

AFTER RECORDING RETURN TO:

Peter L. Osborne  
Schwabe, Williamson & Wyatt, P.C.  
1211 SW Fifth Avenue, Suite 1800  
Portland, OR 97204-3795

State of Oregon, County of Klamath  
Recorded 04/27/2004 8:43 a m  
Vol M04 Pg 25107-09  
Linda Smith, County Clerk  
Fee \$ 3.00 # of Pgs 3

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

Biehn Street Medical Facility LLC  
2640 Biehn Street  
Klamath Falls, OR 97601

**STATUTORY BARGAIN AND SALE DEED**

MARK T. FAY and CHRISTINE L.C. FAY, as Tenants by the entirety, as to an undivided one-half interest and MARK T. FAY, M.D. as to an undivided one-half interest, as equal tenants in common, Grantors, convey to BIEHN STREET MEDICAL FACILITY LLC, an Oregon limited liability company, Grantee, the following described real property:

the real property described in Exhibit "A" attached hereto.

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

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 16 day of APRIL, 2004.

GRANTOR:

Mark T. Fay  
Mark T. Fay

Christine L.C. Fay  
Christine L.C. Fay

Mark T. Fay M.D.  
Mark T. Fay, M.D.

STATE OF OREGON       )  
                                  )  
County of Klamath       )       ss.

This instrument was acknowledged before me this 16 day of April, 2004,  
by Mark T. Fay.



Kim E. Vinson  
NOTARY PUBLIC FOR OREGON  
My Commission Expires: Oct. 10, 2007

STATE OF OREGON       )  
                                  )  
County of Klamath       )       ss.

This instrument was acknowledged before me this 16 day of April, 2004,  
by Christine L.C. Fay.



Kim E. Vinson  
NOTARY PUBLIC FOR OREGON  
My Commission Expires: Oct. 10, 2007

STATE OF OREGON       )  
                                  )  
County of Klamath       )       ss.

This instrument was acknowledged before me this 16 day of April, 2004,  
by Mark T. Fay, M.D.



Kim E. Vinson  
NOTARY PUBLIC FOR OREGON  
My Commission Expires: Oct. 10, 2007

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

A parcel of land situated in the SW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  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 Block 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  $\frac{1}{4}$  SW  $\frac{1}{4}$  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, more or less, to the point of beginning.