

2024-000144

Klamath County, Oregon

01/05/2024 11:35:02 AM

Fee: \$107.00

WHEN RECORDED, RETURN TO:

Cadence Education, LLC
8800 N. Gainey Center, #300
Scottsdale, AZ 85258
Attention: Ryan Berkery
1200035

MEMORANDUM OF LEASE

THIS MEMORANDUM OF LEASE (this "Memorandum") is entered in as of December 29, 2023 (the "Effective Date") by and between DODSON FAMILY LLC, an Oregon limited liability company, MATTHEW DODSON, an individual, and KRISTIN DODSON, an individual (collectively, "Landlord"), whose address 1128 Tamera Drive, Klamath Falls, Oregon 97603, and CADENCE EDUCATION, LLC, a Delaware limited liability company ("Tenant"), whose address is 8767 E. Via de Ventura, Suite 200, Scottsdale, AZ 85258.

RECITALS

- A. Landlord and Tenant have entered into that certain Lease Agreement dated as of the Effective Date ("Lease") with respect, *inter alia*, to certain real property located in Klamath County, Oregon, more particularly described in Exhibit A attached hereto (the "Property");
- B. Landlord and Tenant desire to evidence of record certain of the terms of the Lease, as more fully set forth herein below; and
- C. Capitalized terms used but not defined herein shall have the meanings attributed to the same in the Lease.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT LANDLORD and TENANT, for and in consideration of the Property and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, do hereby agree as follows:

- 1. The Lease is for an initial term ending on March 31, 2035, which term may be extended in accordance with the terms of the Lease for additional renewal terms of five (5) years each.
- 2. The Lease provides for the payment of certain rents by Tenant to Landlord and sets forth certain covenants and agreements between Tenant and Landlord, all as more particularly described therein.
- 3. This Memorandum may be executed in one or more counterparts, each of which shall be deemed an original and all of which together shall constitute one and the same document.

[Remainder of page intentionally left blank; signature pages to follow]

IN WITNESS WHEREOF, the parties hereto have caused this Memorandum to be duly executed as of the Effective Date.

LANDLORD:

DODSON FAMILY LLC,
an Oregon limited liability company

By: Lewis Dodson

Name: Lewis Dodson

Title: MANAGER

STATE OF OR)
COUNTY OF Klamath) SS.

Before me, the undersigned Notary Public, on this 18th day of December, 2023, personally appeared Lewis Dodson, known to me to be the person whose name is subscribed to the foregoing instrument, and known to me to be the signer of DODSON FAMILY LLC, an Oregon limited liability company, and acknowledged to me that he executed said instrument for the purposes and consideration therein expressed, and as the act of said limited liability company.



[Signature]
Notary Public

My Commission Expires:

12/22/24

[Signatures continue on the following pages]

Matthew Dodson

MATTHEW DODSON

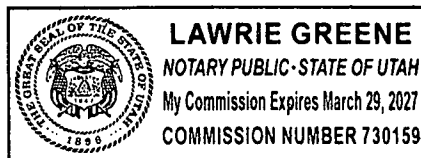
STATE OF UTAH)
) SS.
COUNTY OF SALT LAKE)

Before me, the undersigned Notary Public, on this 18 day of December, 2023, personally appeared Matthew Dodson, an individual, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed said instrument for the purposes and consideration therein expressed.

[Signature]
Notary Public

My Commission Expires:

3/29/2027



[Signatures continue on the following pages]

Kristin Dodson
KRISTIN DODSON

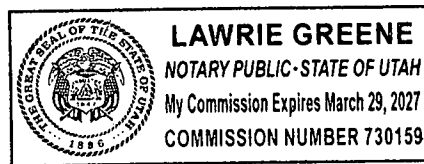
STATE OF UTAH)
) SS.
COUNTY OF SALT)
 LAKE

Before me, the undersigned Notary Public, on this 18 day of December, 2023, personally appeared Kristin Dodson, an individual, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed said instrument for the purposes and consideration therein expressed.

