

mtc 93572

Recording Requested By and

2013-000919
Klamath County, Oregon
01/24/2013 02:49:39 PM
Fee: \$52.00

When Recorded Mail to:
AND RETURN TAXES TO:

NLD Title LLC
c/o Capital Real Estate, Inc.
Attn: Manager
50 South 6th Street, Suite 1480
Minneapolis, MN 55402

DOCUMENT TITLE and TRANSACTIONS:

SPECIAL WARRANTY DEED

The true and actual consideration for this conveyance is:
\$3,137,506.

GRANTOR: **AMERITITLE, INC., an Oregon corporation**

GRANTEE: **NLD TITLE LLC, a Delaware limited liability company**

Legal Description:

The legal description is on **Exhibit A** of the document

Assessor's Property Tax Parcel Account Number(s): R#

(PROPERTY # 11 - 300 Klamath Avenue, Klamath Falls, OR 97601)

52 Amt

SPECIAL WARRANTY DEED

AMERITITLE, INC., an Oregon corporation, Grantor, hereby conveys and specially warrants to **NLD TITLE LLC, a Delaware limited liability company**, Grantee, and Grantee's heirs, successors and assigns, the following described real property free of encumbrances created or suffered by the Grantor, except as specifically set forth herein, situated in the State of Oregon, to wit: as set forth on the attached Exhibit A.

The true and actual consideration for this conveyance is \$3,137,506.

Grantor does hereby covenant to and with the said Grantee, and Grantee's heirs, successors and assigns, that Grantor is lawfully seized in fee simple on the above granted premises and SUBJECT TO all those items of record, if any, as of the date of this deed and those set forth in this Deed and exhibits, if any, and the Grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons claiming by, through, or under the Grantor except those claiming under the above described encumbrances.

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, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. 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, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Dated this 27th day of December, 2012.

GRANTOR:

AMERITITLE, INC., an Oregon corporation

By:


Name:

Its:

Linda Stelle
LINDA STELLE
PRESIDENT

Until a change is requested, all tax statements shall be sent to the following address:
Capital Real Estate, Inc., Attn: Manager, 50 South 6th Street, Suite 1480, Minneapolis, MN 55402

STATE OF OREGON)
) ss.
COUNTY OF Washington)

 OFFICIAL SEAL
E CAROLYN PAYNE
NOTARY PUBLIC-OREGON
COMMISSION NO. 448584
MY COMMISSION EXPIRES MAY 14, 2014

73166660.1 0015531-00002

EXHIBIT A

LEGAL DESCRIPTION AND ENCUMBRANCES

PROPERTY # 11 (300 Klamath Avenue, Klamath Falls, OR 97601):

Situated in the SW1/4 of the NE1/4 of Section 32, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, also being a portion of Block 74 of "Klamath Addition" to the City of Klamath Falls, as approved in PLA NO. 17-01, being more particularly described as follows:

Beginning at a point on the Southwesterly right-of-way of Fourth Street which bears North 60°31'43" West 364.98 feet from the most Westerly corner of Block 92 of "Klamath Addition" to the City of Klamath Falls, evidenced by a 5/8" iron rod with 1 1/2" aluminum cap per Survey Number 4012, Klamath County Records; thence leaving said right-of-way South 38°57'46" West 124.75 feet; thence South 83°21'35" West, 189.39 feet to a point on the Northeasterly right-of-way of Third Street; thence along said right-of-way North 51°04'00" West, 87.50 feet to the intersection of said Third Street right-of-way with the Southeasterly right-of-way of Klamath Avenue; thence leaving said Third Street right of way and along said right-of-way of Klamath Avenue North 38°57'46" East, 260.00 feet to the intersection of said Klamath Avenue right-of-way with the Southwesterly right-of-way of Fourth Street; thence leaving said Klamath Avenue right-of-way and along said right-of-way of Fourth Street South 51°04'00" East, 220.00 feet to the point of beginning.

SUBJECT TO: (1) matters referenced in this Warranty Deed; and (2) an unrecorded Commercial Building Lease between Grantor, as Tenant, and Grantee, covering the foregoing real property ("AmeriTitle Lease"), which will be effective upon the closing of Grantee's purchase of such property, and which has been subordinated by Grantor (as Tenant) to the lien of the mortgage/deed of trust and related security instruments being granted by Grantee to its secured mortgage lender (Bank of the Cascades) contemporaneously herewith.