ASPEN TITLE & ESCROW, INC.

HARRANTY DEED

AFTER RECORDING RETURN TO:
Basin Tire & Service, Inc. of Merrill

OBox 427

MERRILL DRE. 97633

UNTIL A CHANGE IS REQUESTED ALL TAX STATEMENTS TO THE FOLLOWING ADDRESS: SAME AS ABOVE

ALLEN B. CARTER and MARGUERITE J. CARTER, husband and wife, hereinafter called GRANTOR(S), convey(s) to JON K. O'DONNELL and MICHAEL E. ROMTVEDT and JOHN F. NOWASKI, DOING BUSINESS AS BASIN TIRE & SERVICE, INC. OF MERRILL, hereinafter called GRANTEE(S), all that real property situated in the County of Klamath, State of Oregon, described as:

SEE LEGAL DESCRIPTION MARKED EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF AS THOUGH FULLY SET FORTH HEREIN....

"THIS INSTRUMENT WILL 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 APPROVED USES."

and covenant(s) that grantor is the owner of the above described property free of all encumbrances except: 1) Right, title or interest of the public, including governmental bodies in and to that portion of said premises lying below the ordinary high water line of the Lost River and public rights of fishing and recreated in and to the shoreline of said river. 2) Conditions and Restriction in Patent recorded July 17, 1890 in Book &, page 392. 3) Party Wall Agreement, including the terms and provisions thereof, recorded September 22, 1930 in Book 93, page 55. 3) Three Easements, including the terms and conditions thereof, recorded April 4, 1932 in Book 97, page 203 and recorded January 13, 1938 in Book 116, page 155 and recorded June 9, 1975 in Book M-75, page 6496.

and will warrant and defend the same against all persons who may lawfully claim the same, except as shown above.

The true and actual consideration for this transfer is \$69,000.00. The consideration shown herein includes this and other real property and the real property legally described herein is only a part of the property.

In construing this deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the grantor has executed this instrument this 14th day of February, 1991.

M. R. O. Tan.

We arguerist 5 Carter

X ONO B. Carter

MARGUERITE J. CARTER

STATE OF OREGON, County of Klamath)ss.

On this <u>21</u> day of February, 1991, personally appeared the above named ALLEN B. CARTER and MARGUERITE J. CARTER and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me: January Hantley
Notary Public for Oregon
My Commission Expires: 03/06/93



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. Etcla of that 20 feet by 70 fact along and take the Cont A portion of the N# 11/4 of Section 12, Township 41 South, Range 10 East of the Will amette Menidian, lingthe County of Klamath, is State of Oregon, described (as follows to Vision 12) andollas es Bodinocio vici

Beginnig at the Northwest corner of Section 12, Township 41 South, Range 10 East of the Willamette Menidian, in the County of Klamath, State of Oregon; thence East 372 feet; thence South 40 feet to the true point of beginning; thence East parallel to the North line of Section 12, a distance of 16.5 feet; thence s South to the North Bank of Lost River; thence Southwesterly along said river to a point lying South of the true point of beginning; thence North to the true point of beginning.

(TL #1000)

PARCEL 2:

The following described real property is situate in the County of Klamath, State of Oregon, being more particularly described as follows:

Beginning at a point on the North line of Section 12, 332 feet East of the Northwest corner of said Section 12, Township 41 South, Range 10 East of the Willamette Meridian, running thence East 40 feet; thence South to the meander line on the North Bank of Lost River; thence up stream following said meander line, to a point due South of the Initial Point; thence due North to the Initial Point, or Place of Beginning, on the North line of said Section 12 and there terminating. Being a portion of Lot 2, Section 12, Township 41 South, Range 10 East of the Willamette Meridian, in the County of Klamath, State of Oregon, and being a portion of the property commonly known as the Anchor Flouring Mill Property.

EXCEPTING THEREFROM a strip of land 28 feet wide and 70 feet deep along the South side of Front Street in the City of Merrill, Klamath County, Oregon, being a portion of Lot 2, Section 12, Township 41 South, Range 10 East of the Willamette Meridian and being more particularly described and bounded as follows:

Beginning at a point 40 feet South and 332 feet East of the North-West corner of said Section 12, Township 41 South, Range 10 East of the Willamette Mcridian, running thence East 28 feet; thence South 70 feet; thence West 28 feet; thence North 70 feet back to the point of beginning. (TL #1100)

## PARCEL 3:

A Strip of land 28 feet by 70 feet along the South side of Front Street in the City of Merrill, being a portion of Lot 2, 1109 Section 12, Township 41 South, Range 10 East of the Willamette Meridian, in the County of Klamath, State of Oregon, and more particularly described as follows:

In gine wolfe, \$5 nor loss to remain decade on one or planters Beginning at a point 40 of eath South and 332 feet East of the 30 d Northwest corner of said Section 12; thence East 28 feet; thence South 70 feet; thence West 28 feet; thence North 70 feet to the point of beginning, in the County of Klamath, State of Oregon.

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## STATE OF OREGON: COUNTY OF KLAMATH: ss.

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