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#05IO 6th & Homedale Klamath Falls, OR 5/4/93

Aspen#01038270

STATUTORY WARRANTY DEED

Mullendore Family Trust, "Grantor," conveys and warrants to Albertson's, Inc., a Delaware corporation, "Grantee," the real property, free of encumbrances except as set forth herein, situated in Klamath County, State of Oregon, more particularly described in Exhibit "A" attached hereto and incorporated herein by this reference.

Together with all easements and appurtenances thereto and all of Grantor's right, title and interest in and to all streets, alleys and rights-of-way adjacent thereto.

Subject to and excepting those exceptions of title set forth in Exhibit "B" attached hereto and incorporated herein by this reference.

The true and actual consideration for this conveyance is \$92,500.

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.

Until a change is requested, all tax statements are to be sent to the following address:

Albertson's, Inc. 250 Parkcenter Blvd. Box 20 Boise, ID 83726

DATED this 7th day of May, 1993.

THE MULLENDORE FAMILY TRUST

John Mullendore, Trustee

Pauline Mullendore, Trustee

John Mullendore, Individually

Pauline Mullendore, Individually

STATE OF OREGON

) ss.

County of Klamath

On this 7th day of May, 1993, before me, Marlene T. Addington a Notary Public in and for said State, personally appeared John Mullendore and Pauline Mullendore, known or identified to me to be the Trustees of THE MULLENDORE FAMILY TRUST, the Trust that executed the within instrument or the persons who executed the instrument on behalf of said Trust, and acknowledged to me that such Trust executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

MARLENE T. ADDING ON NOTARY PUBLIC - OREGON COMMISSION NO. 022238 COMMISSION EXPRES MAR. 22, 1997

Notary Public for Oregon

Residing at Klamath Falls, OR

My commission expires 3-22-97

STATE OF OREGON) ss.
County of Klamath)
On this 7th day of May, 1993, before me, Marlene Tolding to a Notary Public in and for said State, personally appeared John Mullendore, known or identified to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.
OFFICIAL SEAL. MARLENE T. ADDINGTON NOTARY PUBLIC · OREGON COMMISSION NO. 022238 MY COMMISSION EXPIRES MAR 22, 1997 MY COMMISSION EXPIRES MAR 22, 1997 My Commission expires 3-22-97
STATE OF OREGON)) ss. County of Klamath)
On this 7th day of Nay, 1993, before me, National to a Notary Public in and for said State, personally appeared Pauline Mullendore, known or identified to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.
OFFICIAL SEAL MARLENE T. ADDINGTON NOTARY PUBLIC OREGON COMMISSION NO. 022238 MYCOMMISSION EXPIRES MAR. 22, 1997 My commission expires 3-22-97

After recording, return to:

Rita L. Berry HAWLEY TROXELL ENNIS & HAWLEY P.O. Box 1617 Boise, Idaho 83701

EXHIBIT A

(MULLENDORE PARCEL)

PARCEL 1:

Lots 2 and 3, Block 1, BAILEY TRACTS NO. 2, in the County of Klamath, State of Oregon, EXCEPTING that portion conveyed to State of Oregon for highway purposes by Deed recorded April 21, 1964 in Book 352 at Page 421, Deed Records of Klamath County, Oregon.

CODE 41 MAP 3909-2DA TL 1300

EXHIBIT "B"

PERMITTED EXCEPTIONS (MULLENDORE PARCEL)

- 1. Regulations, including levies, assessments, water and irrigation rights and easements for ditches and canals, of Enterprise Irrigation District.
- 2. Regulations, including levies, liens and assessments, of South Suburban Sanitary District.
- 3. Levies and assessments of Klamath County Drainage District.
- 4. Recitals, including the terms and provisions thereof, as set out in that those certain deeds executed by Jesse Bailey and Ethel Bailey, recorded January 13, 1931, in Book 92, Page 296, and recorded February 19, 1942, in Book 94, Page 493.
- 5. Easement in favor of the State of Oregon, by and through its State Highway Commission, for permanent slope easement and conveyance of access, recorded April 21, 1964, in Book 352, Page 421.
- 6. Easement in favor of State of Oregon, by and through its State Highway Commission, for relocating irrigation facilities, recorded June 23, 1964, in Book 354, Page 72.
- 7. Slope Easement between Mulvey Loving Trust and Albertson's, Inc., recorded March 17, 1993, in Book M-93, Page 5491, Fee No. 58730.

STATE OF OREGON. COUNTY OF REAMAIR: SS.													
Filed	for record	at request	of		<u> 1</u> 15.	Aspe	n Title	Со			the 7th		da:
of		May .	_ A.I	D., 19	93	_ at	3:22	_ o'clock	РМ	and duly	recorded in Vol.	M93	
			of			Deeds			on Page		7		
								Evelyr	Biehn). A	County Clerk	Δ	
FEE	\$45.00							В	v 152	eneths	J deloc	$\mathcal{K} = \mathbb{R}^n$	

STATE OF OPECON, COUNTY O