

2008-012702

Klamath County, Oregon



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THIS SPACE

09/11/2008 11:18:05 AM

Fee: \$31.00



After recording return to:  
Jones, Waldo, Holbrook &  
McDonough, P.C.  
Attn: Paul M. Harman  
170 South Main Street, Suite 1500  
Salt Lake City, UT 84101  
Until a change is requested all tax statements  
shall be sent to the following address:  
Lowe's HIW, Inc.  
Attn: Tax Dept. (2ETA)  
1000 Lowe's Boulevard  
Mooresville, NC 28115  
File No.: ()  
Date:

1190226

### STATUTORY WARRANTY DEED

**Newman Development Group of Klamath Falls, LLC, an Oregon limited liability company,**  
Grantor, conveys and warrants to **Lowe's HIW, Inc., a Washington corporation,** Grantee, the  
following described real property free of liens and encumbrances, except as specifically set forth herein:

**Parcel 2 of Land Partition 19-08, according to the official plat thereof on file in the office of  
the County Clerk of Klamath County, Oregon.**

**SUBJECT ONLY TO THE PERMITTED EXCEPTIONS SET FORTH ON EXHIBIT A ATTACHED  
HERETO AND MADE A PART HEREOF.**

The true consideration for this conveyance is **\$4,213,349.70.** (Here comply with requirements of ORS 93.030)

F31-

APN:

Statutory Warranty Deed  
- continued

File No.: 7021-Dori (DMC)

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. 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, 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 197.352.

Dated this 10 day of July, 2008.

Newman Development Group of Klamath Falls, LLC, an  
Oregon Limited Liability Company

By: \_\_\_\_\_

Barry Newman, member

STATE OF NEW YORK )  
County of Broome ) ss.

This instrument was acknowledged before me on this 10 day of July, 2008  
by Barry Newman  
as member of Newman Development Group of Klamath Falls, LLC  
on behalf of the Limited Liability Company.

\_\_\_\_\_  
Notary Public for \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

Carrie A. Colegrove  
CARRIE A. COLEGROVE  
Notary Public, State of New York  
No. 02CO6122023  
Qualified in Broome County  
My Commission Expires Feb. 07, 2009

**EXHIBIT A  
TO STATUTORY WARRANTY DEED**

1. Pedestrian lane and underground city sewer easement, including terms and provisions contained therein, recorded August 3, 1972 in Volume M72, Page 8615, Deed records of Klamath County, Oregon.
2. Permanent slope easement, including terms and provisions contained therein, recorded April 27, 1978 in Volume M78, Page 8317, Deed of records of Klamath County, Oregon.
3. Subject property is under public ownership and is tax exempt. Any change in ownership before delivery of assessment roll may result in tax liability. Account Nos. R444371, R3809-034CC, 00100 & R444380, R3809-034CC-00200.
4. Easement, including terms and provisions contained therein, for public right of way, recorded June 30, 2008 in 2008-9522.
5. An easement shown or dedicated on Land Partition Plat 19-08 for: ten foot wide private sewer for the benefit of Parcel 1 of Land Partition Plat 19-08.
6. An easement shown or dedicated on Land Partition Plat 19-08 for: sixteen foot wide sanitary sewer in favor of the City of Klamath Falls, Oregon.