

2023-010278

Klamath County, Oregon

11/30/2023 08:17:02 AM

Fee: \$137.00

When recorded return to:

Skysol, LLC  
c/o 174 Power Global  
300 Spectrum Center Drive, Suite 1020  
Irvine, CA 92618

THIS MEMORANDUM OF SECOND AMENDMENT TO LEASE AND EASEMENT FOR A SOLAR ENERGY PROJECT (this "Memorandum of Second Amendment") is entered into as of the 20th day of November, 2023 (the "Second Amendment Effective Date"), by and between Don and Sharon Rajnus ("OWNER") and Skysol, LLC, a Utah limited liability company ("COMPANY"). OWNER and COMPANY may sometimes be referred to each as a "Party" or together as "Parties".

#### RECITALS

WHEREAS, OWNER and COMPANY entered into that Lease and Easement for a Solar Energy Project dated January 14, 2019, as evidenced by that Memorandum of Lease and Easement for a Solar Energy Project dated January 14, 2019, recorded on January 15, 2019 as Instrument Number 2019-000430, Official Public Records, Klamath County, Oregon, as amended by that First Amendment to Lease and Easement for a Solar Energy Project dated March 10, 2020, as evidenced by that certain Memorandum of First Amendment to Lease and Easement for a Solar Energy Project dated March 10, 2020, recorded on July 13, 2020 as Instrument Number 2020-008484, Official Public Records, Klamath County, Oregon (collectively, the "Lease");

~~WHEREAS, the Parties entered into that certain Second Amendment to Lease and Easement for a Solar Energy Project, dated as of the Second Amendment Effective Date (the "Second Amendment") and~~

WHEREAS, the Parties wish to give notice of the existence of the Second Amendment by executing this Memorandum of Second Amendment.

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereto agree as follows:

1. **Legal Description of the Property.** The Second Amendment amended the description of the Property subject to the Lease. The revised legal description of the Property that is subject to the Lease is set forth in Exhibit A to this Memorandum of Second Amendment.

2. **Counterpart Execution.** This Memorandum of Second Amendment may be executed in two or more counterparts, each of which shall be deemed an original, and all of which together shall constitute one and the same instrument.

3. **Incorporation by Reference.** The terms, covenants, and conditions of the Lease are incorporated into this Memorandum of Second Amendment as if set forth fully herein.

4. **Effect.** This Memorandum of Second Amendment is intended to provide record notice of the Second Amendment. In the event of any inconsistency between the terms and provisions of this Memorandum of Second Amendment and the terms and provisions of the Lease, as amended by the Second Amendment, the terms and provisions of the Lease, as amended by the Second Amendment, shall control.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the Parties have executed this Memorandum of Second Amendment as of the Second Amendment Effective Date.

**OWNER:**

Don Rajnus  
Don Rajnus

Sharon Rajnus  
Sharon Rajnus

**COMPANY:** SKYSOL, LLC, a Utah limited liability company

By: Hanwha Total Solar II, LLC,  
a Delaware limited liability company


Its: Manager


By: Byung Cheon Lee  
Byung Cheon Lee  
Its: Co-CEO

By: Marc-Antoine Pignon  
Marc-Antoine Pignon  
Its: Co-CEO

IN WITNESS WHEREOF, the Parties have executed this Memorandum of Second Amendment as of the Second Amendment Effective Date.

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Don Rajnus

  
Sharon Rajnus

**COMPANY:** SKYSOL, LLC, a Utah limited liability company

By: Hanwha Total Solar II, LLC,  
a Delaware limited liability company

Its: Manager

By:   
Byung Cheon Lee

Its: Co-CEO

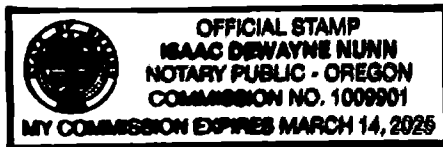
By:   
Marc-Antoine Pignon

Its: Co-CEO

STATE OF OREGON )  
COUNTY OF Klamath ) SS:

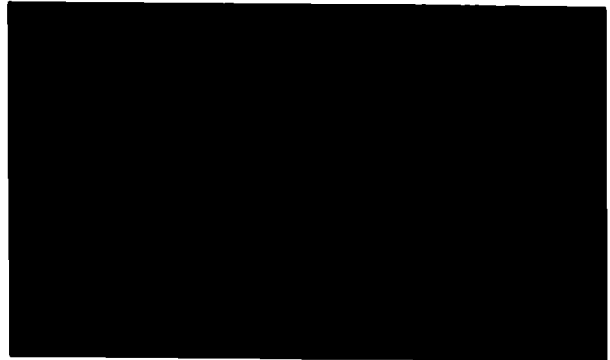
On this 13<sup>th</sup> day of Nov, 2023, before me appeared Don Rajnus and Sharon Rajnus to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he/she executed same as his/her free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid on the day and year first above written.



