



2016-002704

Klamath County, Oregon

03/14/2016 09:28:49 AM

Fee: \$67.00

**THIS INSTRUMENT PREPARED BY:**

Alston & Bird LLP  
One Atlantic Center  
1201 West Peachtree Street  
Atlanta, Georgia 30309-3424  
Attention: Albert E. Bender, Jr.

**UPON RECORDING RETURN TO:**

Madison Title Agency, LLC  
1125 Ocean Avenue, Suite 1017  
Lakewood, New Jersey 08701  
Attn: Daniela Graca (Site: OR2-114)

**ASSIGNMENT OF TENANT'S INTEREST IN LEASE AND ASSUMPTION AGREEMENT**

Lease

Branch Lease at Klamath Falls (OR2-131)

KNOW THAT as of March 4, 2016, BANK OF AMERICA, NATIONAL ASSOCIATION, a national banking association, organized under the laws of the United States, with its principal office located in Charlotte, North Carolina ("Assignor"), in consideration of One Dollar (\$1.00) and other good and valuable consideration paid by BANK OF THE CASCADES, an Oregon state chartered bank, organized under the laws of the State of Oregon, with its principal office located in Bend, Oregon ("Assignee"), hereby assigns unto the Assignee all of Assignor's right, title and interest as tenant under that certain lease more particularly described on Attachment A hereto, covering the premises described on such attachment (the "Lease").

TO HAVE AND TO HOLD the same unto Assignee, its successors and assigns from and after 11:59 p.m., local time, on the date hereof (the "Effective Time").

ASSIGNEE hereby assumes, effective as of the Effective Time, the performance of all terms, covenants and obligations of the Lease on the part of Assignor to be performed under the Lease from and after the Effective Time.

This Assignment of Tenant's Interest in Lease and Assumption Agreement (this "Assignment") is executed and delivered between Assignor and Assignee in connection with the closing of the transactions contemplated in the Purchase and Assumption Agreement, dated as of October 28, 2015 (the "P&A Agreement") between Assignor and Assignee. This Assignment shall be governed by and construed in accordance with the terms and conditions of the P&A Agreement and the laws of the State of New York. Nothing contained in this Assignment shall be deemed to supersede any of the covenants, agreements, representations or warranties of Assignor or Assignee contained in the P&A Agreement or to otherwise alter, amend, supersede or add to the terms of the P&A Agreement. To the extent any inconsistency

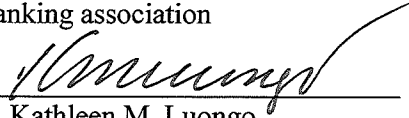
exists between this Assignment and the P&A Agreement, the terms of the P&A Agreement shall control and prevail.

*[Signature pages follow]*

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Copy

IN WITNESS WHEREOF, Assignor and Assignee have executed this Agreement as of the date first above written.

**BANK OF AMERICA, NATIONAL ASSOCIATION**, a  
national banking association

By:   
Name: Kathleen M. Luongo  
Title: Vice President

Branch Lease at Klamath Falls (OR2-131)

STATE OF MASSACHUSETTS

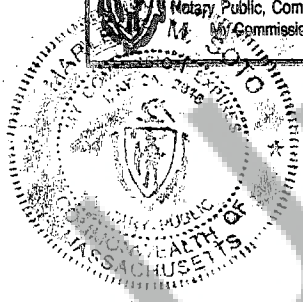
SS:

COUNTY OF SUFFOLK

The foregoing instrument was acknowledged before me this 2 day of march, 2016, by Kathleen M. Luongo, as Vice President of **BANK OF AMERICA, NATIONAL ASSOCIATION**, a national banking association, on behalf of the banking association.

  
Notary Public

My Commission expires:



**BANK OF THE CASCADES**, an Oregon state chartered bank, organized under the laws of the State of Oregon

By: Andrew L. Gerlicher  
Name: ANDREW L. GERLICHER  
Title: EVP GENERAL COUNSEL

Branch Lease at Klamath Falls (OR2-131)

STATE OF OREGON

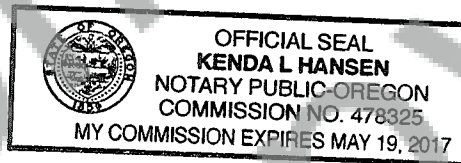
SS:  
COUNTY OF Deschutes

The foregoing instrument was acknowledged before me this 2nd day of March, 2016, by Andrew Gerlicher, as EVP General Counsel of **BANK OF THE CASCADES**, an Oregon state chartered bank, organized under the laws of the State of Oregon, on behalf of the banking bank.

Kenda L. Hansen  
Notary Public

My Commission expires:

May 19, 2017



Attachment A

Description of Lease Documents and Premises

Lease from George Daggett Flitcraft and Jerry Reed, as trustees of the Flitcraft Family Trust or their predecessor in title, as landlord, to Bank of America, National Association ("Bank of America"), as tenant, dated as of August 27, 1957 (as amended, and assigned, the "Lease"); Branch Lease at Klamath Falls (OR2-131), with respect to the real property described on Exhibit A attached hereto, which Lease, or a short form or memorandum of which Lease, was recorded as noted on Exhibit A attached hereto.

**EXHIBIT A**

**LEGAL DESCRIPTION**

The following-described real property in Klamath County, Oregon:

Lots 1 and 2, Block 76, KLAMATH ADDITION to Linkville, now City of Klamath Falls, according to the duly recorded plan thereof.

Memorandum of Lease recorded in Book 296, Page 180 Klamath County, Oregon

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