

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

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

SPECIAL WARRANTY DEED

K-47957

KNOW ALL MEN BY THESE PRESENTS, that Abby's, Inc., an Arizona corporation, successor by merger to Broughton and Harrell Corporation, an Oregon corporation ("Grantor"), for the consideration stated hereinafter, conveys to ABRE, L.L.C., an Arizona limited liability company ("Grantee"), the following described real property (the "Property") situated in Klamath County, Oregon:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN

SUBJECT TO: current taxes and other assessments; patent reservations; all covenants, conditions, restrictions, reservations, easements and declarations, encumbrances, liens, obligations, liabilities or other matters of record or to which reference is made in the public record; any and all conditions, easements, encroachments, rights-of-way, or restrictions which a physical inspection, or accurate survey of the Property would reveal; and the zoning and use regulations of any municipality, county, state, or the United States affecting the Property.

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, stated in terms of dollars, is \$369,710.00.

IN WITNESS WHEREOF, Grantor has caused this Special Warranty Deed to be executed this 28th 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 FEE 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.

ABBY'S, INC., an Arizona corporation, successor by merger to Broughton and Harrell corporation, an Oregon corporation

By: [Signature]
 Name: B. Mills Sinclair
 Title: President

STATE OF Oregon)
 County of Douglas) ss.

The foregoing instrument was acknowledged before me this 28th day of June, 1995, by B. Mills Sinclair, the President of Abby's, Inc., an Arizona corporation, successor by merger to Broughton and Harrell corporation, an Oregon corporation, on behalf of the corporation.



[Signature]
 Notary Public

My Commission Expires:

Grantor's Name and Address:

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

Grantee's Name and Address:

ABRE, L.L.C.
 8320 North Hayden Road
 Suite B110-A
 Scottsdale, Arizona 85258

EXHIBIT A
LEGAL DESCRIPTION

PARCEL 1:

The following described real property situate in Klamath County, Oregon:

A piece or parcel of land situate in Tract 33A Enterprise Tracts, being a portion of the Northwest one-quarter of Section 3, Township 39 South, Range 9 East, Willamette Meridian, and being more particularly describes as follows:

Beginning at a 5/8 inch aluminum capped rebar on the Easterly right-of-way line of Austin Street as the same is presently located and constructed from which the iron pipe monument marking the Northeast corner of Tract 33A of Enterprise Tracts bears N. 34°07'30" E. 53.32 feet and S. 89°30'00" E. 209.67 feet distant; thence S 34°07'30" W. along said right-of-way line of Austin Street 100.00 feet to a 5/8 inch aluminum capped rebar; thence S. 55°52'30" E. 255.00 feet to a 5/8 inch aluminum capped rebar; thence N. 34°07'30" E. 95.05 feet to a 5/8 inch aluminum capped rebar (said point being 30.00 feet distant from, when measured at right angles to, the East boundary of said Tract 33A of Enterprises Tracts); thence N. 0°21'15" E. parallel to said Tract 33A boundary 6.00 feet to a 5/8 inch aluminum capped rebar; thence N. 55°52'30" W. 251.66 feet, more or less, to the point of beginning; containing 0.585 acres, and RESERVING THEREFROM an easement for a 4.0 foot overhang from the adjacent property and for walkway purposes along the Southeasterly 140.0 feet of the Southwesterly side of the above described parcel. TOGETHER with an easement for walkway purposes 4.0 feet wide and 140.0 feet long adjacent to and Southwesterly from the Easement herein reserved.

PARCEL 2:

A tract of land situated in Tract 33A Enterprise Tracts, in the NW¼ 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 13th day
of July A.D., 19 95 at 10:53 o'clock A M., and duly recorded in Vol. M95
of Deeds on Page 18155

FEE \$40.00

By Bernetha G. Litsch County Clerk