

1st 1747388

2011-010816

Klamath County, Oregon



00107867201100108160080087

APN: R516846

Statutory Warranty Deed
- continued

09/27/2011 12:31:03 PM

Fee: \$72.00



After recording return to:
Read Real Estate II, LLC
2025 Fourth Street
Berkeley, CA 94710

Until a change is requested all tax statements
shall be sent to the following address:
Read Real Estate II, LLC
2025 Fourth Street
Berkeley, CA 94710

File No.: NCS-500767-SC (cmh)
Date: September 20, 2011

THIS SPACE RESERVED FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Klamath Etna, LLC, an Oregon limited liability company whose address is 1600 SW Western Blvd Suite 175 Corvallis, OR 97333, Grantor, conveys and warrants to Read Real Estate II, LLC, a California limited liability company whose address is 2025 Fourth Street Berkeley, CA 94710, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

LEGAL DESCRIPTION: Real property in the County of Klamath, State of Oregon, described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Subject to:

1. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is **\$3,050,000.00**. (Here comply with requirements of ORS 93 030)

F

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, OF CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. 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, OF CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009.

Dated this 21 day of September, 2011.

Klamath Etna, LLC:

By: M. Eugene Dickerhoof, Member

By: Noreen Dickerhoof, Member

By: Darren E. Dickerhoof, Member

By: Kristen Dickerhoof, Member


By: Matthew Dickerhoof, Member

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, OF CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. 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, OF CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009.

Dated this 22 day of September, 2011.

Klamath Etna, LLC:

M. Eugene Dickerhoof
By: M. Eugene Dickerhoof, Member

Noreen Dickerhoof
By: Noreen Dickerhoof, Member

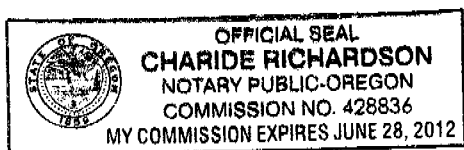
Darren E. Dickerhoof
By: Darren E. Dickerhoof, Member

Kristen Dickerhoof
By: Kristen Dickerhoof, Member

By: Matthew Dickerhoof, Member

STATE OF Oregon)
County of ~~Klamath~~)ss.

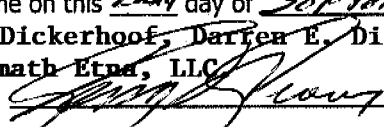
This instrument was acknowledged before me on this 21 day of Sept, 2011
by Matthew D. Richardson as President of
Klamath Falls, LLC [Signature]



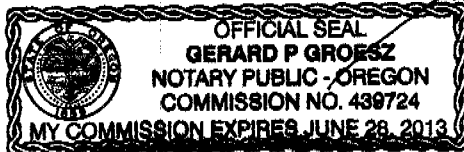
Notary Public for Oregon
My commission expires: 06/28/12

STATE OF Oregon)
)ss.
County of ~~Klamath~~ Benton)

This instrument was acknowledged before me on this 22nd day of September, 20 11
by M. Eugene Dickerhoof, Noreen Dickerhoof, Darren E. Dickerhoof and Kristen
Dickerhoof, as members of Klamath Etna, LLC



Notary Public for Oregon
My commission expires: June 28, 2013



Page 5 of 8
Warranty Deed

Exhibit A
Legal Description

PARCEL 1:

A TRACT OF LAND SITUATED IN THE SW 1/4 NW 1/4 OF SECTION 2, TOWNSHIP 39 SOUTH, RANGE 9 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE WESTERLY ONE-QUARTER CORNER OF SAID SECTION 2; THENCE NORTH 89°44'52" EAST 517.06 FEET; THENCE NORTH 00°20'15" EAST 37.91 FEET TO A POINT ON THE NORTHERLY BOUNDARY LINE OF STATE HIGHWAY 66; THENCE NORTH 89°43'30" EAST 166.30 FEET; THENCE NORTH 00°20'15" EAST 196.70 FEET TO THE POINT OF BEGINNING; THENCE NORTH 05°06'40" EAST 34.24 FEET; THENCE NORTH 00°15'00" WEST 205.91 FEET; THENCE NORTH 89°43'30" EAST 228.48 FEET; THENCE SOUTH 00°06'39" EAST 142.53 FEET; THENCE NORTH 89°43'30" EAST 184.10 FEET TO THE WESTERLY BOUNDARY LINE OF GARY STREET; THENCE SOUTH 00°09'21" WEST 37.47 FEET; THENCE SOUTH 89°43'30" WEST 324.56 FEET; THENCE SOUTH 00°20'15" WEST 60.00 FEET; THENCE SOUTH 89°43'30" WEST 90.00 FEET TO THE TRUE POINT OF BEGINNING.

