

Reuben Grandon

Returned to:

Return to:  
Wocus Marsh Solar, LLC  
3519 NE 15<sup>th</sup> Ave. #106  
Portland, OR 97212  
Attention: GreenKey Development, Inc.  
Email: [troy@tlscapital.com](mailto:troy@tlscapital.com)

2022-003848

Klamath County, Oregon



00297709202200038480060063

03/30/2022 12:01:33 PM

Fee: \$107.00

STATE OF OREGON )  
COUNTY OF KLAMATH )

**MEMORANDUM OF  
GROUND LEASE AGREEMENT**

**THIS MEMORANDUM OF GROUND LEASE AGREEMENT** ("Memorandum") is entered into this 7<sup>th</sup> day of January, 2023 by and between T & W Land Holding LLC ("Landlord"), and Wocus Marsh Solar, LLC, an Oregon limited liability company ("Tenant;" Landlord and Tenant are sometimes referred to individually as a "Party" and, collectively, as the "Parties").

**RECITALS:**

- A. Landlord and Tenant entered into that certain Ground Lease Agreement dated March 19, 2021 (the "Lease").
- B. Landlord and Tenant desire to execute this Memorandum, which is to be recorded in the Public Records of Klamath County, Oregon, in order that third parties may have notice of the estate of Tenant in the Leased Premises and of the Lease.

**NOW, THEREFORE**, for and in consideration the promises, covenants and agreements of the Parties and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties hereby agree as follows:

1. Capitalized terms used herein, and not otherwise defined, shall have the same meanings assigned to them in the Lease. All of the terms and conditions of the Lease are incorporated herein by this reference.
2. The Term of the Lease began on March 19, 2021 and continues for a period of two hundred and forty (240) months with options to extend the term up to four (4) additional successive terms of five (5) years each, beginning on the Rent Commencement Date.
3. Pursuant to the Lease, Landlord leases to Tenant a portion of that certain property in Klamath County, Oregon, said leased premises being legally described as set forth on Exhibit A, attached hereto and incorporated herein as "Property Description", and more

particularly identified on Exhibit B attached hereto as "Ground Mount Site" (together the "Leased Property").

4. The solar photovoltaic power generating facility, all related equipment and all other improvements installed, owned and operated by Tenant, its affiliates or equipment lessors, and located from time to time upon the Land is referred to herein as the "Tenant's Property" or the "System."

5. Tenant's Property shall not be deemed to be permanent fixtures. Tenant's Property shall be deemed to be Tenant's personal property and Landlord shall have no right, title or interest in Tenant's Property. Landlord has waived any and all rights it may have to place a lien on Tenant's Property.

6. Pursuant to the terms of the Lease, Tenant is permitted to mortgage its interest in the Lease and/or collaterally assign Tenant's interest in the Lease to a Financer without the Landlord's prior consent.

7. Nothing contained herein shall modify the Lease, and in the event of a conflict between the provisions of the Lease and the provisions of this Memorandum, the provisions of the Lease shall control.

[SEPARATE SIGNATURE PAGES ATTACHED]

[Signature Page to Memorandum of Ground Lease]

IN WITNESS WHEREOF, the undersigned have executed this Memorandum by authority duly given and effective as of the date first written above.

LANDLORD:

By: [Signature]

Name: Tricia M. Hill

Title: Member

Company: T & J Land Holding

STATE OF Oregon

COUNTY OF Lincoln

I certify that Tricia M. Hill personally appeared before me this day, acknowledging to me that they signed the foregoing instrument:

[ ]

WITNESS my hand and official stamp or seal, this 1<sup>st</sup> day of January, ~~2020~~ 2022

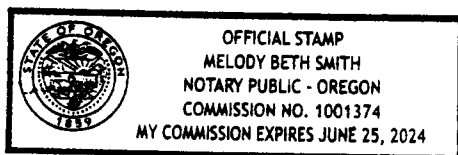
[Signature]

Notary Public: [Signature]

Printed Name: Melody Smith

My Commission Expires: June 25<sup>th</sup> 2024

[AFFIX NOTARIAL STAMP OR SEAL]



**[Signature Page to Memorandum of Ground Lease]**

IN WITNESS WHEREOF, the undersigned have executed this Memorandum by authority duly given and effective as of the date first written above.

**TENANT:**

By: [Signature]

Name: Troy L. Snyder

Title: Authorized Person

Company: Wocus Marsh Solar, LLC

STATE OF Oregon

COUNTY OF Klamath

I certify that Troy L. Snyder personally appeared before me this day, acknowledging to me that they signed the foregoing instrument:

[ ]

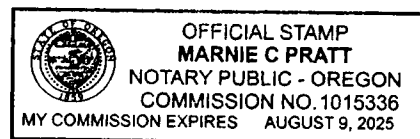
WITNESS my hand and official stamp or seal, this 2 day of February,  
~~2020.~~ 2022  
mp

Notary Public: [Signature]

Printed Name: Marnie Pratt

My Commission Expires: August 9, 2025

[AFFIX NOTARIAL STAMP OR SEAL]



## **EXHIBIT A**

### **PROPERTY DESCRIPTION**

Parcel 1 of Land Partition 22-13, being a replat of Parcel 1 of Land Partition 06-12 situated in Sections 6, 7, 8, 9, 16, 17 and 18, Township 38 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon as duly recorded on October 25, 2013 in Volume 2013-012035 in the Office of the Clerk of Klamath County, Oregon.

**EXHIBIT B**

**GROUND MOUNT SITE**