Name (signature):

Isaac Derwayne Nunn  
Notary Public



## ACKNOWLEDGMENT

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    Orange  
County of \_\_\_\_\_ )

On November 20, 2023 before me, Kimberly Rae Johnson, Notary Public  
(insert name and title of the officer)

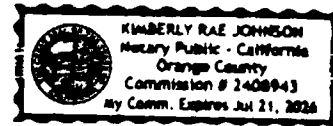
personally appeared Byung Cheon Lee,  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in  
his/her/their authorized capacity(ies), and that by his/her/their 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.

Signature \_\_\_\_\_

(Seal)



## ACKNOWLEDGMENT

A notary public or other office 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 Texas

County of Harris

Before me, Diana Barbosa, on this day personally appeared  
(insert the name and character of the officer)

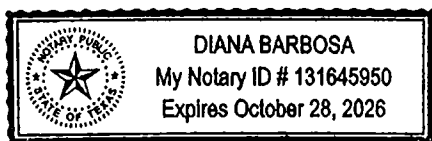
Marc Antoine Pignon, known to me (or proved to me on the oath of or through  
(description of identity card or other document) to be the person whose name is subscribed to  
the foregoing instrument and acknowledged to me that he executed the same for the purposes  
and consideration therein expressed.

Given under my hand and seal of office this 27 day of November, 2023.

(Personalized Seal)

Diana Barbosa

Notary Public's Signature



**EXHIBIT A**

**To**

**MEMORANDUM OF SECOND AMENDMENT TO  
LEASE AND EASEMENT FOR A SOLAR ENERGY PROJECT**

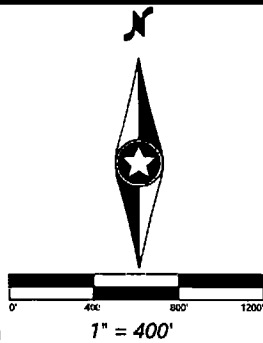
**LEGAL DESCRIPTION OF PROPERTY**

See attached.



# LEGEND:

- FOUND MONUMENT (SEE LABEL)
- 16TH SECTION LINE
- SECTION AND QUARTER SECTION LINE
- RIGHT-OF-WAY LINE
- LEASE AREA
- PARCEL LINE



NW. CORNER SEC. 35,  
TWP. 40 S., RGE. 11 E.  
FOUND BRASS CAPPED 1  
INCH IRON NEXT TO  
STONE

GAVIN RAJNUS LLC  
R-4011-00000-07400-000  
(NOT A PART)

KRISTIAN HERNANDEZ  
R-4011-00000-006903-000  
(NOT A PART)

N00°26'07"E 2641.66

PARCEL 1

DON & SHARON RAJNUS  
R-4011-00000-07400-000  
SW 1/4 - NW 1/4

POINT OF COMMENCEMENT  
W. 1/4 CORNER SEC. 35, TWP.  
40 S., RGE. 11 E. FOUND 3 INCH  
ALUMINUM CAPPED OLS 2442  
NEXT TO STONES

N00°00'56"W  
202.93

S89°59'19"E  
587.83

N89°59'55"E  
367.90

S89°19'28"E  
59.66

N00°00'56"W  
223.37

N89°59'46"W  
157.38

EAST-WEST QUARTER LINE OF SECTION 35 &  
SOUTH LINE OF PARCEL 1 OF LAND  
PARTITION 1100-006, BEING A REPLAT OF  
PARCEL 3 OF LAND PARTITION 11-96

POINT OF BEGINNING

N00°00'03"E  
533.27

DON & SHARON RAJNUS  
R-4011-00000-07404-000  
NW 1/4 - SW 1/4

N77°45'32"E  
25.52

MARGARET L.  
SNODGRASS  
R-4011-00000-07200-000  
(NOT A PART)

S89°55'56"E  
270.35

N00°01'47"E  
407.54

S87°41'20"W  
118.22

S72°18'41"W  
30

CHARLES & NAOMI SICAK  
JOINT LIVING TRUST  
R-4011-00000-07402-000  
(NOT A PART)

S89°57'14"E  
154.98

EAST LINE OF PARCEL  
1 OF LAND  
PARTITION 1100-006,  
BEING A REPLAT OF  
PARCEL 3 OF LAND  
PARTITION 11-96

S00°34'40"W 1186.88

S89°19'28"E 5313.88

GAVIN RAJNUS LLC  
R-4011-00000-06001-000  
(NOT A PART)

