

100970AM

2018-011914

Klamath County, Oregon



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09/28/2018 03:47:24 PM

Fee: \$107.00

WHEN RECORDED MAIL TO:

WALLER TAYLOR III
 KANTOR TAYLOR PC
 1200 FIFTH AVE, SUITE 1910
 SEATTLE, WA 98101

MEMORANDUM OF LEASE

Landlord: KLAMATH FALLS SNF, LLC

Tenant: MARQUIS COMPANIES II, INC.

Tax Account No.: R752064

This Memorandum of Lease (the "Memorandum") is made as of the 1st day of October 2018 by and between KLAMATH FALLS SNF, LLC, a California limited liability company ("Landlord"), as current landlord under the Operating Lease defined below, and MARQUIS COMPANIES II, INC., an Oregon corporation, ("Tenant"), as current tenant under the Operating Lease described below.

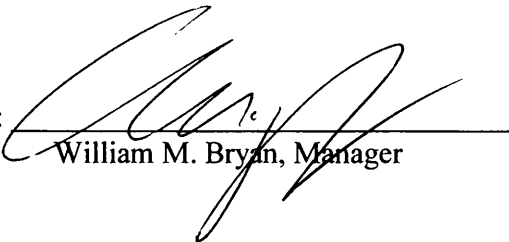
1. Lease. Pursuant to an unrecorded lease entered into as of November 7, 2002 by Landlord's predecessor-in-interest Plum Ridge Care Community and Tenant's predecessor-in-interest Marquis Companies I, Inc., as amended by first addendum dated as of January 15, 2003, second addendum dated as of July 20, 2005, third addendum dated as of October 1, 2006, assignment dated March 29, 2012, fourth addendum dated as of September 30, 2012, fifth addendum dated as of February 5, 2014, assignment dated as of July 24, 2018 and sixth addendum dated as of October 1, 2018 (collectively, the "Operating Lease"), Landlord has leased to Tenant and Tenant has leased from Landlord the real property and improvements located in the City of Klamath Falls, County of Klamath, State of Oregon, and described on the attached Exhibit A, by this reference incorporated herein as if fully set forth (hereinafter referred to as the "Premises").
2. Term. The term of the Operating Lease runs through December 31, 2021, with three (3) options to extend the term for additional periods of five (5) years each.
3. Purpose of Memorandum. This Memorandum is prepared for the purpose of recordation to give notice of the Operating Lease. This Memorandum shall not constitute an amendment or modification of the Operating Lease, and in the event of any conflict between the terms of this Memorandum and the Operating Lease, the terms of the Operating Lease shall control.

[Signatures on Following Pages]

107445T

Landlord's Signature Page for Memorandum of Lease

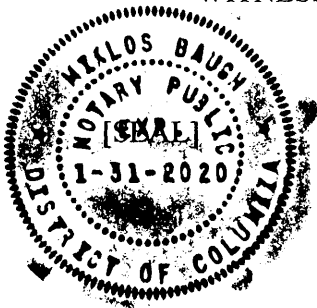
KLAMATH FALLS SNF, LLC,
a California limited liability company

By: 
William M. Bryan, Manager

DISTRICT OF COLUMBIA)ss:

On this 20th day of September, 2018, before me, a Notary Public in and for said District, duly commissioned and sworn, personally appeared William M. Bryan, the Manager of Klamath Falls SNF, LLC, a California limited liability company, known to me 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 on behalf of which the person acted, voluntarily executed the instrument.

WITNESS my hand and official seal




Notary Public

My commission expires: _____
MIKLOS BAUGH
NOTARY PUBLIC DISTRICT OF COLUMBIA
My Commission Expires January 31, 2020

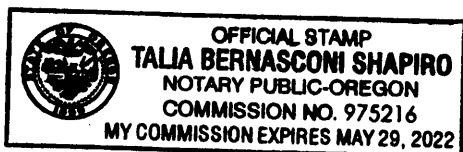
Tenant's Signature Page for Memorandum of Lease

MARQUIS COMPANIES II, INC.,
an Oregon corporation

By: [Signature]
Name: Steven C. Fogg
Its: Secretary and Chief Financial Officer

STATE OF OREGON)
) ss.
County of Clackamas)

The foregoing instrument was acknowledged before me this 19 day of September, 2018 by Steven C. Fogg, the Secretary and Chief Financial Officer of MARQUIS COMPANIES II, INC., an Oregon corporation, on behalf of the corporation.



[Signature]
NOTARY PUBLIC FOR Oregon
My commission expires: 5/29/22

**EXHIBIT A
TO
MEMORANDUM OF LEASE**

**LEGAL DESCRIPTION OF
PLUM RIDGE**

PARCEL 1:

A leasehold interest only not including buildings and improvements located in the land described as follows:

A tract of land situated in the SW 1/4 of the NE 1/4 of Section 20, Township 38 South, Range 9 East, Willamette Meridian, Klamath County, Oregon, being a portion of Blocks 7 and 8 and vacated Hilltop Street, McLoughlin Heights Subdivision, more particularly described as follows: Commencing at the Northeast corner of McLoughlin Heights; thence South 0°46'00" West, along the East boundary of McLoughlin Heights, 100.0 feet to the true point of beginning of this description; thence South 0°46'00" West, along the East boundary of McLoughlin Heights 572.30 feet to the North boundary of Foothills Boulevard; thence 40.57 feet along the arc of a 20.00 foot radius curve to the right (the long chord of which bears South 58°53' West, 33.97 feet); thence North 63°00'00" West, along the North boundary of Foothills Boulevard, 104.35 feet; thence 482.81 feet along the arc of a 774.83 foot radius curve to the left (the long chord of which bears North 80°51'03" West, 475.03 feet); thence leaving said road boundary North 20°39'40" East, 504.11 feet; thence South 89°21'00" East, 420.87 feet to the true point of beginning. TOGETHER WITH the Northerly one-half of vacated Foothill Boulevard abutting the Southerly boundary of the above described parcel.

