

2014-013083

Klamath County, Oregon



12/19/2014 02:00:28 PM

Fee: \$62.00

Prepared By and Upon Recording, Return to:

Verizon Wireless
David Lynch
One Allied Drive, B4F06SJ
Little Rock, AR 72202
Site ID: Klf Buck Butte

STATE OF OREGON)
)
COUNTY OF KLAMATH)

MEMORANDUM OF LAND LEASE AGREEMENT

This MEMORANDUM OF LAND LEASE AGREEMENT ("Memorandum") is made this 4th day of October, 2013, between Erin Leigh Thompson, Stanley J. Pence Sr. and Beverly A. Pence, hereinafter referred to as "LESSOR", and Verizon Wireless (VAW) LLC d/b/a Verizon Wireless, hereinafter referred to as "LESSEE". LESSOR and LESSEE are at times collectively referred to hereinafter as the "Parties" or individually as the "Party".

1. LESSOR and LESSEE entered into that certain Land Lease Agreement dated October 19, 2006 (the "Lease") whereby LESSEE leased from LESSOR a portion of that certain property located in Klamath County, State of Oregon (the "Property") (which Property is legally described in Exhibit "A" attached hereto).
2. LESSOR and LESSEE have entered into that certain First Amendment to Land Lease Agreement dated October 4, 2013 ("First Amendment") and now desire to evidence the Lease, as amended.
3. The Lease is currently set to expire on July 31, 2013. Following the expiration of the current term, the Lease shall automatically be extended for six (6) additional, successive five (5) year extension terms unless LESSEE notifies LESSOR, in writing, of LESSEE'S intention not to renew at least thirty (30) days prior to the end of the then current term.
4. This Memorandum is not intended to amend or modify, and shall not be deemed or construed as amending or modifying, any of the terms, conditions or provisions of the Lease, all of which are hereby ratified and affirmed. In the event of a conflict between the provisions of this Memorandum and the provisions of the Lease, the provisions of the Lease shall control. The terms, covenants and provisions of the First Amendment, the terms of which are hereby incorporated by reference into this Memorandum, shall extend to and be binding upon the respective executors, administrators, heirs, successors and assigns of LESSOR and LESSEE.

IN WITNESS WHEREOF, hereunto and to a duplicate hereof, LESSOR and LESSEE have caused this Memorandum to be duly executed on the date first written hereinabove.

WITNESSES:

Marla Rajnus
Signature
Marla Rajnus
Print Name

Robert Grounds
Signature
ROBERT GROUNDS
Print Name

WITNESSES:

Marla Rajnus
Signature
Marla Rajnus
Print Name

Robert Grounds
Signature
ROBERT GROUNDS
Print Name

WITNESSES:

Marla Rajnus
Signature
Marla Rajnus
Print Name

Robert Grounds
Signature
ROBERT GROUNDS
Print Name

LESSOR:

By: Erin Leigh Thompson
Print Name: Erin Leigh Thompson
Date: 5-21-13

By: Stanley J. Pence, Sr.
Print Name: Stanley J. Pence, Sr.
Date: 5/21/13

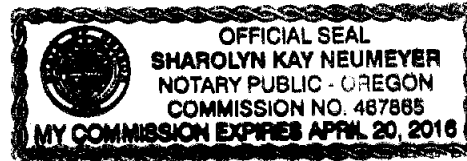
By: Beverly A. Pence
Print Name: Beverly A. Pence
Date: 5/21/13

LESSEE:

**VERIZON WIRELESS (VAW) LLC
D/B/A VERIZON WIRELESS**

By: Brian Mecum
Name: Brian Mecum
Title: Area Vice President Network
Date: 10/4/13

Diana Aguiz
Signature
DIANA AGUIZ
Print Name
Suzana Barreto
Signature
SUZANA BARRUETO
Print Name



STATE OF Oregon)
)
 COUNTY OF Klamath)

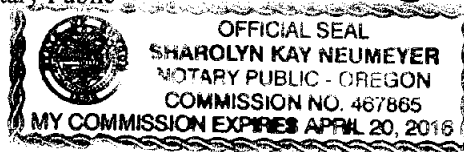
LESSOR ACKNOWLEDGMENT

I, Sharolyn Kay Neumeyer do hereby certify that Eric Leigh Thompson personally came before me this day and executed the foregoing MEMORANDUM OF LAND LEASE AGREEMENT as his own act and deed. He is personally known to me, or has produced _____ as identification.

WITNESS my hand and official Notarial Seal, this 21st day of May, 2013.

Sharolyn Kay Neumeyer
 Notary Public

My Commission Expires:
April 20, 2016



STATE OF Oregon)
)
 COUNTY OF Klamath)

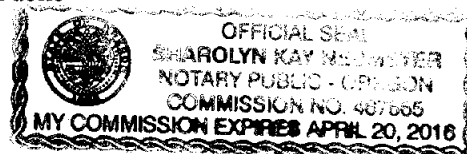
LESSOR ACKNOWLEDGMENT

I, Sharolyn Kay Neumeyer do hereby certify that Stanley Pence, Sr. personally came before me this day and executed the foregoing MEMORANDUM OF LAND LEASE AGREEMENT as his own act and deed. He is personally known to me, or has produced _____ as identification.

WITNESS my hand and official Notarial Seal, this 21st day of May, 2013.

Sharolyn Kay Neumeyer
 Notary Public

My Commission Expires:
April 20, 2016



STATE OF Oregon)
)
 COUNTY OF Klamath)

LESSOR ACKNOWLEDGMENT

I, Sharolyn Kay Neumeyer do hereby certify that Beverly A. Pence personally came before me this day and executed the foregoing MEMORANDUM OF LAND LEASE AGREEMENT as his own act and deed. He is personally known to me, or has produced _____ as identification.

WITNESS my hand and official Notarial Seal, this 21st day of May, 2013.

Sharolyn Kay Neumeyer
 Notary Public

My Commission Expires:
April 20, 2016

NOTARY ACKNOWLEDGMENT

STATE OF CALIFORNIA

COUNTY OF ORANGE

On _____ before me, _____, a Notary Public, personally appeared Brian Mecum who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person 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 of Notary Public

Place Notary Seal Above

Exhibit A

Legal Description of the Property

The W1/2 of the W1/2 of Section 23; the SW1/4 of the NE1/4 of the NW1/4 of Section 23; and the W1/2 of the NW1/4 of the NW1/4 of Section 26; All in Township 40 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon.

Tax Account No: 4011-00000-05900-000

Key No: 104577

LEASE PREMISES:

BEING A LEASE FOR A TELECOMMUNICATIONS FACILITY LOCATED IN THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 23, TOWNSHIP 40 SOUTH, RANGE 11 EAST, WILLAMETTE MERIDIAN AND FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT BEING 1861.5 FEET SOUTH AND 725.5 FEET EAST FROM THE 1989 BRASS CAP MARKING THE NORTHWEST CORNER OF SECTION 23, T40S, R11E, W.M.:

THENCE N 59°58'40" E, 106.16 FEET TO A POINT;

THENCE S 30°01'20" E, 215.00 FEET TO A POINT;

THENCE S 59°58'40" W, 208.71 FEET TO A POINT;

THENCE N 30°01'20" W, 170.00 FEET TO A POINT;

THENCE N 36°17'07" E, 111.99 FEET TO THE POINT OF BEGINNING, CONTAINING 42,565 SQUARE FEET, ALL BEING IN KLAMATH COUNTY, OREGON.

BASIS OF BEARING AND DESCRIPTION PER OREGON SOUTH ZONE NAD 1983 STATE PLANE GRID.