

MTT-71481 KR

THIS SPACE RESERVED FOR RECORDER'S USE



M06-04604

Klamath County, Oregon

03/15/2006 08:05:17 AM

Pages 4 Fee: \$36.00

After recording return to:

Darren E. Dickerhoof

P.O. Box 1583

Corvallis, OR 97339

Until a change is requested all

tax statements shall be sent to

The following address:

Darren E. Dickerhoof

P.O. Box 1583

Corvallis, OR 97339

Escrow No. MT71481-KR

Title No. 0071481

SWD

STATUTORY WARRANTY DEED

Jefferson Square of Klamath, LLC, an Oregon limited liability company, Grantor(s) hereby convey and warrant to Darren E. Dickerhoof, as to an undivided 40% interest; Matthew G. Dickerhoof, as to an undivided 10% interest; and M. Eugene Dickerhoof and Noreen B. Dickerhoof, husband and wife, as to an undivided 50% interest, 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:

Parcel 2 of Land Partition No. 48-05, said Land Partition being a replat of a portion of Lots 34 and 44 of Enterprise Tracts located in the West 1/2 of the NW1/4 of Section 3, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon.

Tax Account No.: 3909-003BC-00900-000

Key No.: 526087

(Affects Parcel 1 of said Land Partition also)

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: **See Exhibit "A" for list that is made a part hereof by this reference.**

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

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)). THIS INSTRUMENT DOES 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 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)).

Dated this 13th day of March, 2006

Jefferson Square of Klamath, LLC, an Oregon limited liability company

BY: Walter Seput

Walter Seput, Manager

State of Oregon

County of KLAMATH

This instrument was acknowledged before me on March 13, 2006 by Walter Seput, Manager of Jefferson Square of Klamath, LLC, an Oregon limited liability company.

Kristi L. Redd
(Notary Public for Oregon)

My commission expires 11/16/2007



36.00

EXHIBIT "A"

1. An easement created by instrument, subject to the terms and provisions thereof,
Dated: December 23, 1946
Recorded: February 4, 1947
Volume: 202, page 29, Microfilm Records of Klamath County, Oregon
In favor of: The California Oregon Power Company
For: Water mains
(Affects along the Northerly line of the herein described property)
2. An easement created by instrument, subject to the terms and provisions thereof,
Recorded: June 30, 1955
Volume: 275, page 401, Deed Records of Klamath County, Oregon
In favor of: The California-Oregon Power Company
3. An easement created by instrument, subject to the terms and provisions thereof,
Dated: August 20, 1979
Recorded: August 22, 1979
Volume: M79, page 19978, Microfilm Records of Klamath County, Oregon
In favor of: C.P. National Corporation
For: A pipeline
(Affects southerly and Northerly portions of the property herein described)
4. An easement created by instrument, subject to the terms and provisions thereof,
Dated: February 12, 1980
Recorded: February 22, 1980
Volume: M80, page 3562, Microfilm Records of Klamath County, Oregon
In favor of: State of Oregon, by and through its Department of Transportation, Highway Division
For: Traffic control facility
(Affects a Northwesterly portion of the property herein described)
5. Reciprocal Easement and Maintenance Agreement, subject to the terms and provisions thereof;
Dated: December 6, 1995
Recorded: December 8, 1995
Volume: M95, page 33582, Microfilm Records of Klamath County, Oregon
Between: Swan Lake Moulding Company, an Oregon Corporation and The Travelers Insurance Company

6. Annexation Agreement, subject to the terms and provisions thereof,
Dated: October 8, 1979
Recorded: October 28, 1979
Volume: M80, page 20383, Microfilm Records of Klamath County, Oregon
Between: City of Klamath Falls and Swan Lake Moulding Company

Ordinance No. 6333 recorded March 13, 1981 in Volume M81, page 4586, Microfilm Records of Klamath County, Oregon.

7. Terms, conditions and provisions contained in Perpetual Permit;
Dated: June 19, 1992
Recorded: June 24, 1992
Volume: M92, page 13865, Microfilm Records of Klamath County, Oregon
For: Placement and maintenance of a parking lot and use of a road crossing
From: Oregon California and Eastern Railway Company, a Nevada Corporation
To: Swan Lake Moulding Company

8. An easement created by instrument, subject to the terms and provisions thereof,
Dated: August 14, 2000
Recorded: October 23, 2000
Volume: M00, page 38393, Microfilm Records of Klamath County, Oregon
In favor of: PacifiCorp, an Oregon corporation
For: Underground electric power distribution lines and communication lines
Affects: Not located of record)

9. Lease, subject to the terms and provisions thereof;
Dated: April 1, 2004
A memorandum of which was,
Recorded: April 13, 2004
Volume: M04, page 21078, Microfilm Records of Klamath County, Oregon
Lessor: Jefferson Square of Klamath, LLC, an Oregon limited liability company
Lessee: Ross Stores, Inc., a Delaware corp.
(Affects a portion of the herein described property)

(exception 9 continued)

Subordination, Nondisturbance and Attornment Agreement, subject to the terms and provisions thereof;

Dated: April 7, 2004

Recorded: August 30, 2004

Volume: M04, page 57179, Microfilm Records of Klamath County, Oregon.

By and between: GEMSA Loan Services, L.P., a Delaware limited partnership, acting not individually, but solely in its capacity as servicer for and on behalf of Wells Fargo Bank Minnesota N.A. (formerly Norwest Bank Minnesota, N.A.) as Trustee, under that certain Pooling and Servicing Agreement dated as of June 1, 1998 for DLJ Commercial Mortgage Pass-Through Certificates, Series 1998 CGI, and Ross Stores, Inc., a Delaware corporation, and Jefferson Square of Klamath, LLC, an Oregon limited liability company. Said agreement is in regard to the Trust Deed shown at exception #20, above.

10. Covenants, conditions, restrictions and easements, but omitting covenants or restrictions, if any, based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, subject to the terms and provisions thereof,

Dated: December 12, 2005

Recorded: December 21, 2005

Volume: M05, page 71541, Microfilm Records of Klamath County, Oregon

11. Encroachment of a swamp cooler near the SE corner of the property herein described onto property to the East by 1.50 feet as disclosed on the face of Land Partition 48-05.

12. Easements as dedicated or delineated on the recorded plat.

For: Drainage and slope per designed grading plan

Affects: A Northeasterly portion of Parcel 2