Also including Lots 8, 9, 10, 11, 12, 13, 14 and 15 of Block 6 of McLoughlin Heights subdivision, Together with the Southerly one-half of vacated Foothill Boulevard abutting the Northerly boundary of said Lots 8, 9, 10, 11, 12, 13, 14 and 15 of Block 6;

Excepting therefrom Lots 8, 9, 10, 11, 12, 13, 14 and 15 of Block 6 of McLoughlin Heights Subdivision, Together with the Southerly one-half of vacated Foothill Boulevard abutting the Northerly boundary of said Lots 8, 9, 10, 11, 12, 13, 14 and 15 of Block 6;

Also Excepting therefrom the following described parcel: Commencing at the NE 1/16 corner of Section 20, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, being the Northeast corner of McLoughlin Heights subdivision; thence along the east boundary of said McLoughlin Heights and the East line of the SW 1/4 NE 1/4 of said Section 20 South 0°46'00 West 100.00 feet to the Northeast corner of that parcel described as Parcel 1 in deed Volume M91, page 13596, records of Klamath County, Oregon: thence along the Northerly boundary of said Parcel North 89°21'00" West 420.87 feet to the Northwest corner of said parcel; thence South 20°39'40" West 504.11 feet to the Southwest corner of that parcel described in deed Volume M75, page 8321, records of Klamath County, Oregon and the true point of beginning for this description; thence South 08°42'06" East 25.00 feet to the

centerline of vacated Foothill Boulevard; thence following said centerline along the arc of a 749.83 foot radius non-tangent curve to the right 82.06 feet, the long chord of which bears South 84°26'01" West 82.02 feet; thence leaving said centerline North 09°10'20" West 12.82 feet; thence South 80°17'48" West 17.62 feet; thence North 09°32'02" West 17.40 feet; thence South 80°54'52" West 63.92 feet to the point of beginning:

Also Excepting therefrom the following described portion of Parcel 1 of Deed Volume M91, page 13596, records of Klamath County, Oregon: Beginning at a point on the East boundary of McLoughlin Heights which bears South 0°46'00" West 100.00 feet from the Northeast corner thereof, said point being the Northeast corner of said Parcel 1 of deed Volume M91, page 13596; thence North 89°21'00" West along the North line of said parcel 420.87 feet to the Northwest corner thereof; thence South 20°39'40" West along the Westerly line of said parcel 173.00 feet to a point; thence along the Southerly line of said parcel South 86°54'35" East 274.87 feet; thence leaving said Southerly line North 15°01'01" East 28.90 feet; thence North 72°20'55" East 13.09 feet; thence South 69°41'02" East 99.96 feet; thence South 4°30'18" East 3.74 feet to the Southerly line of said Parcel 1; thence South 86°54'35" East to a point on the East line of said parcel; thence North 0°46'00" East along said East line 183.00 feet to the point of beginning.

TOGETHER WITH easements for vehicular access and pedestrian walkways as described in the Agreement for Reciprocal Access Easements recorded June 8, 2001 in Instrument No. M01-27242, Official Records of Klamath County, Oregon.

PARCEL 2:

The buildings, fixtures and improvements located on the following described property:

A tract of land situated in the SW 1/4 of the NE 1/4 of Section 20, Township 38 South, Range 9 East, Willamette Meridian, Klamath County, Oregon, being a portion of Blocks 7 and 8 and vacated Hilltop Street, McLoughlin Heights Subdivision, more particularly described as follows: Commencing at the Northeast corner of McLoughlin Heights; thence South 0°46'00" West, along the East boundary of McLoughlin Heights, 100.0 feet to the true point of beginning of this description; thence South 0°46'00" West, along the East boundary of McLoughlin Heights 572.30 feet to the North boundary of Foothills Boulevard; thence 40.57 feet along the arc of a 20.00 foot radius curve to the right (the long chord of which bears South 58°53' West, 33.97 feet); thence North 63°00'00" West, along the North boundary of Foothills Boulevard, 104.35 feet; thence 482.81 feet along the arc of a 774.83 foot radius curve to the left (the long chord of which bears North 80°51'03" West, 475.03 feet); thence leaving said road boundary North 20°39'40" East, 504.11 feet; thence South 89°21'00" East, 420.87 feet to the true point of beginning. TOGETHER WITH the Northerly one-half of vacated Foothill Boulevard abutting the Southerly boundary of the above described parcel.

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TOGETHER WITH easements for vehicular access and pedestrian walkways as described in the Agreement for Reciprocal Access Easements recorded June 8, 2001 in Instrument No. M01-27242, Official Records of Klamath County, Oregon.