Lawrie Greene
Notary Public

My Commission Expires:

3/29/2027



[Signatures continue on the following page]

TENANT:

CADENCE EDUCATION, LLC,
a Delaware limited liability company

By: _____

Name: _____

Title: _____

STATE OF AZ)
) SS.
COUNTY OF Maricopa)

Before me, the undersigned Notary Public, on this 19 day of December, 2023, personally appeared Gregory Iverson, known to me to be the person whose name is subscribed to the foregoing instrument, and known to me to be the CFO of CADENCE EDUCATION, LLC, a Delaware limited liability company, and acknowledged to me that he executed said instrument for the purposes and consideration therein expressed, and as the act of said limited liability company.

Marguerite Thomas
Notary Public

My Commission Expires:

12/31/2023



EXHIBIT A

LEGAL DESCRIPTION

Street Address: 2609 Eberlein Avenue, Klamath Falls, Oregon

Legal Description:

THE FOLLOWING DESCRIBED PROPERTY IN KLAMATH COUNTY, OREGON:

A TRACT OF LAND 320 FEET WIDE NORTH AND SOUTH, IN ENTERPRISE TRACTS NO. 38A AND 41B, AND LYING NORTH OF THE NORTH LINE OF THE COUNTY ROAD KNOWN AS THE EXTENSION OF EBERLEIN AVENUE AND BOUNDED ON THE NORTH BY THE NORTHERLY LINE OF WANTLAND AVENUE OF DARROW ADDITION TO THE CITY OF KLAMATH FALLS, OREGON EXTENDED EAST TO THE RIGHT OF WAY OF THE U.S.R.S. CANAL; ALSO SUCH FRAGMENT OF ENTERPRISE TRACTS NO. 30 LYING SOUTH OF THE U.S.R.S. CANAL, AS MAY REMAIN AFTER CONVEYANCE HERETOFORE MADE BY ENTERPRISE LAND AND INVESTMENT COMPANY TO THE U.S.R.S. FOR RIGHT OF WAY, AND TO KLAMATH COUNTY, OREGON FOR ROAD PURPOSES.

EXCEPTING HOWEVER, THOSE CERTAIN PARCELS HERETOFORE CONVEYED TO THE UNITED STATES OF AMERICA FOR RIGHT OF WAY OF THE MAIN CANAL AND "B" LATERAL OF THE UNITED STATES OF AMERICA IRRIGATION SYSTEM, AND TO KLAMATH COUNTY, OREGON, FOR RIGHTS OF WAY OF ROADS KNOWN AS THE EXTENSION OF EBERLEIN AVENUE AND WASHBURN WAY.

EXCEPTING ALSO THAT CERTAIN PARCEL OF LAND DEEDED BY ALFRED D. COLLIER AND ETHEL F. COLLIER, HUSBAND AND WIFE, TO GEO H. MERRYMAN AND MABEL C. MERRYMAN, HUSBAND AND WIFE, AND GEORGE H. MERRYMAN, JR. AND ELIZABETH F. MERRYMAN, HUSBAND AND WIFE, RECORDED MAY 2, 1941 IN BOOK 137 AT PAGE 359, DEED RECORDS OF KLAMATH COUNTY, OREGON.

EXCEPTING ALSO THAT CERTAIN PARCEL OF LAND DEEDED BY ALFRED D. COLLIER AND ETHEL F. COLLIER, HUSBAND AND WIFE, TO KLAMATH COUNTY, OREGON, RECORDED MAY 11, 1941 IN BOOK 137 AT PAGE 542, DEED RECORDS OF KLAMATH COUNTY, OREGON, BUT INCLUDING ALSO THE RIGHT AND PRIVILEGES RESERVED IN SAID DEED TO ALFRED D. COLLIER AND ETHEL F. COLLIER, SAID LAND BEING DEEDED TO KLAMATH COUNTY, OREGON, FOR THE USE AS A COUNTY ROAD AS THEREIN SET FORTH.

EXCEPTING ALSO THAT PORTION LYING EAST OF THE WEST LINE OF VACATED ALANDALE STREET, VACATED BY ORDINANCE NO. 5753 RECORDED JUNE 5, 1970 IN VOLUME M70, PAGE 4511.

EXCEPTING ALSO ALL THAT PORTION OF VACATED ALANDALE STREET AND APPLEWOOD STREET AS DESCRIBED IN ORDINANCE NO. 5753 RECORDED JUNE 5, 1970 IN VOLUME M70, PAGE 4511.