

NJC 83607

2008-015683

Klamath County, Oregon

RECORDING REQUESTED BY:



00056585200800156830060067

11/21/2008 01:40:55 PM

Fee: \$46.00

GRANTOR'S NAME:

Onyx Business Park, LLC, an Oregon limited liability company and CRE Co. Defined Benefit Plan, a Sole Proprietorship

GRANTEE'S NAME:

Weston Investment Co., LLC, an Oregon limited liability company

SEND TAX STATEMENTS TO:

Weston Investment Co., LLC, an Oregon limited liability company
2154 NE Broadway, St.
Portland, OR 97232

AFTER RECORDING RETURN TO:

Weston Investment Co., LLC, an Oregon limited liability company
Weston Investment Co., LLC
2154 NE Broadway St.
Portland, OR 97232

Escrow No: 3626006446-TTPOR50

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Onyx Business Park, LLC, an Oregon limited liability company as to Parcel A and The Commercial Real Estate Co. Defined Benefit Pension Plan which took title as CRE Co. Defined Benefit Plan, a Sole Proprietorship as to Parcel B, Grantor, conveys and warrants to

Weston Investment Co., LLC, an Oregon limited liability company, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Klamath, State of Oregon:

See Attached Exhibit "A"

Subject to and excepting:

See Attached Exhibit "B"

Grantor further conveys and assigns all right title and interest in and to Ordinance No. 03-14 which was recorded July 25, 2003 in Volume No. M03, page 52796, Records of Klamath County, Oregon referenced herein as Item 4 of Exhibit "B" which is attached hereto.

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.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS \$5,800,000.00. (See ORS 93.030)

46amt

DATED: November 12, 2008

Onyx Business Park, LLC, an Oregon limited liability company

BY: [Signature]
Randall D. Simonson, Member/Manager

The Commercial Real Estate Co. Defined Benefit Pension Plan

BY: [Signature]
Randall D. Simonson, Authorized Representative

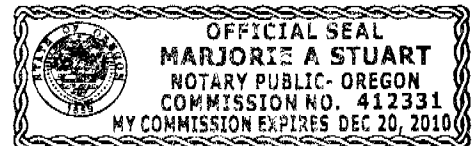
State of OREGON

COUNTY of Klamath

This instrument was acknowledged before me on 11-20, 2008

by Randall D. Simonson Member/Manager
of Onyx Business Park, LLC, an Oregon limited liability company

[Signature], Notary Public - State of Oregon
My commission expires: 12/20/10



State of OREGON

County of

Klamath

This instrument was acknowledged before me on

11/20

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by

Randall D Summerson

as

auth representative

of

The Commercial Real Estate Co. De Jure Benefit
Pension Plan

MA Stuart

Notary Public - State of Oregon

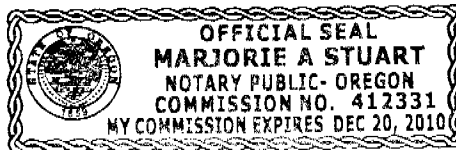


EXHIBIT "A"
LEGAL DESCRIPTION

Parcel A:

Parcel 1 of Land Partition 8-06 being replat of Parcel 3 of MAJOR LAND PARTITION 8-98, situated in the NW1/4 of Section 10, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon.

Parcel B:

Parcel 2 of Land Partition 8-06 being replat of Parcel 3 of MAJOR LAND PARTITION 8-98, situated in the NW1/4 of Section 10, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon.

EXHIBIT "B"

1. The premises herein described are within and subject to the statutory powers, including the power of assessment and easements of South Suburban Sanitary District.
2. The premises herein described are within and subject to the statutory powers, including the power of assessment and easements of Klamath County Drainage District.
3. Reservations for construction and maintenance of ditches, canals and pipeline across premises subject to the terms and provisions thereof, as set forth in Deed recorded October 9, 1953 in Deed Volume 263, page 432, Deed Records of Klamath County, Oregon.
4. Ordinance No. 03-14, subject to the terms and provisions thereof;
Recorded: July 25, 2003
Volume: M03, page 52796, Microfilm Records of Klamath County, Oregon
For: Advance Financed Improvement and providing for reimbursement of construction costs.
5. Creation of a Public Utility Easement, subject to the terms and provisions thereof;
Recorded: January 15, 2004
Volume: M04, page 2589, Microfilm Records of Klamath County, Oregon

THE FOLLOWING EXCEPTIONS AFFECT PARCEL A

6. Line of Credit Deed of Trust, subject to the terms and provisions thereof, given to secure an indebtedness with interest thereon and such future advance as may be provided therein;
Dated: February 1, 2006
Recorded: February 3, 2006
Volume: M06, page 02180, Microfilm Records of Klamath County, Oregon
Amount: \$4,100,000.00
Grantor: Onyx Business Park, LLC
Trustee: AmeriTitle, an Oregon corporation
Beneficiary: Intervest-Mortgage Investment Company, an Oregon corporation

Assignment of Leases and Cash Collateral given as additional security to the Trust Deed shown above,

Recorded: February 3, 2006
Volume: M06, page 02181, Microfilm Records of Klamath County, Oregon
From: Onyx Business Park, LLC, an Oregon limited liability company
To: Intervest-Mortgage Investment Company, an Oregon corporation

The terms of said Trust Deed/Mortgage were modified by instrument;

Dated: October 2, 2008
Recorded: October 8, 2008
Volume: 2008-013832, Microfilm Records of Klamath County, Oregon

The beneficial interest under said Trust Deed was assigned by instrument;

Dated: October 6, 2008
Recorded: October 8, 2008
Volume: 2008-013833, Microfilm Records of Klamath County, Oregon
From: Intervest-Mortgage Investment Company
To: Sterling Savings Bank

THE FOLLOWING EXCEPTIONS AFFECT PARCEL B

7. Storm and Sanitary Sewer easement as created on Land Partition 8-06.