

05-19-04P03:59 RCVD
BARGAIN AND SALE DEED

KERNS BROTHERS REAL ESTATE, a partnership composed of James W. Kerns, John P. Kerns, and R. Benjamin Kerns, Grantor, conveys to KERNS BROTHERS, INC., an Oregon corporation, Grantee, the following described real property:

SEE EXHIBITS A AND B ATTACHED HERETO AND INCORPORATED
HEREIN BY THIS REFERENCE.

The true consideration for this conveyance is none.

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.

Dated this 16th day of May, 1994.

KERNS BROTHERS REAL ESTATE

By: James W. Kerns
James W. Kerns
By: John P. Kerns
John P. Kerns
By: R. Benjamin Kerns
R. Benjamin Kerns

STATE OF OREGON, County of Klamath) ss.

1994, by James W. Kerns, John P. Kerns, and R. Benjamin Kerns.
OFFICIAL SEAL
CYNTHIA L. JENSEN
NOTARY PUBLIC - OREGON
COMMISSION NO. 022259
MY COMMISSION EXPIRES MAR. 25, 1997

This instrument was acknowledged before me on May 10,
Cynthia L. Jensen
Notary Public for Oregon
My commission expires: 3/25/97

STATE OF OREGON, County of Marion) ss.

This instrument was acknowledged before me on May 16,
1994, by John P. Kerns.

OFFICIAL SEAL
EVA J. BANDFIELD
NOTARY PUBLIC - OREGON
COMMISSION NO. 029693
MY COMMISSION EXPIRES NOV. 16, 1997

Eva J. Bandfield
Notary Public for Oregon
My commission expires: 11-16-97

STATE OF OREGON, County of Klamath) ss.

This instrument was acknowledged before me on May 10,
1994, by James W. Kerns, John P. Kerns, and R. Benjamin Kerns.

OFFICIAL SEAL
CYNTHIA L. JENSEN
NOTARY PUBLIC - OREGON
COMMISSION NO. 022259
MY COMMISSION EXPIRES MAR. 25, 1997

Cynthia L. Jensen
Notary Public for Oregon
My commission expires: 3/25/97

After recording return to:

William M. Ganong
635 Main Street
Klamath Falls, Oregon 97601

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

Kerns Brothers, Inc.
6100 Sunset Ridge Road
Klamath Falls OR 97601

A TRACT OF LAND SITUATED IN TRACT 33A OF ENTERPRISE TRACTS SUBDIVISION, BEING IN THE NW1/4 OF SECTION 3, T39S, R9EWM, KLAMATH COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE CASED MONUMENT MARKING THE NORTHWEST CORNER OF SAID SECTION 3; THENCE S00°00'30"E, ALONG THE WESTERLY BOUNDARY OF SAID SECTION 3, 826.8 FEET, MORE OR LESS, TO ITS INTERSECTION WITH A LINE PARALLEL WITH AND 75 FEET DISTANT AT RIGHT ANGLES NORTHEASTERLY FROM THE CENTER LINE OF SOUTH SIXTH STREET AS THE SAME IS NOW LOCATED AND CONSTRUCTED; SAID PARALLEL LINE BEING ALSO THE NORTHERLY RIGHT OF WAY LINE OF SAID STREET; THENCE S55°52'30"E, ALONG SAID PARALLEL LINE 1741.84 FEET TO A 5/8 INCH IRON PIN MARKING THE EASTERLY RIGHT OF WAY LINE OF AUSTIN STREET WITH THE LOCATION OF SAID POINT BEING IN CONFORMANCE WITH RECORD OF SURVEY No. 939 AS FILED IN THE OFFICE OF THE KLAMATH COUNTY SURVEYOR, WHICH CONTAINS THE ORIGINAL OWNER'S CERTIFICATION OF ORIGINAL PROPERTY CORNERS; THENCE N34°07'30"E AT RIGHT ANGLES TO SAID SOUTH SIXTH STREET AND ALONG THE EASTERLY RIGHT OF WAY OF SAID AUSTIN STREET A DISTANCE OF 250.00 FEET TO THE NORTHWEST CORNER OF THAT TRACT OF LAND DESCRIBED IN DEED VOLUME M69 PAGE 10247, AND BEING THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE S55°52'30"E 256.51 FEET; THENCE N34°07'30"E, GENERALLY ALONG THE NORTHWESTERLY EDGE OF THE KERNS VILLAGE CLEANERS EXISTING WALL, 154.27 FEET; THENCE N55°52'30"W 256.51 FEET; THENCE S34°07'30"W 154.27 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 39,572 SQUARE FEET AND WITH BEARINGS BASED ON RECORD OF SURVEY No. 3672.

