

2022-005817

Klamath County, Oregon



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05/06/2022 12:50:27 PM

Fee: \$102.00

RECORDATION REQUESTED BY:
AFTER RECORDATION RETURN TO:

Jack in the Box Inc.

9357 Spectrum Center Boulevard

San Diego, CA 92123-1516

Attn: RE Legal/JIB #7171 Phone: (858) 571-2121

RETURN BY: MAIL (X) PICK UP ()

MEMORANDUM OF LEASE

This Memorandum of Lease dated, for reference purposes only, as of April 28, 2022 is made between **JDS Investments, a California general partnership** and/or its assignee, having an office for business at 20544 DeForest St., Woodland Hills, CA 91364-2401, hereinafter called "Landlord" and **Jack in the Box Inc., a Delaware corporation**, having an office for business at 9357 Spectrum Center Boulevard, Attn: RE Legal/JIB #7171, San Diego, California 92123-1516, hereinafter called "Tenant".

In consideration of ONE AND NO/100 DOLLARS (\$1.00) and other valuable consideration paid by Tenant to Landlord and the mutual covenants contained in that certain Lease Agreement between the parties hereto dated on even date herewith (hereinafter called the "Lease"), Landlord has leased and does hereby lease to Tenant, and Tenant has hired and does hereby hire from Landlord, upon the terms and conditions set forth in said Lease the real property together with all buildings, structures and other improvements located thereon as more particularly described in Exhibit "A" attached hereto and made a part hereof, together with all appurtenances, easements and rights of way thereunto pertaining (the "Demised Premises"), but specifically excluding those items described in Exhibit "B" attached hereto and made a part hereof.

The original term of the Lease is ten (10) years commencing on May 1, 2022 and ending on April 30, 2032. Said Lease grants to Tenant: (i) an option to renew the Lease for four (4) additional consecutive periods of five (5) years each, and (ii) a right of first refusal to purchase the Demised Premises.

Said Lease also provides that Tenant shall have the right to enforce, by appropriate legal or equitable proceedings, or by any other lawful means, any restrictive covenant or equitable servitude made for or otherwise benefitting the Demised Premises.

Executed by Landlord this 28th day of
April, 2022

LANDLORD:

JDS INVESTMENTS, a California general partnership

By: Nancy Selik Pritchard
Name: Nancy Selik Pritchard
Title: Managing Partner

Executed by Tenant this 20th day of
April, 2022

TENANT:

JACK IN THE BOX INC.,
a Delaware corporation

By: [Signature]
Name: Michael
Title: Assistant Secretary

EXHIBIT "A" TO MEMORANDUM OF LEASE

LEGAL DESCRIPTION

Parcel 1 of Land Partition 57-07 being a replat of Lots 1 and 4, Block 1, TRACT 1239 and a replat of Parcel 2 of Land Partition 7-97 located in the NE ¼ of Section 9, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon.

*of the NE 1/4

The property is free from encumbrances EXCEPT: SEE EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF. ** 94

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007.

Notary for Landlord: JDS Investments, a California general partnership

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

State of California)

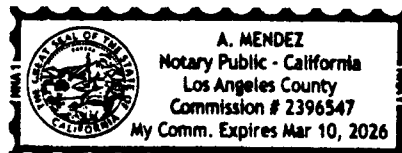
County of Los Angeles)

On 04/28/2022, before me, A. Mendez, Notary Public, personally appeared Nancy Saik Pichard, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) 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.

A. Mendez



Notary for Tenant: Jack in the Box Inc., a Delaware corporation

A Notary Public or other officer completing this certificate verifies only the identity of the individual(s) 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 Diego)

On April 20, 2022, before me, Holly Johnson, Notary Public, personally appeared Michael J. Snider, who proved to me on the basis of satisfactory evidence to be the person~~(s)~~ whose name~~(s)~~ ~~(s)~~are subscribed to the within instrument and acknowledged to me that ~~he~~she/they executed the same in ~~(his)~~her/their authorized capacity~~(ies)~~, and that by ~~(his)~~her/their signature~~(s)~~ on the instrument the person~~(s)~~, or the entity upon behalf of which the person~~(s)~~ 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.

Holly Johnson

