

2020-008905

Klamath County, Oregon

07/21/2020 10:25:49 AM

Fee: \$107.00

DRAFTED BY AND RETURN TO:
MILLER CREEK SOLAR, LLC
C/O GERONIMO ENERGY, LLC
8400 NORMANDALE LAKE BLVD, SUITE 1200
BLOOMINGTON, MN 55437
952-988-9000

THE SPACE ABOVE THIS LINE IS RESERVED FOR RECORDING PURPOSES.

TERMINATION OF SOLAR LAND PURCHASE AGREEMENT

THIS TERMINATION OF SOLAR LAND PURCHASE AGREEMENT (“**Termination**”) is made and entered into as of this 8th day of July, 2020 (the “**Effective Date**”), by Miller Creek Solar, LLC, a Delaware limited liability company as successor in interest to Geronimo Solar Energy, LLC, a Minnesota limited liability company (“**Buyer**”).

1. Work First Casualty Company, a Delaware corporation (hereinafter “**Seller**”) and Buyer entered into that certain Solar Land Purchase Agreement (the “**Agreement**”) dated December 27, 2019, whereby Seller agreed to sell property to Buyer, in the County of Klamath, State of Oregon, as more fully described therein, and on the attached Exhibit A (the “**Property**”), as evidenced by that certain Memorandum of Purchase Agreement dated December 27, 2019, recorded in Klamath County by the Klamath County Clerk’s Office on February 6, 2020, as Document 2020-001524; and as referenced in that certain Assignment and Assumption of Real Property Interests dated June 26, 2018, recorded in Klamath County by the Klamath County Clerk’s Office on June 29, 2020, as Document 2020-007862.

2. Buyer has elected to terminate the Agreement as to the entire Property, and hereby terminates the Agreement as to the entire Property as of the Effective Date. The Property is hereby released and discharged from the terms and conditions of the Agreement from and after the Effective Date; and the Agreement shall be rendered null, void and of no further force and effect as to the Property.

3. This Termination is made in and shall be governed by the laws of the State of Oregon.

[Signature Below]

Exhibit A
Property

Legal Description of Property:

Tax Parcel ID No(s): 845679, 845688, 845697, 899920

LEGAL DESCRIPTION OF UNSURVEYED PARCEL 1 OF "LAND PARTITION 3-18"

UNSURVEYED PARCEL 1 OF "LAND PARTITION 3-18", SITUATED IN SECTION 17, T28S, R8EWM, KLAMATH COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 17; THENCE S00°24'02"W 2635.311 FEET TO THE EAST 1/4 CORNER OF SAID SECTION 17; THENCE S00°24'02"W 2635.312 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 17; THENCE N89°49'03"W 1318.64 FEET TO THE EAST 1/16 CORNER COMMON TO SECTION 20, T28S, R8EWM, AND SAID SECTION 17; THENCE N00°21'57"E 1318.358 FEET TO THE SE1/16 CORNER OF SAID SECTION 17; THENCE CONTINUING N00°21'57"E, ALONG THE WEST LINE OF THE E1/2 SE1/4 OF SAID SECTION 17, 831.97 FEET, MORE OR LESS, TO A POINT ON THE BOUNDARY OF THAT TRACT OF LAND DESCRIBED IN DEED VOLUME M00 AT PAGE 4668 OF THE KLAMATH COUNTY DEED RECORDS; THENCE, ALONG THE BOUNDARY OF SAID DEED VOLUME THE FOLLOWING COURSES, S86°18'54"E 222.64 FEET, N76°53'03"E 96.29 FEET, N64°30'00"E 125.57 FEET, N20°45'37"W 125.22 FEET AND N13°32'28"E 84.49 FEET, N00°51'14"W 49.75 FEET, N89°45'23"W 896.71 FEET FROM THE EAST 1/4 CORNER OF SAID SECTION 17; THENCE N89°45'23"W 423.52 FEET TO THE C-E1/16 CORNER OF SAID SECTION 17; THENCE, CONTINUING N89°45'23"W 953.46 FEET TO A POINT ON THE NORTHWESTERLY RIGHT OF WAY LINE OF THE UNION PACIFIC RAILROAD; THENCE S12°24'39"W, ALONG THE SAID RIGHT OF WAY LINE, 196.00 FEET; THENCE, LEAVING SAID RIGHT OF WAY LINE, N67°17'37"W 352.272 FEET TO A POINT ON THE NORTH-SOUTH CENTER SECTION LINE OF SAID SECTION 17; THENCE S00°19'52"W 1319.062 FEET TO THE 1/4 CORNER COMMON TO SAID SECTION 17; THENCE S00°19'52"W 1318.64 FEET TO THE WEST 1/16 CORNER COMMON TO SAID SECTIONS 17 AND 20; THENCE N89°49'03"W 1318.64 FEET TO THE WEST LINE OF THE E1/2 SW1/4 OF SAID SECTION 17, 663 FEET, MORE OR LESS, TO THE SOUTHEASTERLY RIGHT OF WAY LINE OF HIGHWAY 97; THENCE N17°15'20"E, ALONG THE SAID RIGHT OF WAY LINE, 3996 FEET, MORE OR LESS, TO ITS INTERSECTION WITH THE SOUTH LINE OF THAT TRACT OF LAND DESCRIBED IN DEED VOLUME M79 AT PAGE 8328 OF THE KLAMATH COUNTY DEED RECORDS; THENCE, ALONG THE BOUNDARY OF SAID DEED VOLUME, S89°35'56"E 376.69 FEET AND N17°47'28"E 829 FEET, MORE OR LESS, TO A POINT ON THE NORTH LINE OF SAID SECTION 17; THENCE S89°41'43"E 2172.807 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM, ANY PORTION LYING WITHIN THE RIGHT OF WAY OF THE UNION PACIFIC RAILROAD.

