

**2023-004347**

**Klamath County, Oregon**

**06/07/2023 12:51:02 PM**

**Fee: \$97.00**

Prepared by and return to:  
United States Cellular Operating Company of Medford  
Attention: Real Estate Legal  
8410 W. Bryn Mawr Ave.  
Chicago, IL 60631  
Drafted By: Gerry O'Brien (773) 399 - 4293

Site Name: Merrill  
Site Number: 349399  
County: Klamath  
State: Oregon  
Acct No. 101918  
Map and Tax lot: 4110-01200-00400

**MEMORANDUM OF LEASE**

**THIS MEMORANDUM OF LEASE** is made and entered into by and between City of Merrill, an Oregon municipal organization, whose address is P.O. Box 487, Merrill, Oregon 97633, hereinafter referred to as "Landlord", and United States Cellular Operating Company of Medford, an Oregon corporation, whose address is Attention: Real Estate Lease Administration, 8410 West Bryn Mawr Avenue, Chicago, Illinois, 60631, hereinafter referred to as "Tenant."

**WITNESSETH:**

**WHEREAS**, by the terms of a certain Ground Lease, entered into on the May 17, 2005, and the First Amendment to Ground Lease dated ~~February 11, 2023~~ *March 17, 2023*, (collectively, "the Lease"), the Landlord granted to Tenant certain property and agreed to grant Tenant certain easements, all being more particularly bounded and described as set forth in Exhibit "A" attached hereto and made a part hereof (the "Premises") upon the terms and conditions set forth in the Lease; and

**WHEREAS**, the Landlord and the Tenant desire to execute this Memorandum of Lease to evidence said Lease and certain of the terms therein for the purpose of placing the same of record in the aforementioned Clerk's Office.

**NOW THEREFORE**, in consideration of the sum of Ten (\$10.00) Dollars and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Landlord does hereby grant to Tenant the right to lease Premises and obtain certain easements upon the terms and conditions of the Lease which is incorporated herein by specific reference, and do agree as follows:

1. The Lease commenced on July 15, 2005, for an initial lease term of five (5) years. The Lease provides for twenty-four (24) successive five (5) year renewal terms upon the terms and conditions more particularly as set forth in the Lease.

2. Landlord also made certain grants of easement for access and utilities, as more particularly described and set forth in the Lease.

3. This Memorandum of Lease is subject to all the terms and provisions of the Lease which is incorporated herein and made part hereof by reference as if all the provisions thereof were copied in full herein. Any conflict between the provisions of the Memorandum of Lease and Lease will be resolved in favor of the Lease.

**IN WITNESS WHEREOF**, the Landlord and Tenant hereto have caused this Memorandum of Lease to be executed by their duly authorized officers as of the date of full execution.

LANDLORD: City of Merrill

TENANT: United States Cellular Operating  
Company of Medford

By: Joanne Johnson

By: M. A.

Printed: JOANNE JOHNSON

Printed: Austin Summerford

Title: MAYOR PRO TEM

Title: Vice President

Date: 2-8-2023

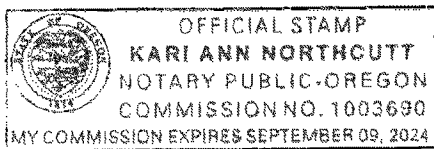
Date: 3/2/23

STATE OF OREGON                     )  
   )  
COUNTY OF KLAMATH                )

I, the undersigned, a notary public in and for the State and County aforesaid, do hereby certify that Mary Proten Jean known to me to be the same person whose name is subscribed to the foregoing Memorandum of Lease, appeared before me this day in person and acknowledged that, pursuant to their authority, signed the said Memorandum as their free and voluntary act on behalf of City of Merrill, for the uses and purposes therein stated.

Given under my hand and seal this 8<sup>th</sup> day of February, 2023.

Kari Northcutt  
Notary Public  
My commission expires Sept. 09, 2024

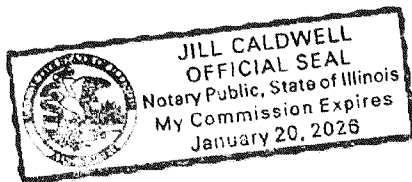


STATE OF ILLINOIS                     )  
   )  
COUNTY OF COOK                     )

I, the undersigned, a notary public in and for the State and County aforesaid, do hereby certify that Austin Summerford, Vice President for United States Cellular Operating Company of Medford, known to me to be the same person whose name is subscribed to the foregoing Memorandum of Lease, appeared before me this day in person and acknowledged that, pursuant to his authority, he signed the said Memorandum as his free and voluntary act on behalf of the named Tenant, for the uses and purposes therein stated.

Given under my hand and seal this 7 day of March, 2023

Jill Caldwell  
Notary Public  
My commission expires 1-20-26



## EXHIBIT A

### Legal Description of Premises

Located in Section 12, Township 41 South, Range 10 West of the Willamette Meridian, in Klamath County, Oregon, described as follows:

Commencing at the northwest corner of Parcel 3, as shown on the Map of Survey filed as survey no. 3204; thence along the boundaries of said Parcel 3 S 42°38'33" E, 176.01' and East 147.33' to a corner thereof for the true point of beginning;

thence North 100.00 feet;

thence West 100.00 feet;

thence South 100.00 feet to the boundary of said Parcel 3;

thence East 100.00 feet to the true point of beginning.

Containing 10,000 square feet of land, more or less.