

MTL-72290KR

**M05-70202**

Klamath County, Oregon

12/01/2005 10:28:29 AM

Pages 2 Fee: \$26.00



**M05-69769**

Klamath County, Oregon

11/23/2005 02:40:37 PM

Pages 2 Fee: \$26.00

After recording return to:  
Zakour Investments, LLC, an Oregon limited  
liability company  
541 Diego Court  
Central, OR 97502

Until a change is requested all  
tax statements shall be sent to  
The following address:

Zakour Investments, LLC, an Oregon limited  
liability company  
541 Diego Court  
Central, OR 97502

Escrow No. MT72290-KR  
Title No. 0072290

SWD

THIS INSTRUMENT IS BEING RE-RECORDED TO CORRECT  
THE CONVEYANCE TO ALL THEIR LEASEHOLD INTEREST  
ORIGINALLY RECORDED IN VOLUME M05 AT PAGE 69769.

### STATUTORY WARRANTY DEED

John V. Rachor and Susan L. Rachor, individually and

**John Rachor and Susan Rachor, Trustees of the Rachor Family Trust under agreement dated November 27, 1995, Grantor(s) hereby convey and warrant to Zakour Investments, LLC, an Oregon limited liability company, 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:**

**ALL OUR LEASEHOLD INTEREST IN AND TO THE FOLLOWING:**  
**LEGAL DESCRIPTION**

#### PARCEL 1

A parcel of land lying in the Northwest quarter of Section 3, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, being more particularly described as follows:

Starting at the Northwest corner of Section 3, Township 39 South, Range 9 East of the Willamette Meridian; thence South 0° 00' 30" East along the Westerly boundary of Section 3 and the centerline of Washburn Way 917.42 feet to its intersection with the centerline of South Sixth Street, formerly known as the Dalles-California Highway, at Engineer's Station 9+17.42 on Washburn Way and Engineer's Station 16+14.87 on South Sixth Street, the recorded bearing of the centerline of South Sixth Street being South 55° 52' 30" East; thence continuing South 0° 00' 30" East along the West line of said Section 3 and the centerline of Washburn Way 48.32 feet to a point on the South boundary of South Sixth Street which is 40.0 feet distant from, when measured at right angles to, the centerline of South Sixth Street thence South 55° 52' 30" East parallel to said centerline 125.56 feet to the true point of beginning of this description; thence continuing South 55° 52' 30" East parallel to said centerline 181.50 feet to a point; thence South 34° 07' 30" West at right angles to said centerline 160.00 feet to a point; thence North 55° 52' 30" West 150.27 feet to a point on the Easterly boundary of Washburn Way; thence North 0° 00' 30" West along the Easterly boundary of Washburn Way 103.29 feet to the beginning of a 49.00 foot radius curve to the right; thence along said 49.00 foot radius curve, the long chord of which bears North 53° 51' 50" East 79.16 feet, 92.14 feet, more or less, to the true point of beginning.

EXCEPTING THEREFROM any portion lying with the right of way of the Klamath Falls-Lakeview Highway No. 140 also known as South Sixth Street and any portion lying within the right of way of Washburn Way.

#### PARCEL 2

A Nonexclusive easement for egress and ingress parking and utilities over the unconstructed portion of the following property:

A parcel of land lying in the Northwest quarter of Section 3, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Starting at the Northwest corner of said Section 3; thence South 00° 00' 30" East along the Westerly boundary of Section 3 and the centerline of Washburn Way, 917.42 feet to the intersection with the present centerline of Sixth Street, formerly known as the Dalles-California Highway, recorded bearing South 55° 52' 30" East, at Engineers Station 9+17.42 feet on Washburn Way and Engineers Station 16+14.87 feet on

Sixth Street present centerline, and continuing thence along said boundary and centerline 48.32 feet to Engineers Station 9+65.74 feet on South boundary of Sixth Street, which is distant 40 feet at right angles Southwesterly from centerline of Sixth Street at Engineers Station 16+41.99 feet thence South 55° 52' 30" East parallel to the said centerline 463.02 feet to the true point of beginning of this description; thence from said true beginning point continuing South 55° 52' 30" East parallel to said centerline 795.36 feet; thence at right angles South 34° 07' 30" West, 204 feet;

thence South 55° 52' 30" East parallel to Sixth Street 145.00 feet; thence at right angles South 34° 07' 30" West, 183.80 feet, more or less, to Northerly right of way line of the Oregon, California and Eastern Railroad; thence North 66° 57' 30" West along said line 982.45 feet, more or less, to a point on the Easterly right of way line of Washburn Way which is 40.00 feet Easterly of said centerline; thence North 00° 00' 30" West along said right of way line 503.39 feet; thence South 55° 52' 30" East, 306.22 feet; thence North 34° 07' 30" East, 160.00 feet to the true point of beginning.

**PARCEL 3**

A non-exclusive easement for ingress, egress, parking and utilities over the unconstructed portions of the following described property:

A parcel of land lying in the Northwest quarter of Section 3, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Starting at the Northwest corner of said Section 3; thence South 0° 00' 30" East along the Westerly boundary of Section 3 and the centerline of Washburn Way, 917.42 feet to the intersection with the present centerline of Sixth Street, formerly known as the Dalles-California Highway, recorded bearing South 55° 52' 30" East, at Engineer's Station 9+17.42 feet on Washburn Way and Engineer's Station 16+14.87 feet on Sixth Street present centerline, and continuing thence along said boundary and centerline 48.32 feet to Engineer's Station 9+65.74 feet on South boundary of Sixth Street, which is distant 40 feet at right angles Southwesterly from centerline of Sixth Street at Engineer's Station 16+41.99 feet, to the true point of beginning; thence South 55° 52' 30" East parallel to said centerline 463.02 feet; thence South 34° 07' 30" West 160.00 feet; thence North 55° 52' 30" West 306.22 feet to the East right of way of Washburn Way; thence North to the point of beginning.

Tax Account No: 3909-003BB-01700-000

Key No: 797873

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.**

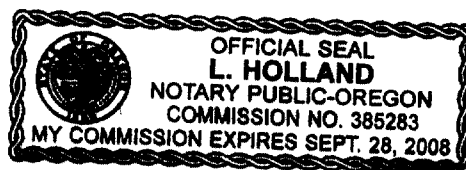
THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

Dated this 21 day of NOVEMBER 2005.

Rachor Family Trust under agreement dated November 27, 1995

X BY: [Signature]  
John Rachor, Trustee and individually

X BY: [Signature]  
Susan Rachor, Trustee and individually



X State of Oregon  
County of Jackson

This instrument was acknowledged before me on Nov 21, 2005 by John Rachor and Susan Rachor, Trustees of the Rachor Family Trust under agreement dated November 27, 1995.

[Signature]  
(Notary Public for Oregon)  
My commission expires 9/28/08