THIS PARCEL CONTAINS 293.22 ACRES, MORE OR LESS.

AND

LEGAL DESCRIPTION OF UNSURVEYED PARCEL 1 OF "LAND PARTITION 2-18"

UNSURVEYED PARCEL 1 OF "LAND PARTITION 2-18", SITUATED IN THE NW1/4 OF SECTION 17, AND THE N1/2 OF SECTION 18, T28S, R8EWM, KLAMATH COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 17; THENCE S89°41'43"E, ALONG THE NORTH LINE OF SAID SECTION 17, 2416 FEET, MORE OR LESS, TO THE NORTHWESTERLY RIGHT OF WAY LINE OF HIGHWAY 97; THENCE S16°55'30"W, ALONG SAID RIGHT OF WAY, 2486 FEET, MORE OR LESS, TO A POINT WHICH BEARS S35°06'20"E 2918.24 FEET FROM THE SAID NORTHWEST CORNER OF SECTION 17; THENCE N73°23'35"W 2219.90 FEET; THENCE N77°40'39"W 311.26 FEET; THENCE S89°10'40"W 577.11 FEET; THENCE S79°40'13"W 443.81 FEET; THENCE S87°05'12"W 213.40 FEET; THENCE N80°39'48"W 230.49 FEET; THENCE N49°51'16"W 640.97 FEET; THENCE N42°26'16"W 505.61 FEET; THENCE N44°21'36"W 461.6 FEET, MORE OR LESS, TO A POINT ON THE EAST-WEST CENTERLINE OF THE NE1/4 NW1/4 OF SAID SECTION 18; THENCE N89°30'29"W 607.19 FEET, MORE OR LESS, TO THE C-N-NW 1/64 CORNER OF SAID SECTION 18; THENCE N89°30'29"W 661.188 FEET TO THE NW-NW 1/64 CORNER OF SAID SECTION 18; THENCE N00°14'12"E 660.627 FEET TO THE W-W 1/64 CORNER COMMON TO SECTION 7, T28S, R8EWM, AND SAID SECTION 18; THENCE S89°30'12"E 4627.044 FEET TO THE POINT OF BEGINNING, CONTAINING 243 ACRES, MORE OR LESS.

AND

LEGAL DESCRIPTION OF UNSURVEYED PARCEL 2 OF "LAND PARTITION 2-18"

