

MT81993-KR

THIS SPACE RESERVED FOR RECORDER'S USE



2008-011777

Klamath County, Oregon



00051807200800117770020027

08/19/2008 03:12:00 PM

Fee: \$26.00

After recording return to:

Tower Shopping Center of Klamath Falls, LLC,  
an Oregon Limited Liability Company

Attention: Allan Craigmiles 2610 Shasta Way  
Klamath Falls, OR 97603

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

Tower Shopping Center of Klamath Falls, LLC,  
an Oregon Limited Liability Company

Attention: Allan Craigmiles 2610 Shasta Way  
Klamath Falls, OR 97603

Escrow No. MT81993-KR

Title No. 0081993

SWD

### STATUTORY WARRANTY DEED

**Tower Shopping Center, L.L.C., an Oregon limited liability company, Grantor(s) hereby convey and warrant to Tower Shopping Center of Klamath Falls, 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:**

#### SEE EXHIBIT A WHICH IS MADE A PART HEREOF BY THIS REFERENCE

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:

2008-2009 Real Property Taxes a lien not yet due and payable. Trust Deed recorded April 28, 1997 in Volume M97, page 12879, Microfilm Records of Klamath County, Oregon in favor of Klamath First Federal Savings and Loan Association, as Beneficiary, with Appointment of Successor Trustee recorded July 27, 2000 in Volume M00, page 27484, Microfilm Records of Klamath County Oregon and Trust Deed recorded July 11, 2008, Volume 2008, page 010003, Microfilm of Records of Klamath County Oregon in favor of Billy J. Skillington and Annetta R. Skillington, JTWROS, as Beneficiary.

Grantees herein agree to Assume and pay in full the above described Trust Deed.

The true and actual consideration for this conveyance is **\$2,600,000.00**.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007. 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 THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, 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 ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007.

Dated this 7<sup>th</sup> day of August, 2008.

Tower Shopping Center, L.L.C., an Oregon limited liability company

✕ BY: [Signature]  
Cindy L. Balin, Member

State of Oregon  
County of KLAMATH

This instrument was acknowledged before me on August 7, 2008 by Cindy L. Balin, as a Member for Tower Shopping Center, L.L.C., an Oregon limited liability company.



[Signature: Kristi L. Redd]  
(Notary Public for Oregon)

My commission expires 11/16/2011

26 AMT

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

**PARCEL 1:**

A tract of land situated in TRACT 43 OF ENTERPRISE TRACTS, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, being more particularly described as follows: Beginning at the section corner common to Sections 33 and 34 of Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon and Sections 3 and 4 of Township 39 South, Range 9 East of the Willamette Meridian; thence North 89° 54' East 40 feet; thence South 0° 00' 30" East 237.5 feet to the point of beginning; thence North 89° 54' East 240 feet; thence South 0° 00' 30" East 50 feet; thence South 89° 54' West 240 feet; thence North 0° 00' 30" West 50 feet to the point of beginning.

**PARCEL 2:**

A tract of land situated in TRACT 43, ENTERPRISE TRACTS, in the NW1/4 NW1/4 of Section 3, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a point on the West line of said TRACT 43, said point being South 0° 00' 1/2" East a distance of 237 feet and North 89° 54' East a distance of 30.0 feet from the Northwest corner of said Section 3; thence South 0° 00' 1/2" East along the Westerly line of said Tract 43 a distance of 325.75 feet to the Northeasterly line of Pershing Way; thence South 55° 50' 1/2" East along the Northeasterly line of Pershing Way a distance of 302.15 feet to an iron pin; thence North 0° 00' 1/2" West a distance of 495.84 feet to a point North 89° 54' East 250 feet from the point of beginning; thence South 89° 54' West a distance of 250.0 feet, more or less, to the point of beginning.

SAVING AND EXCEPTING THEREFROM a portion described as follows:

Beginning at the Section corner common to Sections 33 and 34, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, and Sections 3 and 4, Township 39 South, Range 9 East of the Willamette Meridian; thence South 0° 00' 30" East along the Section line 237.5 feet; thence North 89° 54' East 30 feet to the West line of Tract 43 of ENTERPRISE TRACTS, which is the East right of way line of Washburn Way, which is the true point of beginning; thence South 0° 00' 30" East along the West line of TRACT 43 OF ENTERPRISE TRACTS 325.0 feet to the Northeasterly right of way of Pershing Way; thence South 55° 50' 30" East along the Northeasterly right of way of Pershing Way 12.08 feet; thence North 0° 00' 30" West parallel to the West line of Tract 43, 331.80 feet; thence South 89° 54' West 10 feet to the point of beginning.

ALSO SAVING AND EXCEPTING THEREFROM a portion described as follows:

A tract of land situated in Tract 43 of ENTERPRISE TRACTS, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, being more particularly described as follows: Beginning at the section corner common to Sections 33 and 34 of Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon and Sections 3 and 4 of Township 39 South, Range 9 East of the Willamette Meridian; thence North 89° 54' East 40 feet; thence South 0° 00' 30" East 237.5 feet to the point of beginning; thence North 89° 54' East 240 feet; thence South 0° 00' 30" East 50 feet; thence South 89° 54' West 240 feet; thence North 0° 00' 30" West 50 feet to the point of beginning.