

2018-003659

Klamath County, Oregon



00219630201800036590050051

03/27/2018 08:49:27 AM

Fee: \$62.00

This instrument prepared by
and after recording return to:
Tammy Harper
DG Retail, LLC.
100 Mission Ridge
Goodlettsville, TN 37072

Dollar General Store No. 16686
Merrill, Oregon

AMENDMENT TO MEMORANDUM OF LEASE

THIS AMENDMENT TO MEMORANDUM OF LEASE is made and entered into on this _____ day of _____, 2018, by and between DM McCosker, LLC, a California limited liability company (the "Landlord") and DG Retail, LLC, a Tennessee limited liability company (the "Tenant").

WITNESSETH,

WHEREAS, Landlord and Tenant entered into a Lease Agreement dated as of June 1, 2015, for the lease of certain premises, including a retail store thereon (the "Demised Premises"), located in Merrill, Klamath County, Oregon (the "Lease"), as evidenced by a Memorandum of Lease of record in Document #2016-000399, Register's Office for Klamath County, Oregon (the "Memorandum of Lease"); and

WHEREAS, the legal description of the Demised Premises was attached to the Lease as Exhibit "A-1" and to the Memorandum of Lease as Exhibit "A;" and

WHEREAS, subsequent to the execution of the Lease and the Memorandum of Lease, the parcel referenced as Exhibit "A-1" in the Lease and Exhibit "A" of the Memorandum of Lease was subdivided; and

WHEREAS, Landlord has requested, and Tenant has agreed, by lease modification agreement dated March 8, 2018, that the Lease be amended to reflect the corrected Exhibit "A-1" legal description; and

WHEREAS, Landlord and Tenant desire to amend the Memorandum of Lease on the terms, conditions and provisions hereinafter set forth;

NOW, THEREFORE, for and in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and of the promises and undertakings hereinafter set forth, the parties agree that such Memorandum of Lease shall be and is hereby amended and modified as follows; effective January 5, 2018:

Exhibit "A" attached to and referenced in the Memorandum of Lease is hereby deleted in its entirety and the attached Exhibit "A" is substituted in its place. Any references in the Memorandum of Lease to Exhibit "A" shall be taken to mean and refer to Exhibit "A" attached hereto.

All other terms and conditions of the Memorandum of Lease shall remain unchanged.

(Signature Pages to Follow)

EXHIBIT "A"
Legal Description

Parcel 1 of Land Partition 19-15, a replat of Tracts 19 and 20 of Merrill Tract situated in the S1/2 of Section 2, Township 41 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, recorded December 8, 2015 in Volume 2015-013240, microfilm records of Klamath County, Oregon.

IN WITNESS WHEREOF, the parties have caused this Amendment to Memorandum of Lease to be executed by their proper officers and representatives and their proper seals to be hereto affixed, on the day and year first written above.

LANDLORD: DM MCCOSKER, LLC.

Logan Reynolds
Witness Signature

Logan Reynolds
Witness Print

[Signature]
Witness Signature

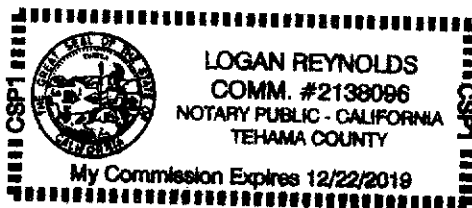
Videl Torres
Witness Print

By: Dwayne M. McCosker
Dwayne McCosker
Its: Managing Member

STATE OF California
COUNTY OF Tehama

Personally appeared before me, a Notary Public, Dwayne M. McCosker with whom I am personally acquainted, and who acknowledged that he executed the within instrument for the purposes therein contained.

Witness my hand, at office, this 22nd day of March, 2018.



Logan Reynolds
NOTARY PUBLIC

My Commission Expires: 12-22-19

Annette Whitley
Witness Signature

Annette Whitley
Witness Print

Bruce
Witness Signature

Christine Nale
Witness Print

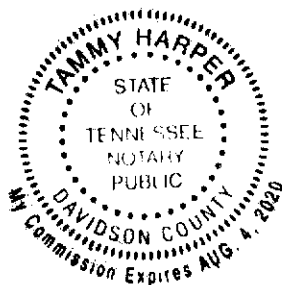
TENANT: DG RETAIL, LLC

By: [Signature]
Rexford B. Martin, Jr.
Its: Vice President of Real Estate

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Personally appeared before me, a Notary Public, Rexford B. Martin, Jr. with whom I am personally acquainted, and who acknowledged that he is Vice President of Real Estate of DG Retail, LLC, and that he as such officer, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself as Vice President of Real Estate.

Witness my hand, at office, this 8th day of March, 2018.



Tammy Harper
NOTARY PUBLIC

My Commission Expires: 8-4-2020