

NL

51749

MTC 27916

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That WARBURTON & BUTTNER DEVELOPMENT COMPANY, LP

a California Limited Partnership

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by

PAYLESS SHOESOURCE, INC., a Missouri Corporationhereinafter called the grantee, does hereby grant, bargain, sell and convey unto the grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in KLAMATH County, State of Oregon, described as follows, to-wit:

Parcel 1 of Minor Land Partition 33-92 filed August 31, 1992 being a portion of Lot 2 Block 1, Tract 1080, WASHBURN PARK, being situate in the SE1/4 NE1/4 of Section 9, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the grantee and grantee's heirs, successors and assigns forever.

And grantor hereby covenants to and with grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances Except those of record and apparent to the land, and the 1992-93 taxes for the fiscal year a lien not yet due and payable.

and that grantor will warrant and forever defend the premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$110,000.00. ~~Property, the actual consideration consists of or shall consist of the following property, to-wit:~~ ~~See ORS 93.030.)~~

In construing this deed, where the context so requires, the singular includes the plural and all grammatical changes shall be made so that this deed shall apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 4 day of September, 1992; if a corporate grantor, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so by order of its board of directors. WARBURTON & BUTTNER DEVELOPMENT COMPANY, LP a California Limited Partnership

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.

By- John T. Warburton Limited Partner
By- Charles A. Buttner Limited Partner
By- Martha A. Buttner Limited Partner ss.

By- John T. Warburton WARBURTON & BUTTNER DEVELOPMENT COMPANY, INC. Oregon, County of _____

Company, Inc.
John T. Warburton-
President
General Partner

This instrument was acknowledged before me on _____, 19____,
by _____
This instrument was acknowledged before me on _____, 19____,
by _____
as _____
of _____

Notary Public for Oregon

My commission expires _____

Warburton & Buttner Development
2990 Jamacha Road Suite 250
El Cajon, CA 92019
Grantor's Name and Address
Payless Shoesource Inc
3231 East Sixth Street
Topeka, Kansas 66601
Grantee's Name and Address
After recording return to (Name, Address, Zip):
Payless Shoesource, Inc.
3231 East Sixth Street
Topeka, Kansas 66601
Until requested otherwise send all tax statements to (Name, Address, Zip):
Payless Shoesource, Inc.
3231 East Sixth Street
Topeka, Kansas 66601

SPACE RESERVED
FOR
RECORDER'S USESTATE OF OREGON,
County of _____ ss.

I certify that the within instrument was received for record on the _____ day of _____, 19____, at _____ o'clock _____ M., and recorded in book/roll/volume No. _____ on page _____ and/or as fee/file/instrument/microfilm/reception No. _____, Record of Deeds of said County.

Witness my hand and seal of County affixed.

NAME _____ TITLE _____
By _____, Deputy.

Through the Courtesy of -
UNION LAND TITLE COMPANY



UL-123

Partnership Acknowledgment

STATE OF CALIFORNIA } ss.
COUNTY OF San Diego

On September 4, 19 92, before me, the undersigned, a Notary Public in and for said County and State, personally appeared

Martina A. Butner

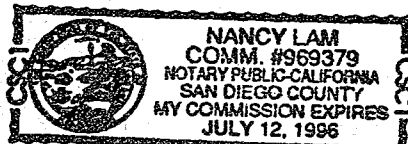
personally known to me (or proved to me on the basis of satisfactory evidence) to be _____ of the partners of the partnership that executed the within instrument, and acknowledged to me that such partnership executed the same.

WITNESS my hand and official seal.

Nancy Lam

Notary Public in and for said County and State.

Notary Seal



Through the Courtesy of -
UNION LAND TITLE COMPANY



UL-123

Partnership Acknowledgment

STATE OF CALIFORNIA } ss.
COUNTY OF _____

On September 4, 19 92, before me, the undersigned, a Notary Public in and for said County and State, personally appeared

John T. Warburton

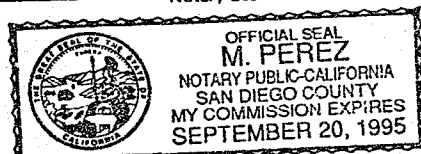
personally known to me (or proved to me on the basis of satisfactory evidence) to be _____ of the partners of the partnership that executed the within instrument, and acknowledged to me that such partnership executed the same.

WITNESS my hand and official seal.

[Signature]

Notary Public in and for said County and State.

Notary Seal



Through the Courtesy of -
UNION LAND TITLE COMPANY



UL-123

Partnership Acknowledgment

STATE OF CALIFORNIA } ss.
COUNTY OF SAN DIEGO

On September 4, 19 92, before me, the undersigned, a Notary Public in and for said County and State, personally appeared

Charles A. Butner

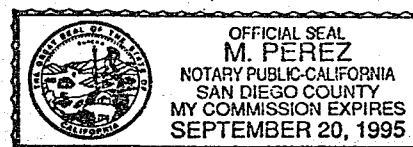
personally known to me (or proved to me on the basis of satisfactory evidence) to be Partner of the partners of the partnership that executed the within instrument, and acknowledged to me that such partnership executed the same.

WITNESS my hand and official seal.

[Signature]

Notary Public in and for said County and State.

Notary Seal



Through the Courtesy of -
UNION LAND TITLE COMPANY



UL-123

Partnership Acknowledgment

STATE OF CALIFORNIA } ss.
COUNTY OF San Diego

On September 4, 19 92, before me, the undersigned, a Notary Public in and for said County and State, personally appeared

John T. Warburton

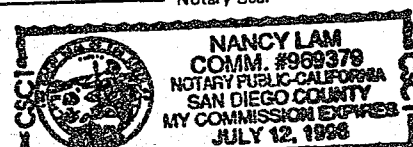
personally known to me (or proved to me on the basis of satisfactory evidence) to be _____ of the partners of the partnership that executed the within instrument, and acknowledged to me that such partnership executed the same.

WITNESS my hand and official seal.

Nancy Lam

Notary Public in and for said County and State.

Notary Seal



STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Mountain Title Co. the 1st day
of Oct. A.D., 19 92 at 3:19 o'clock P M., and duly recorded in Vol. M92,
of Deeds on Page 22980.

FEE \$40.00

Evelyn Biehn, County Clerk

By Pauline Millenore