

2023-001134

Klamath County, Oregon

02/17/2023 11:04:02 AM

Fee: \$87.00

After Recording Return To:

Ethan Hasenstein
Knife River Corporation - Northwest
32260 Old Highway 34
Tangent OR 97389

MEMORANDUM OF LEASE

DATED: February 17, 2023

LESSOR
BETWEEN: Janice M. Fleming, Trustee ("**OPTIONOR**")
Fleming Living Trust UTA June 7, 1994
4500 O'Connor Road
Klamath Falls, OR 97603

LESSEE
AND: Knife River Corporation - Northwest, an Oregon corporation ("**OPTIONEE**")
32260 Old Highway 34
Tangent, OR 97389

Lessor Lessee
Optionor and **Optionee**, do hereby acknowledge the execution of a certain "Aggregate and Rock Products Lease" ("Lease") dated with an Effective Date of February 1, 2023 for the lease of the real property more particularly described in Exhibit A, attached hereto. Said Lease shall, by the terms thereof, commence on February 1, 2023 and end at midnight ten (10) years thereafter, unless sooner terminated pursuant to the provisions thereof, or unless renewed and extended for up to four (4) additional terms of ten (10) years each pursuant to the provisions thereof. The Lease includes a right of first refusal. The true and actual consideration for this transaction is the royalty payment set out in the Lease.

OPTIONOR:

OPTIONEE:

Ross J. Fleming
Ross Fleming, by Power of Attorney

Janice M. Fleming, Trustee

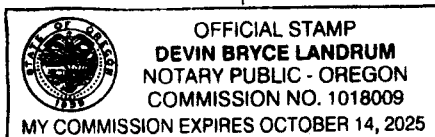
Date: 2/10/23, 2023

Ethan Hasenstein
Ethan Hasenstein, Assistant Secretary

Date: February 17, 2023

STATE OF OREGON)
) ss.
County of Klamath)

This Instrument was acknowledged before me by Ross Fleming, by Power of Attorney, Janice M. Fleming, Trustee, on the 8th day of February, 2023.



Devin Bryce Landrum
NOTARY PUBLIC FOR Oregon
My Commission Expires: 10-14-25

STATE OF OREGON)
) ss.
County of Linn)

This Instrument was acknowledged before me by Ethan Hasenstein, Assistant Secretary of Knife River Corporation - Northwest, an Oregon corporation, on the 17th day of February, 2023.



Ellen Rae Gerig
NOTARY PUBLIC FOR OREGON
My Commission Expires: April 20, 2024

EXHIBIT A
REAL PROPERTY DESCRIPTION

Real property in Klamath County, Oregon, to wit:

Township 40 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon.

Section 23: SE1/4 NW1/4 and SW1/4 NE1/4 (Tax Lot 4009-00000-2300); W1/2 SE1/4 (Tax Lot 4009-00000-02700); E1/2 SW1/4 (Tax Lot 4009-00000-02600); E1/2 NE1/4 (Tax Lot 4009-00000-02200)

Section 26: NW1/4 NE1/4 (Tax Lot 4009-00000-02700)