

1st 1853323

2012-004449

Klamath County, Oregon



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04/30/2012 02:57:59 PM

Fee: \$47.00

After recording, return to:
KFalls, LLC
770 Tamalpais Drive Ste 401-B
Corte Madera, CA 94925
Until a change is requested, all
Tax statements shall be sent to:
KFalls, LLC
770 Tamalpais Drive Ste 401-B
Corte Madera, CA 94925

SPECIAL WARRANTY DEED

Evergreen Environmental Development Corporation, a Washington corporation., as Grantor, conveys and specially warrants to Argo KFalls, LLC, an Oregon limited liability company as to a 63.63% interest, and TRV Properties, LLC, a Oregon limited liability company, as to a 36.37% interest as tenants in common, Grantee, the real property described on the attached Exhibit A, free and clear of encumbrances created or suffered by Grantor,

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

The true consideration for this conveyance is \$10,700,000.00.

Dated April 25, 2012.

(SIGNATURE FOLLOWS ON NEXT PAGE)

Evergreen Environmental Development Corporation, a
Washington corporation

By: Brenda VanderDoes, VP

Name: Brenda Vander Does, VP

Title: Vice President

STATE OF WASHINGTON)

) ss.

County of Spokane)

The foregoing instrument was acknowledged before me on this 26th day of April,
2012, by Brenda VanderDoes, who is the Vice President, of Evergreen Environmental
Development Corporation, a Washington corporation.

Michele K Robb

Notary Public for Washington

My Commission Expires: 8-27-2015

Notary Public
State of Washington
Michele R Robb
Commission Expires 08-27-15

EXHIBIT 'A'

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

BEGINNING AT THE INITIAL POINT MARKED BY A 5/8" IRON ROD WITH A 1 1/2 " ALUMINUM CAP PER KLAMATH COUNTY SURVEY NO. 1441, REMONUMENTED WITH A BRASS SCREW AND WASHER MARKED "W&H PACIFIC", AND LOCATED AT THE INTERSECTION OF THE NORTHEASTERLY RIGHT-OF-WAY LINE OF PERSHING WAY WITH THE WESTERLY RIGHT-OF-WAY LINE OF AUSTIN STREET, SAID INITIAL POINT BEARS NORTH 54°55'34" EAST 1860.10 FEET FROM A FOUND 2 1/2" BRASS CAP IN A MONUMENT BOX MARKING THE ONE-QUARTER CORNER COMMON TO SECTIONS 3 AND 4 OF SAID TOWNSHIP AND RANGE; THENCE NORTH 55°53'18" WEST ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE 880.81 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF AVALON STREET; THENCE NORTH 30°35'30" EAST ALONG SAID EASTERLY LINE 1001.49 FEET; THENCE NORTH 89°51'08" EAST 110.58 FEET; THENCE NORTH 00°10'38" WEST 150.05 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF SHASTA WAY; THENCE NORTH 89°49'57" EAST ALONG SAID SOUTH LINE 376.79 FEET TO SAID WESTERLY RIGHT-OF-WAY LINE; THENCE SOUTH 00°19'16" WEST ALONG SAID WESTERLY LINE 1,122.19 FEET TO AN ANGLE POINT IN SAID RIGHT-OF-WAY LINE; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE SOUTH 34°06'49" WEST 465.41 FEET TO SAID NORTHEASTERLY RIGHT-OF-WAY LINE AND THE INITIAL POINT.

ALSO KNOWN AS LOTS 1 THRU 15 AND COMMON AREAS A AND B OF TRACT 1522 KLAMATH MALL; AND PARCELS 2 AND 3 OF LAND PARTITION 70-07, A REPLAT OF ALL THAT PORTION OF TRACTS 32, 33A AND 36 OF ENTERPRISE TRACTS, SITUATED IN THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 39 SOUTH, RANGE 9 EAST OF THE WILLAMETTE MERIDIAN, CITY OF KLAMATH FALLS, KLAMATH COUNTY, OREGON.

TAX PARCEL NUMBER: R896297 AND R896298 AND R896299 AND R896300 AND R896301 AND R896302 AND R896303 AND R896304 AND R896305 AND R896306 AND R896307 AND R894824 AND R894825 AND R896308 AND R896309 AND R896310 AND R896311 AND R896312 AND R896313