

2020-010236

Klamath County, Oregon

08/17/2020 10:25:22 AM

Fee: \$107.00

After recording return to:
Diamond Solar Energy LLC
c/o Invenergy LLC
One South Wacker Drive
Suite 1800
Chicago, Illinois 60606
ATTN: Land Administration

FIRST AMENDMENT TO SOLAR FACILITY GROUND LEASE AND EASEMENT

THIS FIRST AMENDMENT TO SOLAR FACILITY GROUND LEASE AND EASEMENT (this "Amendment") is made, dated as of Aug. 10, 2020 ("Amendment Date"), by and between **Shanda Asset Management LLC**, a Delaware limited liability company (together with its successors, assigns and heirs, comprising "Owner"), and **Diamond Solar Energy LLC**, a Delaware limited liability company (together with its transferees, successors and assigns, "Grantee"), and in connection herewith, Owner and Grantee agree, covenant and contract as set forth in this Amendment.

WITNESSETH

WHEREAS, Owner and Grantee entered into that certain Solar Lease and Easement Agreement dated August 23, 2019 (the "Agreement"), as evidenced by that Memorandum of Solar Lease and Easement Agreement recorded on October 9, 2019 as Document #2019-011775, in the Official Public Records of Klamath County, Oregon;

WHEREAS, Owner and Grantee desire to amend the Agreement on the terms and conditions as provided below; and

NOW THEREFORE, in consideration of the mutual covenants contained herein and other good and valuable consideration the receipt and sufficiency of which is hereby acknowledged, Owner and Grantee hereby agree that the Agreement shall be amended as follows:

1. **Recitals.** The foregoing recitals are hereby incorporated herein by this reference.
2. **Property.** All references in the Agreement to "Property" shall hereinafter refer to that certain real property described in **Exhibit A-1** attached hereto and depicted on **Exhibit A-2** attached hereto. Exhibit A to the Agreement is hereby replaced collectively in its entirety with **Exhibit A-1** and **Exhibit A-2**, each attached hereto.
3. **Ratification.** Except as set forth in this Amendment, all of the terms, covenants, and conditions of the Agreement and all the rights and obligations of Owner and Grantee thereunder, shall remain in full force and effect, and are not otherwise altered, amended, revised, or changed.
4. **Counterparts.** This Amendment may be executed in counterparts, each of which shall be an original and all of which counterparts taken together shall constitute one and the same agreement.

IN WITNESS WHEREOF, the parties hereto having due authorization on behalf of their respective entities have executed this Amendment as of the day and year set forth above.

OWNER:

Shanda Asset Management LLC, a Delaware
limited liability company

By: _____
Name: Tianqiao Chen
Title: CEO

ACKNOWLEDGMENT OF OWNER

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of San Mateo

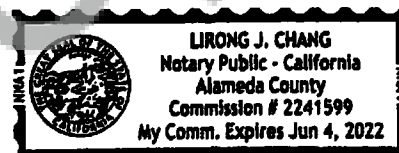
On July 23rd, 2020 before me, Lirong J. Chang a Notary Public, personally appeared **Tianqiao Chen**, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity as **CEO of Shanda Asset Management, LLC**, and that by his signature on the instrument, the entity on behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

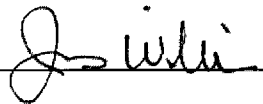
Signature: _____

Name: Lirong J. Chang



Grantee:

Diamond Solar Energy LLC

By: 

Name: James Williams

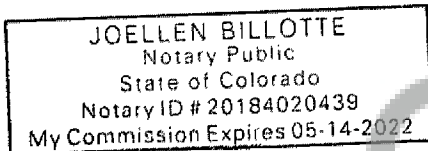
Title: Vice President

ACKNOWLEDGMENT OF GRANTEE

STATE OF Colorado)
) SS.
COUNTY OF Denver)

Personally came before me this 10 day of August, 2020, James Williams who executed the foregoing instrument as Vice President of Diamond Solar Energy LLC and acknowledged the same.

(SEAL)




Name: 
Notary Public, State of CO
My Commission Expires: 5-14-22

EXHIBIT A-1

Description of the Property

That certain real property situated in Klamath County, State of Oregon, described as follows:

APN	Description	Acres
R-2907-00000-01100-000	That portion of Parcel 1 of Land Partition 44-05 situated in Township 29 South, Range 7 East,	320
	Section 11 E1/2,	320
	Section 12 NW1/4, W1/2 of NE1/4, W1/2 of SW1/4,	160
	Section 13 W1/2 of W1/2,	320
	Section 14 E1/2,	240
	Section 23 NE1/4, N1/2 of SE1/4, and	200
	Section 24 W1/2 of NW1/4, NW1/4 of SW1/4	
Total		+/- 1560

EXHIBIT A-2

Depiction of the Property

