

1933

06-23-95A10:18 RCVD

Vol. 1795 Page 16470

When recorded return to,
and send all tax statements to:

Leone Roberts
 Abby's, Inc.
 2722 N.E. Stephens
 Roseburg, Oregon 97470

K-47957

BARGAIN AND SALE DEED

KNOW ALL MEN BY THESE PRESENTS, that Kerns Brothers Real Estate, a co-partnership ("Grantor"), for the consideration stated hereinafter, does hereby grant, sell and convey unto Abby's, Inc., an Arizona corporation, successor by merger to Foughton and Harrell Corporation, an Oregon corporation ("Grantee"), and unto Grantee's heirs successors and assigns, all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining situated in Klamath County, Oregon:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN

AND GRANTOR hereby binds itself and its successors to warrant and defend the title against all of the acts of Grantor and no other, subject to the matters set forth above.

THE TRUE and actual consideration paid for this transfer, is the purchase price of \$4,900.00 paid by Grantee to Grantor.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed this 23rd day of June, 1995.

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 FREE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

JAK Kerns Brothers Real Estate, a co-partnership

By: James Kerns

Name: _____

Title: Partner

16471

STATE OF OREGON)

County of Klamath) ss.

The foregoing instrument was acknowledged before me this 23rd day of June, 1995, by James Kerns, a partner of Kerns Brothers Real Estate, a co-partnership on behalf of the co-partnership.



Juli Lengel
Notary Public

My Commission Expires:

9-8-95

Grantor's Name and Address:

Kerns Brothers Real EstateOregon

Grantee's Name and Address:

Abby's, Inc.
2722 N.E. Stephens
Roseburg, Oregon 97470

16472

EXHIBIT A

PARCEL 2:

A tract of land situated in Tract 33A Enterprise Tracts, in the NW $\frac{1}{4}$ of Section 3, Township 39 South, Range 9 E.W.M., Klamath County, Oregon, more particularly described as follows:

Beginning at a point on the East line of said Tract 33A from which the Northeast corner of said Tract 33A bears N 00°21'15" E 203.65 feet more less; thence N 55°52'30" W 36.09 feet to the northeasterly corner of that tract of land described in Volume M72 page 6088 of the Klamath County Deed Records; thence along the easterly line of said tract S 00°21'15" W 6.09 feet (6.00 by deed), S 34°07'30" W 94.94 feet (95.05 by deed) to the southeasterly corner of said tract; thence S 55°52'30" E 99.58 feet to a point on the East line of said Tract 33A; thence N 00°21'15" E 120.30 feet to the point of beginning, containing 6623 square feet and with bearings based on R.O.S. No. 3672 as filed with the Klamath County Surveyor.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of _____ Klamath County Title _____ the _____ 23rd _____ day
of _____ June _____ A.D., 19 95 at 10:18 o'clock A _____ M., and duly recorded in Vol. _____ M95
of _____ Deeds _____ on Page 16470

FEE \$40.00

By Bernetha G. Letsch County Clerk
Bernetha G. Letsch