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Vol M03 Page 67063

State of Oregon, County of Klamath
Recorded 09/10/03 9:28a m
Vol M03 Pg 67063-67
Linda Smith, County Clerk
Fee \$ 4.00 # of Pgs 5

After Recording please return to:
LandAmerica NCS
3350 Riverwood Pkwy
Ste. 1895
Atlanta, GA 30339

STATUTORY WARRANTY DEED

Prepared by [REDACTED]

Allison M. Ryan, Esq.
Alston & Bird LLP
1201 West Peachtree Street
Atlanta, Georgia 30309
404/881-7000

Grantor: HOME DEPOT U.S.A., INC., a Delaware corporation

Grantee: HD DEVELOPMENT OF MARYLAND, INC., a Maryland corporation

The true consideration for this conveyance is \$1.00 and other valuable consideration.

STATUTORY WARRANTY DEED

UNTIL A CHANGE IS REQUESTED, TAX STATEMENTS
SHALL BE SENT TO THE FOLLOWING ADDRESS:

HD Development of Maryland, Inc.
c/o Home Depot U.S.A., Inc.
a Delaware corporation
2455 Paces Ferry Road
Atlanta, Georgia 30339

HOME DEPOT U.S.A., INC., a Delaware corporation, Grantor, whose mailing address is 2455 Paces Ferry Road, Atlanta, Georgia 30339, conveys and warrants to **HD DEVELOPMENT OF MARYLAND, INC.**, a Maryland corporation, Grantee, whose mailing address is c/o Home Depot U.S.A., Inc., 2455 Paces Ferry Road, Atlanta, Georgia 30339, the following described real property in the State of Oregon, County of Klamath, free of encumbrances except as specifically set forth herein:

Legal Description is attached as Exhibit "A". No personalty is conveyed or is intended to be conveyed hereby.

Tax Parcel I.D. Number(s): R-3909-001CA-00100-00.

This property is free of encumbrances, except all matters of public record.

The true consideration for this conveyance is \$1.00 and other valuable consideration.

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.

Dated this 14th day of August, 2003.


HOME DEPOT U.S.A., INC.,
a Delaware corporation

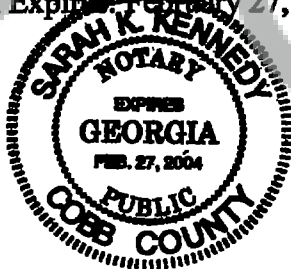
By: 

Name: Randall H. Stephens
Title: Senior Corporate Counsel –
Real Estate

STATE OF GEORGIA
COUNTY OF FULTON) ss.

The foregoing instrument was acknowledged before me this 14th day of August, 2003, by Randall H. Stephens, as Senior Corporate Counsel – Real Estate of Home Depot U.S.A., Inc., on behalf of the corporation.


Notary Public for Cobb County, Georgia
My Commission Expires February 27, 2004



67066

EXHIBIT A

Parcel 1 of Land Partition No. 42-01 located in the South one-half of the Northwest one-quarter, the Southwest one quarter and the Southeast one-quarter of Section 1, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon.

Unofficial
Copy

LESS AND EXCEPT (entire page):

A tract of land situated in the Southwest One-Quarter of Section 1, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Beginning at a point on the Center Section line of said Section 1, which bears South 87°50'28" West, 853.50 feet from the Center One-Quarter corner of said Section 1, evidenced by a 3/4" iron pipe; thence along said Center Section line, North 87°50'28" East, 147.92 feet; thence leaving said Center section line, South 04°54'24" East, 671.93 feet to a point on the Northeasterly right-of-way of the Klamath Falls—Lakeview Highway; Thence along said right-of-way, North 46°09'38" West, 15.43 feet to a point of Spiral Curve left at Engineer's centerline station 150+22.86 (BK), Said Spiral curve defined at Highway Centerline as 500.00 Feet in Length of Arc, an "a" value of 0.65 and a "S" value of 8°05'51"; thence along the arc of a 44.00 foot offset right from said center spiral to the left (the long chord of which bears North 46°55'34" West, 265.93 feet) to a point of non-tangency on the East line of that property described in Deed Volume M91 Page 21998, Deed Records of Klamath County, Oregon; thence leaving said right-of-way and along said East line, North 00°00'58" East, 471.46 feet to the Point of Beginning.

Said tract contains 2.251 acres, more or less.

TOGETHER WITH:

A tract of land situated in the South One-Half of the Northwest One-Quarter of Section 1, Township 39 South, Range 9 East of the Willamette Meridian, Klamath Count Oregon, being more particularly described as follows:

Beginning at a point on the Southerly line of Simmers Avenue, which bears South 89°05'07" West, 853.00 feet from the Center One-Quarter corner of said Section 1, evidenced by a 3/4" iron pipe; thence along said southerly line, North 89°05'07" East, 146.51 feet; thence leaving said Southerly line, South 04°54'24" East, 15.36 feet to a point on the Center Section line of said Section 1; thence along said Center Section line, South 87°50'28" West, 147.92 feet to a point on the East line of the property described in Deed Volume M91 Page 21998, Deed Records of Klamath County, Oregon; thence along said East line, North 00°00'58" East, 18.53 feet to the Point of Beginning.

Said tract contains 2492 square feet (0.057 acres), more or less.

Bearings are based upon the centerline of the Klamath Falls—Lakeview Highway per Record of Survey number 6632 Filed in the office of the Klamath County Surveyor.