

04 MAR 8 AM 11:11



MT - 63769 MS

THIS SPACE RESERVED FOR RECORDER'S USE

After recording return to:

Daniel B. Hawkins

4006 Twin Pines Lane

Klamath Falls, OR 97603

Until a change is requested all

tax statements shall be sent to

The following address:

Daniel B. Hawkins

4006 Twin Pines Lane

Klamath Falls, OR 97603

Vol M04 Page 13133

State of Oregon, County of Klamath

Recorded 03/08/2004 11:11 A m

Vol M04 Pg 13133-35

Linda Smith, County Clerk

Fee \$ 31⁰⁰ # of Pgs 3

Escrow No. MT63769-MS

STATUTORY WARRANTY DEED

EL DORADO HILLS APARTMENTS, LTD, an Oregon Corporation, Grantor(s) hereby convey and warrant to Daniel B. Hawkins, Grantee(s) the following described real property in the County of KLAMATH and State of Oregon, free of encumbrances except as specifically set forth herein:

SEE EXHIBIT A WHICH IS MADE A PART HEREOF BY THIS REFERENCE

3809-020DC-00100-000

170460

3809-020DB-00500-000

17073

3809-020DB-00600-000

170264

The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any:

The true and actual consideration for this conveyance is **PURSUANT TO AN IRC 1031 TAX DEFERRED EXCHANGE ON BEHALF OF GRANTOR/GRANTEE.**

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 9th day of MARCH, 2004

Eldorado Hills Apartments, LTD

BY: G.C. Musselman

G.C. Musselman, President, Exchangor

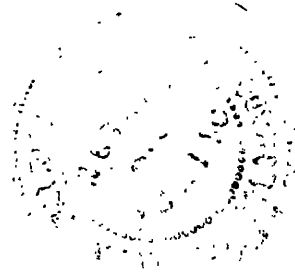
State of Colorado

County of Jeffer

This instrument was acknowledged before me on March 4th, 2004 by G. C. Musselman, as President of Eldorado Hills Apartments, LTD, an Oregon Corporation.

Patricia A. Spencer
(Notary Public)

My commission expires 1-24-2007



Am
3/10

EXHIBIT "A"
LEGAL DESCRIPTION

PARCEL 1:

Beginning at the intersection of the West right-of-way line of Lexington Avenue and the Northerly right-of-way line of Eldorado Boulevard located in the vacated plat of Eldorado Heights, a recorded subdivision in Klamath County, Oregon, which point is the most Southerly corner of Lot 26, Block 7 of the vacated plat of Eldorado Heights, thence North 0° 05' West along the West right-of-way line of Lexington Avenue, 209.3 feet to the TRUE POINT OF BEGINNING of this description; thence North 31° 47' West, 169.68 feet; thence North 58° 13' East, 105.00 feet; thence South 0° 05' East, 199.55 feet to the true point of beginning. (Said parcel formerly being shown and designated on the plat of vacated Eldorado Heights as Park.)

Tax Account No.: 3809-020DC-00100-000

Key No.: 170460

PARCEL 2:

A parcel of land situated in the NW1/4 SE1/4 of Section 20, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon; being a portion of vacated Block 8, Eldorado Heights Addition to the City of Klamath Falls, Oregon, being more particularly described as follows:

