

AFTER RECORDING RETURN TO:

Kevin F. Kerstiens
Schwabe, Williamson & Wyatt
1211 SW Fifth Avenue, Suite 1800
Portland, Oregon 97204-3795

UNTIL A CHANGE IS REQUESTED, ALL
TAX STATEMENTS SHALL BE SENT TO:

FAY FAMILY LLC
c/o Darrell Rusth
2316 S. Sixth St., Suite A
Klamath Falls, OR 97601

MTC 1396-42491-KR
STATUTORY WARRANTY DEED

AMUCHASTEGUI BUILDING, INC., a corporation duly organized and existing under the laws of the State of Oregon, Grantor, conveys and warrants to FAY FAMILY LLC, an Oregon limited liability company, Grantee, the following described improvement free of encumbrances except as specifically set forth herein:

See Exhibit A, which is made a part hereof by this reference, subject to all of those items of record and those apparent on the land, if any, as of the deed of this date and those shown above.

The true consideration for this conveyance consists of or includes other property or other value given or promised.

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

AMERITITLE, has recorded this instrument by request as an accommodation only, and has not examined it for regularity and sufficiency or as to its effect upon the title to any real property that may be described therein.

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.

Executed this 19th day of December, 1997.

GRANTOR:

AMUCHASTEGUI BUILDING, INC.

By: Tim Amuchastegui
Its: PRESIDENT

STATE OF OREGON)

County of Klamath) ss.

This instrument was acknowledged before me this 19th day of December, 1997 by TIM AMUCHASTEGUI, as President of AMUCHASTEGUI BUILDING, INC.



Kristi L. Redd
NOTARY PUBLIC FOR OREGON
My Commission Expires: 11/18/99

EXHIBIT "A"
LEGAL DESCRIPTION

The building, commonly referred to as Klamath Ophthalmology Clinic, consisting of approximately 6,081 square feet and common area, at 2640 Biehn Street, Klamath Falls, Oregon 97601, which building is situated on the real property described below, but said real property is not included with this conveyance.

A parcel of land situated in the SW 1/4 of the SW 1/4 of Section 20, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a point which is distant 1320 feet Easterly from the Section corner common to Sections 20, 29, 30 and 19 Township 38 South, Range 9 East of the Willamette Meridian, on Section line between Sections 20 and 29, and North 360 feet parallel to section line between Sections 19 and 20 to a point; thence North and parallel to Section line between Sections 19 and 20 a distance of 720 feet to a point which is the center of the Westerly terminal of Ashland Street; thence Westerly and parallel to Section line between Sections 20 and 29 a distance of 346 feet to State Highway; thence South along said State Highway a distance of 360 feet to a point; thence Southeasterly along State Highway to place of beginning; all in Section 20, Township 38 South, Range 9 East of the Willamette Meridian, EXCEPTING that portion shown in Book 95 of Deeds page 215, as sold to Klamath County, Oregon on April 30, 1931.

SAVING AND EXCEPTING the following described property:

A strip of land situated in the SW 1/4 SW 1/4 of Section 20, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Beginning at the Northwest corner of that parcel conveyed on page 215 of Volume 95 of the Deed Records of Klamath County; thence West along the Northerly boundary of that tract of land conveyed on page 146 of Volume 61 of the Klamath County Deed Records 5.3 feet, more or less, to an iron pin monument which is 40.0 feet Westerly from the centerline of Biehn Street (formerly the Dalles-California Highway) as the same is presently located and constructed; thence South 0 degrees 19' 30" West parallel to and 40.0 feet Westerly from the said centerline of Biehn Street 635.3 feet, more or less, to an iron pin monument on the Northerly boundary of Lakeport Blvd. as the same is presently located and constructed; thence South 44 degrees 51' East along the Northerly boundary of Lakeport Blvd. 12.7 feet to a point on the Westerly boundary of that tract conveyed on page 215 of Volume 95 of Klamath County Deed Records; thence North 644.3 feet, more or less, to the point of beginning.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Amerititle the 22nd day
of December A.D., 19 97 at 11:06 o'clock A M., and duly recorded in Vol. M97
of Deeds on Page 41399.

FEE \$40.00

By Bernetha G. Letsch, County Clerk
Kathleen Ross

(18/103963/11216/KFK/694712.1)