

Title Order No. 127887-SK K-51844
Escrow No. 127887-SK

This space reserved for recorder's use

Vol M00 Page 13950

200 APR 24 PM 3:30
After recording return to:
~~Summit Accommodators, Inc.~~ Ernst Brothers
PO Box 637
Gilchrist, OR 97737
Name, Address, Zip

Until a change is requested all tax statements shall be sent to the following address.
~~Summit Accommodators, Inc.~~ Ernst Brothers
PO Box 637
Gilchrist, OR 97737
Name, Address, Zip

STATUTORY WARRANTY DEED

The Howard Charles Hassett 1994 Trust, dated September 27, 1994, as to an undivided 1/2 interest and The Mary Ann Hassett 1994 Trust, dated September 27, 1994, as to an undivided 1/2 interest, Grantor, conveys and warrants to ERNST BROTHERS L.L.C. an Oregon limited liability company, Grantee, the following described real property free of encumbrances, except as specifically set forth herein situated in Klamath county, OREGON, to wit:

As described in Exhibit "A" attached hereto and made a part hereof.

Tax Account Nos. 3809-019AA 00400; 00600; 00100 and 00500

This property is free from encumbrances, EXCEPT: As set forth in Exhibit "B" attached hereto and made a part hereof.

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.

The true consideration for this conveyance is \$840,000.00. (Here comply with the requirements of ORS 93.030)

Dated this 8th day of February, 19 99.

The Howard Charles Hassett 1994 Trust,
dated September 27, 1994

BY: Evelyn E. Ewell
Evelyn E. Ewell, Trustee

The Mary Ann Hassett 1994 Trust, dated
September 27, 1994

BY: Mary Ann Hassett
Mary Ann Hassett, Trustee

STATE OF OREGON, County of Klamath) ss.

This instrument was acknowledged before me on February 8, 99,
by Mary Ann Hassett, Trustee and Evelyn E. Ewell, Successor Trustee.

Deborah A. Schobert
Notary Public for Oregon
My commission expires 12/15/00

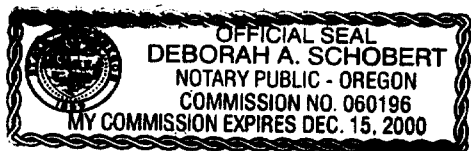


EXHIBIT "A"
DESCRIPTION OF PROPERTY

Parcel 1:

A piece of parcel of land situated in the NE ¼ of Section 19, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon and more particularly described as follows:

Beginning at an iron pipe which is South 0°06' West 323.4 feet and North 89°49' West 234.2 feet from the NE Section Corner of Section 19, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, which point of beginning is also the NE corner of that certain tract of land conveyed to Elmer W. and Flora M. Zigler on page 238, Deed volume 278 of the records of Klamath County, Oregon; thence North 89°49' West along the Northerly boundary of said tract of land conveyed on page 238 Deed Volume 278, a distance of 334.8 feet to an iron pipe set at its intersection with a line which is parallel to and 192.77 feet Northeasterly of, when measured at right angles to, the Northeasterly right of way line of the Dalles-California Highway (No. US97) as the same is now located across said Section 19; thence North 38°52' West parallel to and 192.77 feet distant from said Northeasterly highway right of way line a distance of 147.25 feet to an iron pipe; thence South 89°49' East a distance of 427.3 feet to an iron pipe; thence South 0°06' West a distance of 114.35 feet more or less, to the point of beginning.

PARCEL 2:

Beginning at a point which is South 0°06' West a distance of 477.4 feet and North 89°49' West a distance of 234.2 feet from the Northeast corner of Section 19, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon; thence North 0°06' East a distance of 154 feet to a point; thence North 89°49' West a distance of 336 feet, more or less, to a point on a line which is parallel to and distant 192.77 feet at right angles from the Northeasterly right of way line of the Dalles-California Highway; thence South 38°52' East a distance of 200 feet, more or less, to a point which is North 0°06' East a distance of 211.1 feet from the North line of Byrd Avenue in Chelsea Addition; thence South 89°49' East a distance of 210.2 feet to the place of beginning, being in the NE ¼ NE ¼ of Section 19, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon.

Continued.....

PARCEL 3:

All that portion of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 19, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at the section corner common to Sections 17, 18, 19 and 20, said Township and Range; thence South $0^{\circ}06'$ West along the East line of said Section 19, a distance of 388.5 feet to a point; thence North $89^{\circ}49'$ West a distance of 174.2 feet to a point; thence South $0^{\circ}06'$ West a distance of 300.0 feet to a point on the North line of Byrd Avenue; thence West along said North line a distance of 60 feet to a point; thence North $0^{\circ}06'$ East a distance of 479.45 feet to a point; thence North $89^{\circ}44'$ West a distance of 427.3 feet to a point; thence North $38^{\circ}46'$ West a distance of 268.15 feet to a point on the North line of said Section 19; thence South $89^{\circ}44'$ East along said North line a distance of 833.95 feet to the point of beginning.

