

32200

## Grantor's Name and Address

TBLD CORP.,

17901 Von Karman

Irvine, CA 92614-6221

## Grantee's Name and Address

Ferris et al c/o Ferris &amp; Hunter

1175 East main Street, Suite 2E

Medford, OR 97504-1477

'97 JAN 31 P3:42

Vol. 777 Page 3084  
Unit #9246

MTC 40048

After Recording Return to:

Same as above

Until requested otherwise send all tax statements to  
the Grantee's address.

## SPECIAL WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That TBLD CORP., a California corporation, hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and specially warrants and convey unto John E. Ferris, Grantee an undivided one-quarter interest, unto Robert G. Hunter, Grantee an undivided one-quarter interest, and unto Terry L. Farnham and Denise L. Farnham an undivided one-half interest as tenant's by the entirety, and unto Grantee's heirs, hereinafter called 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 any way appertaining, situated in the County of Klamath, State of Oregon, described on Exhibit "A" See attached hereto and made a part hereof.

## Restrictions from Conveyance and Warranty

Grantee, its successors and assigns, hereby agree that no portion of the Premises shall be operated as a food outlet selling any Mexican food items, including, but not limited to, tacos, burritos, Mexican pizza and Mexican chicken. Grantee's, and their successors and assigns, may sell Mexican pizza provided that the sales are less than 15% of the gross sales from the property.

To Have and to Hold the same unto the grantee and grantee's heirs, successors and assigns forever. And the grantor hereby covenants to and with the grantee and grantee's heirs, successors and assigns that the real property is free from encumbrances created or suffered thereon by grantor and that grantor will warrant and defend the same and every part and parcel thereof against the lawful claims and demands of all persons claiming by, through, or under the grantor.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$235,000.00.

H<sup>6</sup>

3085

PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS  
ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

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.

<sup>1</sup> In Witness Whereof, the grantor has executed this instrument this 19th day of January, 1998; 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 thereto by order of its board of directors.

TBLD CORP.,  
a California corporation

BY: 

Richard Goodman  
Senior Vice President, Finance  
CFO.

JAN 29 1997

REVIEWED BY: KC

DATE 1/29/97



**ALL-PURPOSE ACKNOWLEDGEMENT**  
State of California

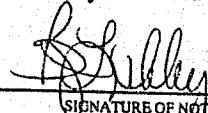
County of Orange

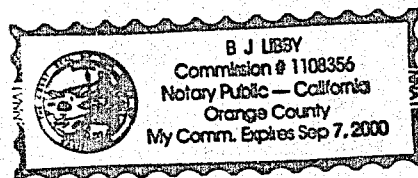
On 29 January 1997 before me, BJ LIBBY, Notary Public,  
Date

Personally appeared RICHARD GOODMAN VICE PRESIDENT, Taco Bell Corp.

[x] personally known to me OR [ ] proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity(ies) and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

Witness my hand and official seal

  
SIGNATURE OF NOTARY



**CAPACITY CLAIMED BY SIGNER**

[ ] INDIVIDUAL(S)

[x] CORPORATE VICE PRESIDENT  
OFFICER(S)

TITLE(S)

[ ] PARTNER(S)

[ ] ATTORNEY-IN-FACT

[ ] TRUSTEE(S)

[ ] SUBSCRIBING WITNESS

[ ] GUARDIAN/CONSERVATOR

[ ] OTHER \_\_\_\_\_

**SIGNER IS REPRESENTING:**  
NAME OF PERSON(S) OR ENTITY(IES)

TACO BELL CORP.  
a California corporation

EXHIBIT 'A'  
LEGAL DESCRIPTION

A parcel of land located in the Southwest one-quarter of Section 34, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Commencing at a brass cap marking the Southwest corner of Section 34 and running North 00 degrees 28' 30" West 168.83 feet; thence North 89 degrees 31' 30" East 55.00 feet to a point on the Easterly right of way line of Washburn Way and the point of beginning; thence leaving said right of way, running 38.10 feet along a 35.00 foot radius curve right, the long chord of which bears North 58 degrees 20' 54" East 36.24 feet; thence North 89 degrees 31' 53" East 172.03 feet; thence South 00 degrees 28' 07" East 159.15 feet to the Northerly right of way line of Shasta Way; thence along said right of way South 89 degrees 52' 25" West 192.87 feet; thence North 48 degrees 08' 20" West 13.74 feet to the Easterly right of way line of Washburn Way; thence along said right of way North 00 degrees 28' 30" West 129.98 feet to the point of beginning.

PAGE 4 OF REPORT NO. 40048

## PRELIMINARY REPORT

PRELIMINARY REPORT ONLY

STATE OF OREGON : COUNTY OF KLAMATH: ss.

Filed for record at request of Amerititle the 31st day  
of January A.D., 19 97 at 3:42 o'clock P. M., and duly recorded in Vol. 1897  
of Deeds on Page 3084.

Bernetha G. Letsch, County Clerk

FEE \$45.00

by Kathleen Ross