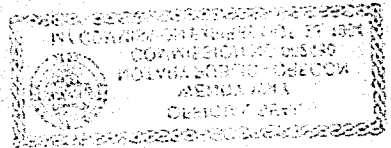


26421

Vol. 991 Page 3696
**Aspen**  
 TITLE & ESCROW, INC.
01036048  
WARRANTY DEED

AFTER RECORDING RETURN TO:

A2C3 Partners  
122 S. 5th  
Klamath Falls, OR 97601

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

 TERRY L. HOWARD and JOHN W. WILLIAMS, each as to an undivided  
 1/2 interest hereinafter called GRANTOR(S), convey(s) to JOHN K.  
 ASPELL AND CATHERINE ASPELL, HUSBAND AND WIFE, AS TO AN  
 UNDIVIDED 1/2 INTEREST AND BRADFORD J. ASPELL AND SUSAN E.  
 ASPELL, HUSBAND AND WIFE, AS TO AN UNDIVIDED 1/4 INTEREST AND  
 CARL C. COULSON AND MARY PAT COULSON, HUSBAND AND WIFE, AS TO AN  
 UNDIVIDED 1/4 INTEREST 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) Sewer use charges,  
 if any, due the City of Klamath Falls. 2) Reservations and  
 Restrictions as contained in plat dedication, to wit: "...said  
 plat being subject to: (1) Public utility easement as shown on  
 the annexed map; (2) slope easements as shown on the annexed  
 map; (3) 1 ft reserve strips as shown on the annexed map to be  
 dedicated to the City of Klamath Falls and later released by  
 resolution of the common council when adjoining property is  
 properly developed; (4) Jogging trail easement as shown on the  
 annexed map. Restrictions to deed for lots within Campus View  
 are filed in Klamath County Records, Volume M-79 at page 19843  
 and Volume M-79 at Page 22295, Microfilm Records of Klamath  
 County, Oregon. 3) Declaration of Restrictions of Campus View  
 Subdivision, including the terms and provisions thereof, but  
 omitting restrictions, if any, based on race color, religion or  
 national origin, recorded August 21, 1979 in volume M-79 at Page  
 19843, Microfilm Records of Klamath county, Oregon, an Addendum  
 thereto recorded September 19, 1979 in Volume M-79 at page  
 22295, Microfilm Records of Klamath County, Oregon. 4) Subject  
 to a 10 foot jogging easement over and across Lot 1 and 6 as  
 shown on dedicated plat, and will warrant and defend the same  
 against all persons who may lawfully claim the same, except as  
 shown above. 5) Subject to a 16 foot easement over and across  
 Lots 1 and 6 as shown on dedicated plat. 6) Subject to a slope  
 easement over and across Lot 5 as shown on dedicated plat. 7)  
 Declaration of Restrictive Covenant, dated December 22, 1980 and  
 recorded April 27, 1981 in Volume M-81 at page 7566, Microfilm  
 Records of Klamath County, Oregon, wherein Eastport Equities  
 agrees that property will not be used as a fast food hamburger  
 style restaurant purpose of a period of twenty years. (Affects:  
 Legal description of property owned by Eastport Equities within  
 a 2 mile radius of the property contracted by sale to  
 McDonald's Corp. The following lots within "Campus View"  
 Subdivision are owned by Eastport Equities in Klamath County,  
 Block 2 "Campus View" Subdivision Lots 1, 2, 3, 4, 5, & 6,