TOGETHER WITH AN EASEMENT FOR THE JOINT RIGHT TO USE FOR CUSTOMER, PATRON, INVITEE AND EMPLOYEE PARKING AND FOR THE PURPOSES OF INGRESS AND EGRESS AND PASSAGE FOR AUTOMOBILE AND PEDESTRIAN TRAFFIC ON ALL THAT REAL PROPERTY DESCRIBED HEREINAFTER.

A TRACT OF LAND SITUATED IN THE SW 1/4 NW 1/4 OF SECTION 2, TOWNSHIP 39 SOUTH, RANGE 9 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE WEST ONE-FOURTH CORNER OF SAID SECTION 2, SAID POINT BEING MARKED BY A BRASS PLUG IN A CAPPED MONUMENT WHICH IS 1.60 FEET NORTH OF THE CENTERLINE OF STATE HIGHWAY 66 (SOUTH SIXTH STREET); THENCE NORTH 89°44'52" EAST ALONG THE EAST-WEST CENTERLINE OF SAID SECTION 2 (THIS IS THE BEARING TO THE CENTER ONE-FOURTH CORNER OF SAID SECTION 2 WHICH IS MONUMENTED BY A BOLT IN THE PAVEMENT THAT IS 1.20 FEET NORTH OF THE CENTERLINE OF SAID HIGHWAY) A DISTANCE OF 517.06 FEET; THENCE NORTH 0°20'15" EAST A DISTANCE OF 37.91 FEET TO A ONE-HALF INCH IRON PIN ON THE NORTHERLY LINE OF STATE HIGHWAY 66 TO BE RELOCATED A DISTANCE OF 40.00 FEET AT RIGHT ANGLES TO THE CENTERLINE OF SAID HIGHWAY; THENCE NORTH 89°43'30" EAST ALONG SAID NORTHERLY LINE OF STATE HIGHWAY 66 A DISTANCE OF 166.30 FEET TO A 5/8 INCH IRON PIN ON THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION, SAID POINT BEING ON THE WESTERLY LINE OF THE PEACE MEMORIAL CHURCH PROPERTY AS DESCRIBED IN DEED VOLUME 317 AT PAGE 491, KLAMATH COUNTY DEED RECORDS AND THE EASTERLY LINE OF THE BENNINGTON PROPERTY AS DESCRIBED IN DEED VOLUME 331 AT PAGE 402, KLAMATH COUNTY DEED RECORDS; THENCE NORTH 0°20'15" EAST ALONG THE LAST DESCRIBED LINE A DISTANCE OF 196.70 FEET TO A 5/8 INCH IRON PIN; THENCE NORTH 89°43'30" EAST A DISTANCE OF 90.00 FEET TO A 5/8 INCH IRON PIN; THENCE NORTH 0°20'15"

Page 6 of 8
Warranty Deed

EAST A DISTANCE OF 60.00 FEET TO A 5/8 INCH IRON PIN ON THE SOUTHERLY LINE OF THE COLLIER PROPERTY AS DESCRIBED IN DEED VOLUME 353 AT PAGE 398, KLAMATH COUNTY DEED RECORDS; THENCE NORTH 89°43'30" EAST ALONG THE SOUTHERLY LINE OF SAID COLLIER PROPERTY A DISTANCE OF 76.30 FEET TO A 5/8 INCH IRON PIN; THENCE SOUTH 0°20'15" WEST A DISTANCE OF 256.70 FEET TO A 5/8 INCH IRON PIN ON THE NORTHERLY LINE OF THE ABOVE DESCRIBED STATE HIGHWAY 66 RIGHT OF WAY, SAID POINT ALSO BEING ON THE EASTERLY LINE OF THE ABOVE DESCRIBED CHURCH PROPERTY; THENCE SOUTH 89°43'30" WEST ALONG SAID NORTHERLY LINE OF STATE HIGHWAY 66 A DISTANCE OF 166.30 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL 2:

