. WC 92648-KR

2012-005268
Klamath County, Oregon



Recording Requested By: 378865029-3 50535350-04 Sterling Savings Bank

05/16/2012 03:27:50 PM

Fee: \$47.00

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 MAY 8, 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 FOUR (4), 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. <u>PURPOSE OF MEMORANDUM OF LEASE</u>. 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

∱ Ву:

TIMOTH SOUTHWELL

人 By:

KENDI SOUTHWELL

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

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TIMOTHY/SOUTHWELL, MEMBER/MANAGER



47Awt



X By: Lend Low Hwelf
KENDI SOUTHWELL, MEMBER/MANAGER

State of Orcyon}
County of Klamath }
on_ May 11, 2012 before me _ KristiL. Redd
Notary Public, personally appeared  Timothy Southwell * Kendi Southwell, who proved to me on the basis of members of American Marine * RV.LLC 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.
OFFICIAL SEAL
WITNESS my hand and official seal.  WITNESS my hand and official seal.
COMMISSION NO. 462859 NY COMMISSION EXPIRES NOVEMBER 16, 2015
Signature(Seal)
State of Oregon)
County of Klamath
on May 11, 2012 before me Kristi L. Redd
( )
Timothy Southwell + Kendi Southwell, who proved to me on the basis of
satisfactory evidence to be the person(s) whose name(s) **/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/heir/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. Kriste' L. Reld
OFFICIAL SEAL
KRISTI L REDD  NOTARY PUBLIC- OREGON COMMISSION NO. 462859 NY COMMISSION EXPIRES NOVEMBER 16, 2015

## EXHIBIT "A" LEGAL DESCRIPTION

## Parcel 1:

A portion of Tract No. 1 of KIELSMEIER ACRE TRACTS, according to the official plat thereof on file in the office of the County Clerk, Klamath County, Oregon, more particularly described as follows:

Beginning at a point on the East line of said Tract No. 1 of KIELSMEIR ACRE TRACTS which is East along the highway a distance of 162.5 feet and South along said East line a distance of 135.0 feet from the Northwest corner of said Tract No. 1; thence continuing South along said East line a distance of 292.5 feet to a point; thence West parallel to the North line of said Tract No. 1, a distance of 162.5 feet to a point on the East right of way line of Wiard Street; thence North along said right of way line 292.5 feet to a point; thence East 162.5 feet to the point of beginning.

## Parcel 2:

The West 150.5 feet of Tract 11, KIELSMEIER ACRE TRACTS, according to the official plat thereof on file in the office of the County Clerk, Klamath County, Oregon.