

04 JUN 24 PM 3:08

BARGAIN AND SALE DEED (Notarized or Certified)

After Recording Return to:
TOWN & COUNTRY CENTER LLC

Until a change is requested all tax statements
shall be sent to the following address:
TOWN & COUNTRY CENTER LLC
Same as above

Aspen 59137

Vol M04 Page 40847

State of Oregon, County of Klamath
Recorded 06/24/2004 3:18 P m
Vol M04 Pg 40847-49
Linda Smith, County Clerk
Fee \$ 3.00 # of Pgs 3

BARGAIN AND SALE DEED

KNOW ALL MEN BY THESE PRESENTS, That TOWN & COUNTRY CENTER L.L.C., hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto TOWN & COUNTRY CENTER L.L.C., hereinafter called grantee, and unto grantee's heirs, successors and assigns all of that certain real property with the improvements, hereditaments and appurtenances thereto belonging or in anywise appertaining, situated in the County of Klamath, State of Oregon, described as follows, to-wit:

See Exhibit A attached hereto and made a part hereof.

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.
The true and actual consideration paid for this transfer, stated in terms of dollars, is \$-0-. **NAME CORRECTION**
(here comply with the requirements of ORS 93.930)

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THE 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 93.930.

In Witness Whereof, the grantor has executed this instrument June 18, 2004; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

TOWN & COUNTRY CENTER, LLC

BY: Linda Collins, Member

STATE OF Florida

County of St. Lucie

The foregoing instrument was acknowledged before me this 22 day of June 2004 by

Linda Collins
Merrill Parker
Notary Public for Oregon

My commission expires:
BARGAIN AND SALE DEED
as grantor
and

TOWN & COUNTRY CENTER L.L.C., as grantee



This document is recorded at the request of:
Aspen Title & Escrow, Inc.
525 Main Street
Klamath Falls, OR 97601
Order No.: 88089137

40848

Exhibit A**PARCEL 1:**

A portion of the NE 1/4 SE 1/4 of Section 3, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at an iron pin on the South right of way line of South Sixth Street as presently located and constructed, which bears South 0° 22' 15" East a distance of 48.5 feet from the Northwest corner of said NE 1/4 SE 1/4; thence Easterly, along said right of way line a distance of 142.5 feet to a point; thence South at right angles to said right of way line a distance of 460.0 feet to a point; thence West, parallel to said right of way line, a distance of 142.5 feet, more or less, to the West line of said NE 1/4 SE 1/4; thence North along said West line a distance of 460.0 feet to the point of beginning.

PARCEL 2:

A tract of land situated in the SE 1/4 of Section 3, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at the East one-fourth corner of said Section 3; thence South 89° 52' West 1,275.74 feet; thence South 00° 21' 47" East 54.10 feet to a one-half inch pipe on the Southerly right of way line of the Dallas-California Highway marking the Northeast corner of that parcel of land described in Deed Volume 251 at Page 162, as recorded in the Klamath County Deed Records; thence continuing South 00° 21' 47" East along the East line of said parcel described in said Deed Volume 251 at Page 162, 233.00 feet to the true point of beginning of this description; thence continuing South 00° 21' 47" East along said line 395.64 feet to the Northerly right of way line of the Oregon-California and Eastern Railway Company; thence North 67° 41' West along said right of way line 156.57 feet (162 feet by record); thence North 00° 55' 30" West along the West line of said parcel described in said Deed Volume 251 at Page 162, 334.24 feet; thence North 89° 14' East 147.71 feet to the true point of beginning of this description with bearings based on the East line of the SE 1/4 of said Section 3 as being South 01° 14' East.

