwell, Members of American Marine RV, LLC, an Oregon limited liability company, 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 OREGON that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Kristi L. Redd



LEGAL DESCRIPTION

"EXHIBIT A"

PARCEL 1:

A tract of land described as follows: Beginning at an iron pin which marks the Northeast corner of Tract 63 of ROLAND PARK and which iron pin lies North 0°51' West along the 40 line a distance of 542.3 feet and the North 89°09' East a distance of 287.2 feet from the iron axle which marks the Southwest corner of the NE1/4 SW1/4 of Section 1, Township 39 South, Range 9 East of the Willamette Meridian, and running thence North 45°09' East a distance of 299.6 feet to an iron pin which lies on the Southwesterly right of way line of the State Highway 40 feet at right angles from the brass plug in the center line of the highway; thence in a Northwesterly direction following a 3°11' curve to the left along the Southwesterly right of way line of the State Highway a distance of 150 feet (the long chord of this curve bears North 48°32' West a distance of 149.96 feet) to an iron pin; thence South 45°09' West a distance of 221.6 feet to an iron pin; thence South 20°18' East a distance of 164.5 feet, more or less, to the point of beginning, said tract being a portion of the NE1/4 SW1/4 of Section 1, Township 39 South, Range 9 East of the Willamette Meridian and Beginning at an iron pin which marks the Southeast corner of Tract 63, ROLAND PARK, and which iron pin lies North 0°51' West along the 40 line a distance of 462.3 feet and North 89°09' East a distance of 262.2 feet from the iron axle which marks the Southwest corner of the NE1/4 SW1/4 of Section 1, Township 39 South, Range 9 East of the Willamette Meridian, and running thence North 16°33' East along the Easterly line of the above mentioned TRACT 63, a distance of 83.8 feet to an iron pin; thence North 45°09' East a distance of 299.6 feet to an iron pin on the Southerly right of way line of the Klamath Falls-Lakeview Highway; thence following the Southerly right of way line of the highway the following bearings and distances: South 46°09' East a distance of 13.5 feet to an iron pin; thence North 43°51' East a distance of 10 feet to an iron pin; and South 46°09' East a distance of 216.5 feet to an iron pin; thence South 43°51' West a distance of 384 feet to an iron pin; thence North 46°09' West a distance of 198.4 feet more or less to the point of beginning, said tract in the NE1/4 SW1/4 of Section 1, Township 39 South, Range 9 East of the Willamette Meridian.

EXCEPTING THEREFROM that tract conveyed to the State of Oregon in Deed recorded January 11, 1972 in Volume M72, page 342, Deed Records of Klamath County, Oregon.

PARCEL 2:

A tract of land situated in the NE1/4 SW1/4 of Section 1, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Beginning at a point situated North 00°51' West 462.3 feet, North 89°06' East 262.2 feet and South 46°09' East 198.4 feet from the Southwest corner of the said NE1/4 SW1/4 of Section 1; thence continuing South 46°09' East 106.00 feet; thence North 43°51' East 150.00 feet; thence North 46°09' West 106.00 feet; thence South 43°51' West 150.00 feet to the point of beginning with bearings based on recorded Survey No. 625 as recorded in the office of the Klamath County, Surveyor.