EAST LINE OF  
PARCEL 2 OF LAND  
PARTITION 1100-006,  
BEING A REPLAT OF  
PARCEL 3 OF LAND  
PARTITION 11-96

S00°34'39"W 1206.05

E. 1/4  
CORNER  
SEC. 35,  
TWP. 40 S.,  
RGE. 11 E.  
FOUND 3  
INCH  
ALUMINUM  
CAP

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*[Signature]*

OREGON  
JULY 11, 2017  
KRIS WROOLIE  
92080

EXPIRES 06/30/24

ADAMS POINT ROAD  
(PER PARTITION PLAT 110-06)

SEE SHEET  
2 OF 3

## Westwood

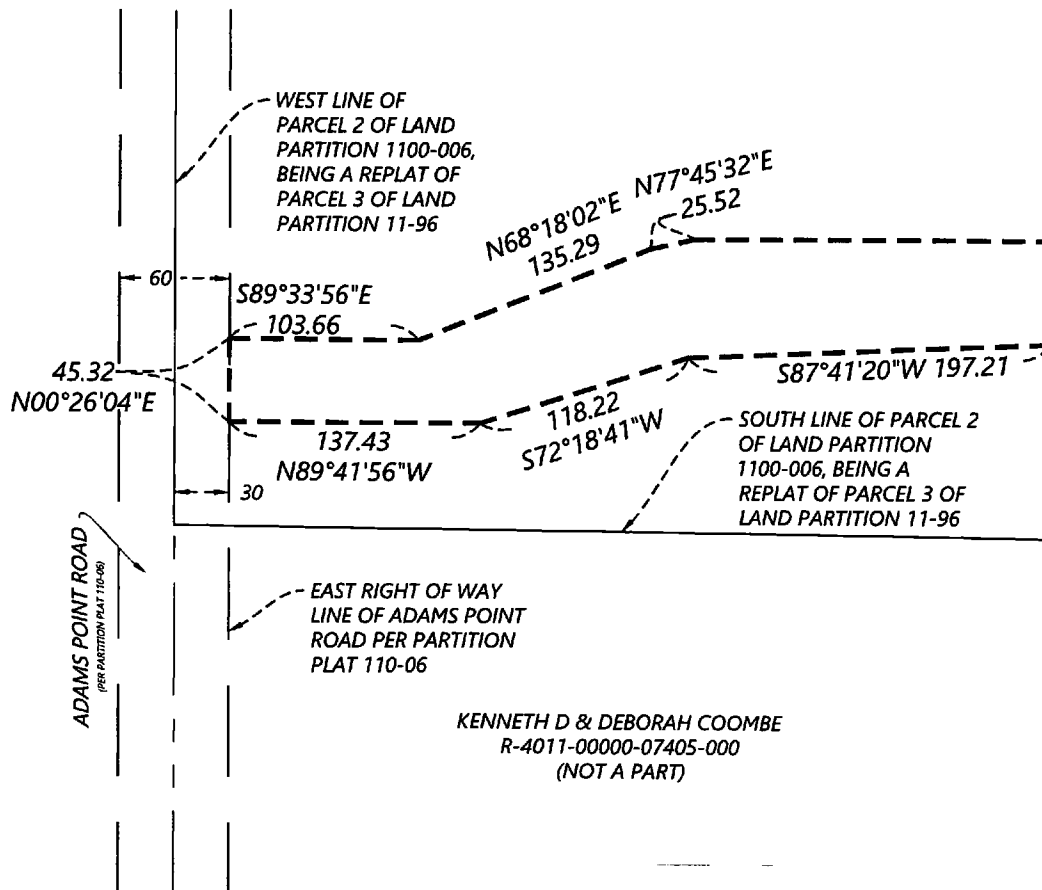
Phone (952) 937-5150 12701 Whitewater Drive, Suite #300  
Fax (952) 937-5822 Minnetonka, MN 55343  
Toll Free (888) 937-5150 westwoodps.com  
Westwood Professional Services, Inc.

## SKYSOL SOLAR PROJECT

KLAMATH COUNTY, OREGON

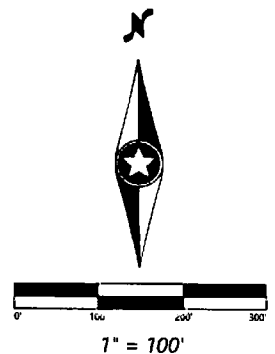
Skysol Lease Area 1  
Exhibit

SHEET: 1 OF 3  
DATE: 11/01/2023



### LEGEND:

- FOUND MONUMENT (SEE LABEL)
- 16TH SECTION LINE
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## SKYSOL SOLAR PROJECT