PARCEL 3:

A portion of the NW 1/4 SE 1/4 of Section 3, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a one-half inch iron pin on the South right of way line of South Sixth Street, as the same is presently located and constructed, said point being on the West line of tract of land deeded to Miller by Deed Volume 251 at Page 162 and the East line of a tract of land deeded to Wheeler by Deed Volume 142 at Page 349, Klamath County Deed Records; thence South 0° 55' 30" East along the line between the two above described tracts a distance of 341.6 feet to a 3/8 inch iron pin marking the Southeast corner of a tract of land deeded to United States National Bank of Oregon by Deed recorded in Volume M-72 at Page 13690, Deed Records of Klamath County, Oregon, and the true point of beginning of this description; thence continuing South 0° 55' 30" East a distance of 228.64 feet, more or less, to the Northeasterly right of way line of the O.C. & E. Railroad; thence North 67° 41' West along said right of way line a distance of 148.11 feet to the Southwest corner of said Wheeler Tract; thence North 0° 55' 30" West along the West line of said Wheeler Tract, a distance of 167.68 feet to the Southwest corner of said United States National Bank Tract; thence North 89° 14' East along the South line of said tract, a distance of 136.09 feet to the point of beginning.

PARCEL 4:

A tract of land situated in the NE 1/4 SE 1/4 of Section 3, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, described as follows:

Beginning at a 1/2 inch iron pin which bears South 89° 52' West a distance of 745.73 feet and South 0° 20' 55" East a distance of 220.16 feet from the brass cap monument marking the East quarter corner of Section 3, Township 39 South, Range 9 East of the Willamette Meridian, said beginning point also being on the South line of Tract described as Parcel #1 in Deed from Klamath County School District to Klamath County, recorded in Volume 295 at Page 135, Deed Records of Klamath County, Oregon; thence continuing from said beginning point South 0° 20' 55" East along a line parallel to said 4.8 feet distant Easterly, when measured at right angles to, from the existing Easterly wall of the Payless Drug Store Building as the same is presently located and constructed, a distance of 402.04 feet to a 1/2 inch iron pipe; thence South 53° 42' 15" West a distance of 304.44 feet, more or less, to a 1/2 inch iron pipe on the Northeasterly boundary of the O.C. & E. Railroad right of way as the same is presently located and constructed and from which point the aforesaid monument marking the East quarter corner of said Section 3 bears North 80° 50' 30" East a distance of 1273.34 feet; thence Northwesterly along said Northeasterly boundary of the O.C. & E. Railroad right of way a distance of 290.5 feet, more or less, to the West line of said NE 1/4 SE 1/4; thence North along said West line a distance of 126.3 feet, more or less, to a point on said West line which bears South 0° 22' 15" East a distance of 460.0 feet from the Southerly boundary line of the relocated right of way of the Klamath Falls-Lakeview Highway; thence Easterly, parallel with said highway right of way line a distance of 142.5 feet to a point; thence North, parallel with the West line of said NE 1/4 SE 1/4, a distance of 460.0 feet, more or less, to the Southerly boundary of said relocated highway right of way; thence Easterly along said relocated right of way line a distance of 387.7 feet, more or less, to a point which bears North 0° 20' 55" West from the point of beginning; thence South 0° 20' 55" East a distance of 174.66 feet, more or less, to the point of beginning.

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PARCEL 5:

A parcel of land lying in the NE 1/4 SE 1/4 of Section 3, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, described as follows:

Beginning at a point which bears South 81° 14' East a distance of 55.03 feet and South 89° 14' West a distance of 530.0 feet from the quarter section corner common to Sections 2 and 3, said Township and Range, said point being on the South right of way line of South Sixth Street as presently located and constructed; thence continuing South 89° 14' West along said South right of way line a distance of 129.4 feet to the Northwest corner of this description; thence South 0° 18' East a distance of 137.0 feet to an iron pin; thence North 89° 14' East a distance of 131.9 feet to an iron pin; thence North 01° 14' West a distance of 137.8 feet, more or less, to the point of beginning.

EXCEPTING a strip of land 8 feet wide running North and South on the West side of said parcel reserved for sidewalk purposes.