

After recording return to:

Melvin D. Ferguson Attorney at Law 514 Walnut Ave. Klamath Falls, OR 97601

2018-006504

Klamath County, Oregon

05/29/2018 03:28:00 PM Fee: \$57.00

TERMINATION AND RELEASE OF LEASE

THIS TERMINATION AND RELEASE OF LEASE is executed this 2 day of May, 2018 by Klamath Basin Geopower, Inc., a Nevada corporation by and through Jerri Coppa-Kudson, Chapter 7 Trustee for Klamath Basin Geopower, Inc.

1. <u>Lease.</u> Pursuant to that certain Geothermal Lease and Agreement dated December 9, 2010 as evidenced by that certain memorandum of lease recorded May 18, 2011 at Volume 2011, Page 006261 in the official records of Klamath County, Oregon, a "Lease" by and between Optim, Inc. a Nevada corporation (the "Lessee") and Mary and Emil Nobel (the "Lessors"), Lessors leased to Lessee certain real property located in Klamath County, Oregon, which is more particularly described on Exhibit A and referenced in the applicable Lease and Memorandum thereof.

2. <u>Assignment.</u>

- a. Pursuant to that certain Assignment and Assumption of Leases Agreement, effective January 19, 2011 Lessee Optim, Inc. assigned its Lessee interest in said Lease to Klamath Basin Geopower, Inc. Said Assignment and Assumption of Leases Agreement was evidenced by a Memorandum of First Amendment to Geothermal Lease and Agreement Assignment and Novation recorded March 13, 2014 at Volume 2014, Page 002165 in the official records of Klamath County, Oregon.
- b. On September 3, 2011 Emil Nobel died and Mary Nobel became the sole Lessor.
- c. On March 12, 2014 Mary Nobel sold her interest in that real property more specifically described on Exhibit A and assigned her Lessor interest in the Lease to Planasa-Oregon REO, LLC. At the same time Planasa-Oregon REO, LLC as Lessor and Klamath Basin Geopower, Inc. as Lessee executed an amendment to the Lease.

- d. The death of Emil Nobel, Assignment of Mary Nobel's Lessor interest in the subject property to Planasa-Oregon REO, LLC and amendment of the Lease between Planasa Oregon REO, LLC and Klamath Basin Geopower, Inc. are evidenced by that Memorandum of First Amendment to Geothermal Lease and Agreement Assignment and Novation dated March 12, 2014 and recorded March 13, 2014 at Volume 2014, Page 002165 in the official records of Klamath County, Oregon.
- 3. Termination and Release of Lease. Recorded simultaneously herewith is an Order Authorizing Rejection of Undisclosed Unexpired Lease of Non-Residential Real Property in the case In Re: Klamath Basin Geopower, Inc. U.S. Bankruptcy Court District of Nevada, Case No. BK-N-15-51578-BTB. Given the court's permission the Trustee by signature below terminates, rejects and releases the described Lease.
- 4. <u>Incorporation of Lease.</u> This termination and release, incorporates herein all of the terms and provisions of the Lease (as amended) as though fully set forth herein.

IN WITNESS WHEREOF, Jerri Coppa-Knudson, in her capacity as Chapter 7 Trustee for Klamath Basin Geopower, Inc. has executed this Termination and Release of Lease as of the date set forth above.

Klamath Basin Geopower, Inc., a Nevada corporation

By: Mudson, Chapter 7 Trustee for

Klamath Basin Geopower, Inc.

STATE OF Nevada) ss.
County of Washol)

K. LUTSCH

Notary Public - State of Nevada

Appointment Recorded in Washoe County

No: 98-35499-2 - Expires February 12, 2019

Notary Public - State of Nevada

My commission expires: 2/12/15

LEGAL DESCRIPTION

Beginning at the center of Section 19, Township 39 South, Range 10 East of the Willamette Meridian; Klamath County, Oregon; thence North to the South boundary of the U. S. Reclamation Service Canal; thence Southeasterly along said Southerly boundary to the Westerly boundary of U.S. Reclamation Service C. Branch Canal; thence Southwesterly along said Westerly boundary to its intersection with the East-West center line of said Section 19; thence West along said centerline to the point of beginning.

EXCEPTING THEREFROM that portion lying within Short Road.