Beginning at a ¾ inch iron pipe marking the intersection of the Easterly line of Daggett Street and the Northerly line of Eldorado Blvd.; thence South 89° 16' East along the Northerly line of Eldorado Blvd. a distance of 233.75 feet to a ¾ inch iron pipe marking the beginning of a 19° 23' 05" curve to the right and having a radius of 756.26 feet, thence along the arc of said curve a distance of 255.84 feet to the Southeasterly corner of parcel conveyed to the City of Klamath Falls by Deed recorded March 27, 1969, in Volume M69, page 2228, Microfilm Records of Klamath County, Oregon, and the True Point of Beginning of this description; thence continuing along the Northerly line of Eldorado Blvd. and along the arc of a 10° 45' 30" curve to the right having a radius of 756.26 feet, a distance of 142.00 feet to a point; thence leaving said Northerly line North 30° 21' 05" East a distance of 110.0 feet to a point on a curve which is parallel to, concentric and 110.0 feet distant radially from the Northerly right-of-way line of Eldorado Blvd.; thence Northwesterly along last mentioned curve an arc distance of 200.97 feet to the Northeasterly corner of said parcel conveyed to City of Klamath Falls; thence South 0° 47' West along the Easterly line of said parcel a distance of 115.69 feet to the True Point of beginning.

Tax Account No.: 3809-020DB-00500-000

Key No.: 170273

PARCEL 3:

A tract of land situated in the NW1/4 SE1/4 of Section 20, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, being a portion of vacated Block 8, Eldorado Heights, more particularly described as follows:

Beginning at a ¾ inch iron pipe marking the intersection of the Easterly line of Daggett Street and the Northerly line of Eldorado Blvd.; thence South 89° 16' East along the Northerly line of Eldorado Blvd. a distance of 233.75 feet to a ¾ inch iron pipe marking the beginning of a 30° 08' 35" curve to the right, having a radius of 756.26 feet; thence along the arc of said curve Southeasterly and along the Northerly line of Eldorado Blvd., a distance of 397.84 feet to an iron pin marking the Southeasterly corner of parcel conveyed by Harry R. Waggoner to P.H. Leeling, et al., by deed recorded June 14, 1977 in Volume M77, page 10392, Microfilm Records of Klamath County, Oregon, and the True Point of Beginning of this description; thence continuing along the Northerly line of Eldorado Blvd. and along the arc of a 10° 32' 40" curve to the right, having a radius of 756.26 feet, a distance of 139.16 feet to the Southeasterly corner of Lot 19, Block 8, now vacated; thence North 41° 26' 44" East along the Easterly line of said Lot 19, a distance of 110.0 feet to the Northeasterly corner thereof; thence Northwesterly along the arc of a curve which is parallel with, concentric to, and 110 feet

distant radially from the Northerly line of Eldorado Blvd. a distance of 160.46 feet, more or less, to the Northeasterly corner of said parcel described in Volume M77, page 10392; thence South 30° 21' 05" West along the Easterly line of last mentioned parcel a distance of 110.0 feet to the point of beginning.

LESS AND EXCEPT a parcel of land situated in the NW1/4 SE1/4 of Section 20, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, and being a portion of vacated Blocks 7 and 8 and vacated Clairmont Street, Eldorado Heights Addition to the City of Klamath Falls, Oregon, being more particularly described as follows:

Beginning at a 1" iron pipe marking the Southeasterly corner of Lot 19 of said Block 8; thence Southeasterly along the Northerly right of way line of Eldorado Boulevard a distance of 104.69 feet, said right of way line being the arc of a curve concave to the Southwest having a radius of 756.26 feet; thence North 49° 03' 38" East a distance of 119.99 feet to a point on the Northeasterly line of Lot 3 of said Block 7; thence North 32° 04' 46" West a distance of 63.65 feet to the Northwest corner of Lot 2 of said Block 7; thence North 67° 19' 42" West a distance of 63.24 feet to the Northeast corner of Lot 19 of said Block 8; thence Northwesterly along the Northeasterly line of said Lot 19 a distance of 18.10 feet, said line being the arc of a curve concave to the Southwest having a radius of 866.26 feet; thence South 34° 59' 30" West a distance of 110.44 feet to a point on the Northerly right of way line of Eldorado Boulevard; thence Southeasterly along said right of way line, said line being a curve concave to the Southwest having a radius of 756.26 feet, a distance of 6.31 feet to the point of beginning.

Tax Account No.: 3809-020DB-00600-000

Key No.: 170264