A TRACT OF LAND SITUATED IN THE SW 1/4 NW 1/4 OF SECTION 2, TOWNSHIP 39 SOUTH, RANGE 9 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE WEST ONE-QUARTER CORNER OF SAID SECTION 2, SAID POINT BEING MARKED BY A BRASS PLUG IN A CAPPED MONUMENT WHICH IS 1.60 FEET NORTH OF THE CENTERLINE OF STATE HIGHWAY 66 (SOUTH SIXTH STREET); THENCE NORTH 89°44'52" EAST ALONG THE EAST-WEST CENTERLINE OF SAID SECTION 2 (THIS IS THE BEARING TO THE CENTER ONE-FOURTH CORNER OF SAID SECTION 2 WHICH IS MONUMENTED BY A BOLT IN THE PAVEMENT THAT IS 1.20 FEET NORTH OF THE CENTERLINE OF SAID HIGHWAY) A DISTANCE OF 517.06 FEET; THENCE NORTH 0°20'15" EAST A DISTANCE OF 37.91 FEET TO A ONE-HALF INCH IRON PIN ON THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION, SAID POINT BEING ON THE NORTHERLY LINE OF STATE HIGHWAY 66, AS RELOCATED A DISTANCE OF 40.00 FEET AT RIGHT ANGLES TO THE CENTERLINE OF SAID HIGHWAY, SAID POINT ALSO BEING ON THE WESTERLY LINE OF THE BENNINGTON PROPERTY AS DESCRIBED IN DEED VOLUME 331 AT PAGE 402, KLAMATH COUNTY DEED RECORDS; THENCE NORTH 89°43'30" EAST ALONG THE NORTHERLY LINE OF HIGHWAY 66 AS RELOCATED A DISTANCE OF 40.00 FEET AT RIGHT ANGLES TO THE CENTERLINE OF SAID HIGHWAY A DISTANCE OF 166.30 FEET TO A 5/8 INCH IRON PIN ON THE EASTERLY LINE OF SAID BENNINGTON PROPERTY AND THE WESTERLY LINE OF THE PEACE MEMORIAL PRESBYTERIAN CHURCH PROPERTY AS DESCRIBED IN DEED VOLUME 317 AT PAGE 491, KLAMATH COUNTY DEED RECORDS; THENCE NORTH 0°20'15" EAST ALONG THE LAST DESCRIBED LINE A DISTANCE OF 196.70 FEET TO A 5/8 INCH IRON PIN; THENCE NORTH 05°06'40" EAST A DISTANCE OF 34.24 FEET; THENCE NORTH 00°15'00" EAST A DISTANCE OF 205.91 FEET; THENCE SOUTH 89°43'30" WEST A DISTANCE OF 155.57 FEET; THENCE SOUTH 00°14'10" EAST A DISTANCE OF 205.89 FEET; THENCE SOUTH 17°20'35" WEST A DISTANCE OF 46.27 FEET; THENCE SOUTH 00°20'15" WEST A DISTANCE OF 186.70 FEET TO THE TRUE POINT OF BEGINNING.

TOGETHER WITH A NON-EXCLUSIVE EASEMENT FOR INGRESS, EGRESS, AND TRAVELING BY VEHICULAR OR PEDESTRIAN TRAVEL OVER AND ACROSS THE HEREIN MENTIONED DESCRIBED EASEMENT AREA AND FOR UTILITY AND SERVICE LINE OVER, UNDER AND ACROSS THAT SAID CERTAIN EASEMENT AREA SITUATED IN THE SW 1/4 NW 1/4 OF SECTION 2, TOWNSHIP 39 SOUTH, RANGE 9 EAST OF THE WILLAMETTE MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST ONE-QUARTER CORNER OF SAID SECTION 2; THENCE NORTH 89°44'52" EAST 517.06 FEET; THENCE NORTH 00°20'15" EAST, 224.61 FEET; THENCE NORTH 17°20'35" EAST, 46.27 FEET TO THE SOUTHWEST CORNER OF AN EXISTING BUILDING; THENCE ALONG THE WESTERLY FACE OF SAID BUILDING NORTH 00°14'10" WEST 123.96 FEET TO THE NORTHWEST CORNER OF SAID BUILDING; THENCE CONTINUING NORTH 00°14'10" WEST 30.00

*Page 7 of 8
Warranty Deed*

FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH $89^{\circ}43'30''$ WEST 148.30 FEET TO THE
EASTERLY BOUNDARY LINE OF ETNA STREET; THENCE NORTH $00^{\circ}20'15''$ EAST 20.00 FEET;
THENCE LEAVING THE EASTERLY BOUNDARY LINE OF ETNA STREET NORTH $89^{\circ}43'30''$ EAST
148.10 FEET; THENCE SOUTH $00^{\circ}14'10''$ EAST 20.00 FEET TO THE TRUE POINT OF BEGINNING.

TAX PARCEL NUMBER: R516846 AND R787599 AND P887804

Page 8 of 8
Warranty Deed