Continued on next page

WARRANTY DEED  
PAGE 2

Block 3 "Campus View" Subdivision Lots 2, 3, 4, & 5, Block 4 "Campus View" Subdivision Lots 1, 2, 3, 4, & 5, Lots 1 & 2 of Block 4, are subject property: Block 5 "Campus View" Subdivision Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, & 12, Block 6 "Campus View" Subdivision Lots 1, 2, 3, 4, 5, 7 & 6. Additional property adjacent to "Campus View" to be used for future development located SE of a Northerly extension of the West boundary of Campus View and a Westerly extension of the North boundary of Campus View.) 8) Easement, including the terms and provisions thereof: For: Easement or right of way 10 feet in width, for an electric underground distribution line. Granted to: Pacific Power & Light Company, a corporation; Recorded on January 28, 1986 in Book M-86 at page 1469. 9) Fence Encroachment onto utility easement and jogging easement as disclosed by Adkins Consulting Engineers, Inc. Survey. 10) City Liens of the City of Klamath Falls, entered on February 1, 1988 on Improvement No. 299 on Cards No. 4, 5, 6, 7, 8, & 9. 11) Trust Deed, including the terms and provisions thereof to secure the amount noted below and other amounts secured thereunder, if any: Grantor: Terry L. Howard and John W. Williams; Trustee: Stewart Title of Oregon, Inc.; Beneficiary: Prudential Bank, F.S.B., dated on September 23, 1986 and recorded on September 25, 1986 in Book M-86 at page 17405. Appointment of Successor Trustee under the above Trust Deed by instrument: Successor: Christine A. Kosydar, an active member of the Oregon State Bar Association. recorded on September 19, 1990 in Book M-90 at page 18787. WHICH SAID TRUST DEED, THE GRANTEES HEREIN AGREE TO ASSUME AND PAY ACCORDING TO THE TERMS AND PROVISIONS CONTAINED THEREIN.

The true and actual consideration for this transfer is \$1,557,025.90.

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 22 day of FEBRUARY, 1991.

Terry L. Howard John W. Williams  
TERRY L. HOWARD JOHN W. WILLIAMS

STATE OF OREGON, County of Clackamas ss.

February 26, 1991

Personally appeared the above named TERRY L. HOWARD and acknowledged the foregoing instrument to be his voluntary act and deed.

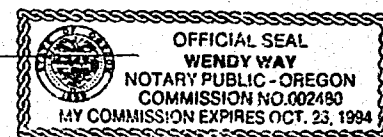
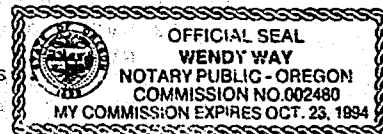
Before me: Wendy Way  
Notary Public for OREGON  
My Commission Expires: 10/23/94

STATE OF OREGON, County of Clackamas ss.

February 26, 1991.

Personally appeared the above named JOHN W. WILLIAMS and acknowledged the foregoing instrument to be his voluntary act and deed.

Before me: Wendy Way  
Notary Public for OREGON  
My Commission Expires: 10/23/94



WILFE & ESCOBAR INC

22801

3697

WILFE & ESCOBAR INC

WILFE & ESCOBAR INC

3697

## EXHIBIT "A"

## PARCEL 1:

Lots 3, 4, 5, 6 and a portion of Lot 2, Block 2, Tract 1163, CAMPUS VIEW, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at the intersection of the centerlines of Dahlia Street and Clover Street in the City of Klamath Falls in the State of Oregon; thence along the centerline of Clover Street North 54 degrees 54' 38" East 30.00 feet to the Northerly right of way line of Dahlia Street; thence continuing along the Northerly right of way line of Dahlia Street North 37 degrees 10' 59" West 50.49 feet to the true point of beginning; thence continuing along the Northerly right of way line of Dahlia Street along a curve to the left having a radius of 427.57 feet, a central angle of 52 degrees 02' 34", an arc length of 388.37 feet, a long chord of 375.16 feet and a long chord bearing of North 63 degrees 12' 16" West; thence North 00 degrees 46' 26" East 359.39 feet; thence South 89 degrees 13' 34" East 272.76 feet; thence South 00 degrees 46' 26" West 57.00 feet; more or less; thence South 87 degrees 22' 21" East 198.16 feet more or less to the Westerly right of way line of Clover Street; thence along the Westerly right of way line of Clover Street South 02 degrees 37' 39" West 263.86 feet more or less; thence continuing along the Westerly right of way line of Clover Street along a curve to the right having a radius of 273.64 feet, a central angle of 47 degrees 49' 42", an arc length of 228.42 feet, a long chord of 221.85 feet and a long chord bearing of South 26 degrees 32' 30" West; thence along a curve to the right having a radius of 20.00 feet, a central angle of 92 degrees 21' 39", an arch length of 32.28 feet, a long chord of 28.86 feet and a long chord bearing of North 83 degrees 21' 49" West to the Northerly right of way line of Dahlia Street and the point of beginning.



STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title Co. the 28th day  
of Feb. A.D., 19 91 at 2:38 o'clock P.M., and duly recorded in Vol. M91  
of Deeds on Page 3696

FEE \$38.00

Evelyn Biehn County Clerk

By Pauline Mullendore