

05 JUL 14 PM 1:20

Vol M05 Page 53953

After Recording Return to:  
LITHIA REAL ESTATE INC.  
360 EAST JACKSON  
MEDFORD, OR 97501  
Until a change is requested all tax statements  
Shall be sent to the address shown above

State of Oregon, County of Klamath  
Recorded 07/14/05 1:20 P m  
Vol M05 Pg 53953-54  
Linda Smith, County Clerk  
Fee \$ 26.00 # of Pgs 2

**WARRANTY DEED**  
(INDIVIDUAL)

C & K MARKET INC., herein called grantor, convey(s) to LITHIA REAL ESTATE INC., herein called grantee, all that real property situated in the County of KLAMATH, State of Oregon, described as:

See Exhibit A attached hereto and made a part hereof.

and covenant(s) that grantor is the owner of the above described property free of all encumbrances except covenants, conditions, restrictions, reservations, rights, rights of way and easements of record, if any, and apparent upon the land, contracts and/or liens for irrigation and/or drainage

and will warrant and defend the same against all persons who may lawfully claim the same, except as shown above.

The true and actual consideration for this transfer is **equitable exchange**.  
(here comply with the requirements of ORS 93.930)

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 July 12, 2005.

C & K MARKET INC., an Oregon corporation

BY: DOUGLAS A. NIDIFFER President

STATE OF OREGON, County of Curry ) ss.

On July 12, 2005 personally appeared the above named DOUGLAS A. NIDIFFER as President of C & K MARKET INC., an Oregon corporation.

This document is filed at the request of:

 **Aspen**  
TITLE & ESCROW, INC.

525 Main Street  
Klamath Falls, OR 97601  
Order No.: 00061861

Before me: Christine Ann Loring  
Notary Public for Oregon  
My commission expires: November 9, 2007

Official Seal



26 A

## Exhibit A

## PARCEL 1:

A tract of land situated in the NW 1/4 SW 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 West quarter corner of said Section 3; thence South 00° 22' 50" East (along the West line of said Section 3) 714.30 feet; thence South 89° 52' 40" East parallel with and 250.00 feet from the Southerly right of way line of Crosby Street, a distance of 50.00 feet to the East right of way line of Washburn Way, said point being the true point of beginning of this description; thence continuing South 89° 52' 40" East 320.00 feet; thence South 00° 22' 50" East 50.00 feet; thence North 89° 52' 40" West 320.00 feet to the Easterly right of way line of said Washburn Way; thence North 00° 22' 50" West 50.00 feet to the true point of beginning.

## PARCEL 2:

A tract of land being the Westerly 320 feet of Lot 1, Block 5, Tract 1080, WASHBURN PARK, a duly recorded plat, Klamath County, Oregon, more particularly described as follows:

Beginning at the Southwest corner of said Lot 1; thence North 00° 04' 50" East along the West line of said Lot 1, 115.01 feet; thence South 89° 25' 10" East 320.00 feet; thence South 00° 04' 50" West 115.01 feet to the South line of said Lot 1; thence North 89° 25' 10" West 320.00 feet to the point of beginning.

## PARCEL 3:

A tract of land situated in Lot 1, Block 5, Tract 1080, WASHBURN PARK, a duly recorded subdivision, Klamath County, Oregon, more particularly described as follows:

Beginning at a point on the East line of said Lot 1, said point being South 00° 09' 48" West 245.00 feet from the Northeast corner of said Lot 1; thence North 89° 25' 10" West parallel to the North line of said Lot 1, 231.37 feet to the West line of said Lot 1; thence South 00° 04' 50" West on said West line and its extension, 165.00 feet to the South line of said Lot 1; thence South 89° 25' 10" East 231.13 feet to the Southeast corner of said Lot 1; thence North 00° 09' 48" East 165.00 feet to the point of beginning.

## PARCEL 4:

Commencing at the one-quarter corner common to Sections 3 and 4, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon; thence along the West boundary of said Section 3, South 0° 22' 50" East, 464.30 feet; thence South 89° 52' 40" East 50.00 feet to the intersection of the East boundary of Washburn Way with the South boundary of Crosby Avenue for the true point of beginning; thence along the South boundary of Crosby Avenue South 89° 52' 40" East 320.00 feet; thence South 0° 22' 50" East, 250.00 feet; thence North 89° 52' 40" West 320.00 feet to the East boundary of Washburn Way; thence along said boundary North 0° 22' 50" West 250.00 feet to the true point of beginning.

EXCEPTING THEREFROM a parcel of land lying in the NW 1/4 SW 1/4 of Section 3, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, deeded to State of Oregon, by and through its Department of Transportation, Highway Division, recorded August 31, 1976 in Volume M-76 on Page 11933, Deed Records of Klamath County, Oregon, the said parcel being described as follows:

Beginning on the East line of Washburn Way at a point 10 feet South of the intersection of said East line with the South line of Crosby Avenue; thence North along said East line 10 feet to said South line; thence East along said South line 25 feet; thence Southwesterly in a straight line to the point of beginning.

## PARCEL 5:

A tract of land situated in Lot 1, Block 5, Tract 1080, WASHBURN PARK, a duly recorded subdivision, Klamath County, Oregon, more particularly described as follows:

Beginning at the Northeast corner of said Lot 1; thence North 89° 25' 10" West along the North line of said Lot 1, 231.72 feet; thence South 00° 04' 50" West along the West line of said Lot 1, 245.00 feet; thence South 89° 25' 10" East 231.37 feet to the East line of said Lot 1; thence North 00° 09' 48" East 245.00 feet to the point of beginning.

CODE 041 MAP 3909-003CB TL 00800 KEY #527308  
CODE 041 MAP 3909-003CB TL 00900 KEY #527317  
CODE 041 MAP 3909-003CB TL 01000 KEY #527326  
CODE 041 MAP 3909-003CB TL 01200 KEY #527291  
CODE 041 MAP 3909-003CB TL 01300 KEY #527282