TOGETHER WITH: A 4-FOOT ROOF OVERHANG AND SIDEWALK EASEMENT NORTHEASTERLY OF AND PARALLEL TO THE FOLLOWING DESCRIBED LINE; BEGINNING AT A POINT ON THE NORTHEASTERLY LINE OF SAID TRACT FROM WHICH THE NORTHWEST CORNER BEARS N55°52'30"W 115.00 FEET; THENCE S55°52'30"E 140.00 FEET.

SUBJECT TO: A 4-FOOT SIDEWALK EASEMENT SOUTHWESTERLY OF AND BEING ADJACENT WITH AND PARALLEL TO THE ABOVE DESCRIBED EASEMENT.

15894

A TRACT OF LAND SITUATED IN TRACT 33A OF ENTERPRISE TRACTS SUBDIVISION, BEING IN THE NW1/4 OF SECTION 3, T39S, R9EWM, KLAMATH COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE CASED MONUMENT MARKING THE NORTHWEST CORNER OF SAID SECTION 3; THENCE S00°00'30"E, ALONG THE WESTERLY BOUNDARY OF SAID SECTION 3, 826.8 FEET, MORE OR LESS, TO ITS INTERSECTION WITH A LINE PARALLEL WITH AND 75 FEET DISTANT AT RIGHT ANGLES NORTHEASTERLY FROM THE CENTER LINE OF SOUTH SIXTH STREET AS THE SAME IS NOW LOCATED AND CONSTRUCTED; SAID PARALLEL LINE BEING ALSO THE NORTHERLY RIGHT OF WAY LINE OF SAID STREET; THENCE S55°52'30"E, ALONG SAID PARALLEL LINE 1741.84 FEET TO A 5/8 INCH IRON PIN MARKING THE EASTERLY RIGHT OF WAY LINE OF AUSTIN STREET WITH THE LOCATION OF SAID POINT BEING IN CONFORMANCE WITH RECORD OF SURVEY No. 939 AS FILED IN THE OFFICE OF THE KLAMATH COUNTY SURVEYOR, WHICH CONTAINS THE ORIGINAL OWNER'S CERTIFICATION OF ORIGINAL PROPERTY CORNERS; THENCE N34°07'30"E AT RIGHT ANGLES TO SAID SOUTH SIXTH STREET AND ALONG THE EASTERLY RIGHT OF WAY OF SAID AUSTIN STREET A DISTANCE OF 250.00 FEET TO THE NORTHWEST CORNER OF THAT TRACT OF LAND DESCRIBED IN DEED VOLUME M69 PAGE 10247; THENCE S55°52'30"E 256.51 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE N34°07'30"E, ALONG THE NORTHWESTERLY EDGE OF THE KERNS VILLAGE CLEANERS EXISTING WALL, 154.27 FEET; THENCE S55°52'30"E 98.06 FEET TO A POINT ON THE EASTERLY LINE OF SAID TRACT 33A; THENCE S00°21'15"W, ALONG SAID EASTERLY LINE, 173.79 FEET; THENCE S34°07'30"W 9.80 FEET; THENCE N55°52'30"W 194.67 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 23,051 SQUARE FEET AND WITH BEARINGS BASED ON RECORD OF SURVEY No. 3672.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Wm. M. Ganong the 19th day
of May A.D., 19 94 at 3:59 o'clock P. M., and duly recorded in Vol. M94,
of Deeds on Page 15892.

FEE \$40.00

Evelyn Biehn County Clerk

By Pauline M. Mendenhall

EXHIBIT B

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