EXCEPTING THEREFROM a tract of land situated in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 19, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at the section corner common to Sections 17, 18, 19 and 20, said Township and Range; thence South $0^{\circ}06'$ West along the East line of said Section 19, a distance of 388.5 feet to a point; thence North $89^{\circ}49'$ West a distance of 174.2 feet to a point; thence South $0^{\circ}06'$ West a distance of 89 feet to the True Point of Beginning of this description; thence continuing South $0^{\circ}06'$ West a distance of 211 feet to a point on the North line of Byrd Avenue; thence West along said North line a distance of 60 feet to a point; thence North $0^{\circ}06'$ East a distance of 211 feet to a point; thence South $89^{\circ}49'$ East 60 feet to the point of beginning.

PARCEL 4:

Beginning at a point on the Northeasterly right of way line of State Highway No. 97 which lies South $0^{\circ}06'$ West along the East section line a distance of 688.5 feet and North $89^{\circ}49'$ West along the North line of Byrd Avenue in Chelsea Addition, a distance of 521.6 feet and North $38^{\circ}52'$ West along the Northeasterly right of way line of State Highway No. 97 (Note: State Highway bearing of this line shows North $39^{\circ}7\frac{1}{2}'$ West) a distance of 130.55 feet from the iron axle which marks the Northeast corner of Section 19, Township 38 South, Range 9 East of the Willamette Meridian, running thence; continuing North $38^{\circ}52'$ West along the Northeasterly right of way line of State Highway No. 97, a distance of 250 feet to a point; thence North $51^{\circ}08'$ East a distance of 192.77 feet to a point; thence South $38^{\circ}52'$ East a distance of 250 feet to a point; thence South $51^{\circ}08'$ West a distance of 192.77 feet, more or less to the point of beginning, in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 19, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon.

1. Limited access provisions contained in Deed to or from the State of Oregon, by and through its State Highway Commission, which provides that no right of easement or right of access to, from or across the State Highway other than expressly therein provided for shall attach to the abutting property.
2. The rights of the public in and to that portion of the premises herein described lying within the limits of roads, streets or highways.
3. An easement created by instrument, including the terms and provisions thereof;
 - Recorded : January 3, 1938 in Volume 113, page 535, Deed records of Klamath County, Oregon
 - Between : Dunn and Baker, a corporation, and James M. Baker
 - For : road
 - Affects : NE ¼ NE ¼ Sec. 19 and other property
4. An easement created by instrument, including the terms and provisions thereof;
 - Recorded : November 9, 1951 in Volume 251, page 23, Deed records of Klamath County, Oregon
 - Favor of : United States of America
 - For : transmission line
 And an easement created by instrument, including the terms and provisions thereof;
 - Recorded : April 12, 1954 in Volume 266, page 316, Deed records of Klamath County, Oregon
 - Favor of : The California Oregon Power Company, a corporation
 - For : transmission line
 - Affects : Parcel 3
5. An easement created by Easement Agreement, including the terms and provisions thereof;
 - Recorded : March 25, 1983 in Volume M83, page 4449, Deed records of Klamath County, Oregon
 - Favor of : Jessie Lee Hosford
 - For : 16 foot wide easement for sewer line
 - Affects : Parcel 2
6. Terms and provisions of Easement;
 - Recorded : September 26, 1986 in Volume M86, page 17486, Deed records of Klamath County, Oregon
 - From : Fairbanks Motel Associates, a Washington Limited Partnership
 - Favor of : Howard C. Hassett and Mary A. Hassett
 - For : a nonexclusive perpetual easement for ingress and egress
 - Affects : access to Parcels 2 and 4
7. An easement created by instrument, including the terms and provisions thereof;
 - Recorded : September 25, 1986 in Volume M86, page 17490, Deed records of Klamath County, Oregon
 - Favor of : Fairbanks Motel Associates
 - For : flow and sheet flow of surface water
 - Affects : Parcels 1, 2, 4 and other property
8. An easement created by instrument, including the terms and provisions thereof;
 - Recorded : September 26, 1986 in Volume M86, page 17494, Deed records of Klamath County, Oregon
 - Favor of : Fairbanks Motel Associates
 - For : sewer line
 - Affects : Parcels 1 and 2 and other property
9. An easement created by instrument, including the terms and provisions thereof;
 - Recorded : September 26, 1986 in Volume M86, page 17512, Deed records of Klamath County, Oregon
 - Favor of : Fairbanks Motel Associates
 - For : storm sewer
 - Affects : Parcels 1 and 2 and other property
10. An easement created by instrument, including the terms and provisions thereof;
 - Recorded : September 26, 1986 in Volume M86, page 17518, Deed records of Klamath County, Oregon
 - Favor of : Fairbanks Motel Associates
 - For : ingress and egress
 - Affects : Parcels 1, 2, 4 and other property

Recorded 04/24/00, at 3:30 p.m.
 In Vol. M00 Page 13950
 Linda Smith,
 County Clerk Fees \$ 26.00