UNSURVEYED PARCEL 2 OF "LAND PARTITION 2-18", SITUATED IN THE W1/2 OF SECTION 17, AND SECTION 18, T28S, R8EWM, KLAMATH COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHWESTERLY RIGHT OF WAY LINE OF HIGHWAY 97, FROM WHICH THE NORTHWEST CORNER OF SAID SECTION 17 BEARS N35°06'20"W 2918.24 FEET; THENCE, LEAVING THE SAID RIGHT OF WAY LINE, N73°23'35"W 2219.90 FEET; THENCE N77°40'39"W 311.26 FEET; THENCE S89°10'40"W 577.11 FEET; THENCE S79°40'13"W 443.81 FEET; THENCE S87°05'12"W 213.40 FEET; THENCE N80°39'48"W 230.49 FEET; THENCE N49°51'15"W 640.97 FEET; THENCE N42°26'16"W 505.61 FEET; THENCE N44°21'36"W 461.6 FEET, MORE OR LESS, TO A POINT ON THE EAST-WEST CENTERLINE OF THE NE1/4 NW1/4 OF SAID SECTION 18; THENCE N89°30'29"W 607.19 FEET, MORE OR LESS, TO THE C-N-NW 1/64 CORNER OF SAID SECTION 18; THENCE S00°13'16"W 660.568 FEET TO THE NW1/16 CORNER OF SAID SECTION 18; THENCE S89°30'47"E 661.37 FEET TO THE C-E-NW 1/64 CORNER OF SAID SECTION 18; THENCE S00°12'19"W 660.514 FEET TO THE SE-NW 1/64 OF SAID SECTION 18; THENCE S89°31'05"E 661.552 FEET TO THE C-S-N 1/64 CORNER OF SAID SECTION 18; THENCE S00°11'22"W 660.458 FEET TO THE C1/4 OF SAID SECTION 18; THENCE S89°31'23"E 660.169 FEET TO THE C-W-E 1/64 CORNER OF SAID SECTION 18; THENCE S00°12'27"W 1318.663 FEET TO THE C-W-SE 1/64 CORNER OF SAID SECTION 18; THENCE N89°28'15"W 659.755 FEET TO THE C-S 1/16 CORNER OF SAID SECTION 18; THENCE S00°15'19"W 770.69 FEET; THENCE S89°39'39"E 2638.90 FEET, MORE OR LESS, TO A POINT ON THE LINE COMMON TO SAID SECTIONS 17 AND 18; THENCE N00°15'43"E 761.94 FEET, MORE OR LESS, TO THE S1/16 CORNER COMMON TO SAID SECTIONS 17 AND 18; THENCE S89°47'13"E, ALONG THE EAST-WEST CENTERLINE OF THE SW1/4 OF SAID SECTION 18, 1206 FEET, MORE OR LESS, TO THE NORTHWESTERLY RIGHT OF WAY LINE OF HIGHWAY 97; THENCE N16°55'30"E 1653 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, CONTAINING 248 ACRES, MORE OR LESS.

AND

LEGAL DESCRIPTION OF UNSURVEYED PARCEL 3 OF "LAND PARTITION 2-18"

UNSURVEYED PARCEL 3 OF "LAND PARTITION 2-18", SITUATED IN THE S1/2 OF SECTION 18, AND THE W1/2 NE1/4 OF SECTION 19, T28S, R8EWM, KLAMATH COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SECTION CORNER COMMON TO SECTIONS 17 AND 20, T28S, R8EWM, AND SAID SECTIONS 18 AND 19; THENCE N89°25'08"W 1318.681 TO THE EAST 1/16 CORNER COMMON TO SAID SECTIONS 18 AND 19; THENCE S00°04'30"W 2643.64 FEET TO THE C-E 1/16 CORNER OF SAID SECTION 19; THENCE N89°58'35"W 1320.30 FEET TO THE CENTER 1/4 CORNER OF SAID SECTION 19; THENCE N00°07'50"E 2648.46 FEET TO THE 1/4 CORNER COMMON TO SAID SECTIONS 18 AND 19; THENCE N89°39'39"W 2765.095 TO THE SOUTHWEST CORNER OF SAID SECTION 18; THENCE N00°15'19"E 2642.776 FEET TO THE WEST 1/4 CORNER OF SAID SECTION 18; THENCE S89°31'23"E 1438.61 FEET TO THE C-W 1/16 CORNER OF SAID SECTION 18; THENCE S00°13'16"W 1319.656 FEET TO THE SW 1/16 CORNER OF SAID SECTION 18; THENCE S89°35'31"E 1324.191 FEET TO THE C-S 1/16 CORNER OF SAID SECTION 18; THENCE S00°15'19"W 770.69 FEET; THENCE S89°39'39"E 2638.90 FEET, MORE OR LESS, TO A POINT ON THE EAST LINE OF SAID SECTION 18; THENCE S00°15'43"W 558.51 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, CONTAINING 241 ACRES, MORE OR LESS.

Entire parcel contains approximately 1025.22 acres more or less.