KLAMATH COUNTY, OREGON

### Skysol Lease Area 1 Exhibit

SHEET: 2 OF 3  
 DATE: 11/01/2023

A PORTION OF PARCEL 1 AND PARCEL 2 OF LAND PARTITION 110-06, BEING A REPLAT OF PARCEL 3 OF LAND PARTITION 11-96, SITUATED IN THE W1/2 OF SECTION 35, TOWNSHIP 40 SOUTH, RANGE 11 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON, RECORDED JANUARY 9, 2007 AS 2007-000380, RECORDS OF KLAMATH COUNTY, OREGON, DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE WEST QUARTER CORNER OF SAID SECTION 35 FROM WHICH THE NORTHWEST CORNER OF SAID SECTION 35 BEARS NORTH 00 DEGREES 26 MINUTES 07 SECONDS EAST, A DISTANCE OF 2,641.66 FEET;

THENCE SOUTH 89 DEGREES 19 MINUTES 28 SECONDS EAST ALONG THE EAST-WEST QUARTER LINE OF SAID SECTION 35 SAME BEING THE SOUTH LINE OF SAID PARCEL 1, A DISTANCE OF 59.66 FEET TO THE **POINT OF BEGINNING**;

THENCE NORTH 00 DEGREES 00 MINUTES 56 SECONDS WEST, A DISTANCE OF 202.93 FEET;

THENCE SOUTH 89 DEGREES 59 MINUTES 19 SECONDS EAST, A DISTANCE OF 587.83 FEET;

THENCE NORTH 89 DEGREES 59 MINUTES 55 SECONDS EAST, A DISTANCE OF 367.90 FEET;

THENCE NORTH 00 DEGREES 02 MINUTES 56 SECONDS EAST, A DISTANCE OF 575.66 FEET;

THENCE NORTH 22 DEGREES 24 MINUTES 31 SECONDS EAST, A DISTANCE OF 425.74 FEET;

THENCE SOUTH 89 DEGREES 57 MINUTES 14 SECONDS EAST, A DISTANCE OF 154.98 FEET TO THE EAST LINE OF SAID PARCEL 1;

THENCE SOUTH 00 DEGREES 34 MINUTES 40 SECONDS WEST ALONG SAID EAST LINE, A DISTANCE OF 1186.88 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL 1 AND THE EAST LINE OF SAID PARCEL 2;

THENCE SOUTH 00 DEGREES 34 MINUTES 39 SECONDS WEST ALONG SAID EAST LINE, A DISTANCE OF 1206.05 FEET;

THENCE NORTH 89 DEGREES 55 MINUTES 27 SECONDS WEST, A DISTANCE OF 345.92 FEET;

THENCE SOUTH 89 DEGREES 58 MINUTES 40 SECONDS WEST, A DISTANCE OF 495.54 FEET;

THENCE SOUTH 87 DEGREES 41 MINUTES 20 SECONDS WEST, A DISTANCE OF 197.21 FEET;

THENCE SOUTH 72 DEGREES 18 MINUTES 41 SECONDS WEST, A DISTANCE OF 118.22 FEET;

THENCE NORTH 89 DEGREES 41 MINUTES 56 SECONDS WEST, A DISTANCE OF 137.43 FEET TO THE EAST RIGHT OF WAY LINE OF ADAMS POINT ROAD PER PARTITION PLAT 110-06;

THENCE NORTH 00 DEGREES 26 MINUTES 04 SECONDS EAST ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 45.32 FEET;

THENCE SOUTH 89 DEGREES 33 MINUTES 56 SECONDS EAST, A DISTANCE OF 103.66 FEET;

THENCE NORTH 68 DEGREES 18 MINUTES 02 SECONDS EAST, A DISTANCE OF 135.29 FEET;

THENCE NORTH 77 DEGREES 45 MINUTES 32 SECONDS EAST, A DISTANCE OF 25.52 FEET;

THENCE SOUTH 89 DEGREES 55 MINUTES 56 SECONDS EAST, A DISTANCE OF 270.35 FEET;

THENCE NORTH 00 DEGREES 01 MINUTE 47 SECONDS EAST, A DISTANCE OF 407.54 FEET;

THENCE SOUTH 89 DEGREES 59 MINUTES 05 SECONDS WEST, A DISTANCE OF 328.53 FEET;

THENCE NORTH 00 DEGREES 00 MINUTES 03 SECONDS EAST, A DISTANCE OF 533.27 FEET;

THENCE NORTH 89 DEGREES 59 MINUTES 46 SECONDS WEST, A DISTANCE OF 157.38 FEET;

THENCE NORTH 00 DEGREES 00 MINUTES 56 SECONDS WEST, A DISTANCE OF 223.97 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 1,779,966 SQUARE FEET OR 40.862 ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

ALL DISTANCES, AREAS, AND BEARINGS ARE GRID BASED ON OREGON STATE PLANE SOUTH NAD 83(2011 ADJUSTMENT)

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KLAMATH COUNTY, OREGON

**Skysol Lease Area 1  
Exhibit**

SHEET: 3 OF 3  
DATE: 11/01/2023