

Recording requested by and when  
recorded return to:  
Chris Hatfield  
Hurley Re, P.C.  
747 SW Mill View Way  
Bend, OR 97702

**2013-010961**  
Klamath County, Oregon  
09/27/2013 09:37:28 AM  
Fee: \$57.00

Unless a change is requested,  
all tax statements shall be sent to:  
M & B Properties, LLC  
20785 Mira Circle  
Bend, OR 97701

### **BARGAIN AND SALE DEED**

The true consideration for this transfer is wholly other value given.

Barbara B. McCoy, Trustee of the Barbara B. McCoy Trust dated March 24, 1987 and Barbara B. McCoy, Successor Trustee of the Mary B. McCulloch Trust dated June 9, 1987, Grantor, conveys to M & B Properties, LLC, Grantee, the following described real property free of encumbrances, except as specifically set forth:

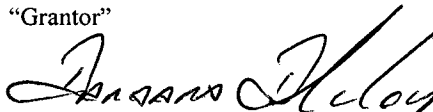
Exhibit A.

This property is free of liens and encumbrances, EXCEPT as shown on Exhibit B.

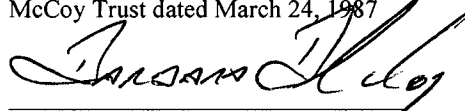
**BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 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 24 day of September, 2013

"Grantor"



Barbara B. McCoy, Trustee, Barbara B.  
McCoy Trust dated March 24, 1987



Barbara B. McCoy, Successor Trustee,  
Mary B. McCulloch Trust dated June 9, 1987

[notary block on next page]

STATE OF CALIFORNIA )

COUNTY OF Inyo )

On September 24, 2013 before me, Christine Cortez, a Notary Public, personally appeared Barbara B. McCoy, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Christine Cortez  
Notary Public

(Seal)



## EXHIBIT "A"

### LEGAL DESCRIPTION

A tract of land located in the NE ¼ of Section 4, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, State of Oregon, and situated in a portion of Block 4, SIXTH STREET ADDITION TO THE CITY OF KLAMATH FALLS and a portion of Lot 802, ENTERPRISE TRACTS, Klamath County, Oregon, said tract is more particularly described as follows:

Beginning at a 5/8 inch iron rod with plastic cap marked TRU-LINE SURVEYING INC., at the Northwest corner of Lot 8, Block 4 of SIXTH STREET ADDITION TO KLAMATH FALLS; Thence South 55°50'00" East 174.90 feet, more or less, coincident with the Southwesterly right-of-way line of Pershing Way to the Northwesterly corner of Lot 15 of said Block 4 and the TRUE POINT OF BEGINNING; thence continuing South 55°50'00" East on said Southwesterly right-of-way, 324.81 feet to a railroad spike recorded as monumenting the intersection of the Southwesterly right-of-way line of Pershing Way with the Westerly right-of-way line of Washburn Way; Thence South 00°00'00" East, coincident with said Westerly right-of-way line of Washburn Way 203.37 to a railroad spike marking the beginning point of a curve concave to the Northwest, defined by a radius of 12.00 feet and a central angle of 115°51'00"; thence Southwesterly 24.26 feet along the arc of said curve (the long chord bears South 57°55'30" West a distance of 20.34 feet) to a 5/8 inch iron rod with plastic cap marked TRU-LINE SURVEYING INC. at the point of tangency; thence North 64°09'00" West, coincident with the Northeasterly right-of-way line of South Sixth Street, 150.73 feet to a point of beginning of a curve concave to the Northeast, defined by a radius of 80.00 feet and a central angle of 08°19'00", thence continuing on said right-of-way line, Northwesterly, 11.61 feet along the arc of said curve (the long chord bears North 59°59'30" West a distance of 11.60 feet) to a PK nail at the point of tangency; thence North 55°50'00" West, coincident with said right-of-way line, 261.12 feet to a 5/8" iron rod with plastic cap marked TRU-LINE SURVEYING INC. that bears North 55°50'00" West 6.25 feet from the Southwest corner of Lot 39, Block 4 of aforementioned Subdivision; thence leaving said right-of-way, North 34°10'00" East 109.53 feet, perpendicular to said Northeasterly right-of-way line of South Sixth Street, to a point on the Southerly line of Lot 15, Block 4 of said Subdivision; thence North 55°50'00" West, coincident with said Southerly line of Lot 15, a distance of 8.99 feet more or less to the southwesterly corner thereof; thence North 34°10'00" East, coincident with the most Westerly line of said Lot 15 a distance of 100.00 feet to the TRUE POINT OF BEGINNING and containing 1.82 acres of land, more or less.

The hereon description encompasses the area of the alley vacated by the City of Klamath Falls Ordinance No. 98-21, recorded in Volume M98 Page 44174.

Except the following parcels in the County of Klamath, State of Oregon:

#### Parcel 1 (R16a)

A parcel of land situated in the NE ¼ of Section 4, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, being a portion of that property described in Deed Volume M03 page 74598, Klamath County Deed Records, being more particularly described as follows:

Commencing at a point which bears North 55°00'03" West, 6.25 feet from the Southwest corner of Lot 39 Block 4 of Sixth Street Addition to the City of Klamath Falls, as recorded at the Klamath County Clerks office; thence along the present right of way line of South Sixth Street, South 55°00'03" East 83.06 feet to the True Point of Beginning; thence leaving said right of way line, South 57°49'05" East, 278.50 feet to said right of way line; thence, along said right of way line, North 63°15'52" West, 89.46 feet to a point of curvature; thence along the arc of a 80.00 foot radius curve to the right, through a central angle of 08°18'55" (the long chord of which bears North 59°06'25" West, 11.60 feet) an arc distance of 11.61 feet; thence continuing along said right of way line, North 55°00'03" West, 178.06 feet to the point of beginning.

#### Parcel 2: (R16b)

A parcel of land situated in the NE ¼ of Section 4, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, being a portion of that property described in Deed Volume M03 page 74598, Klamath County Deed Records, being more particularly described as follows:

Beginning at the Northeasterly corner of Lot 27 Block 4 of Sixth Street Addition to the City of Klamath Falls, as recorded at the Klamath County Clerks office; thence along the Westerly right of way line of Washburn Way, South

00°51'14" West, 203.62 feet to a point of curvature; thence along the arc of a 12.00 foot radius curve to the right, through a central angle of 115°52'54" (the long chord of which bears South 58°47'41" West, 20.34 feet) an arc distance of 24.27 feet; thence along the existing right of way line of South Sixth Street, North 63°15'52" West 34.98 feet; thence leaving said right of way line North 62°19'47" East 36.89 feet; thence North 02°28'38" East 189.02 feet to the Southwesterly right of way line of Pershing Way; thence along said right of way line South 55°00'03" East, 13.22 feet to the point of beginning.

Tax Parcel Number: 530802

**EXHIBIT "B"**

- 1      Property taxes, lien due but not yet payable.  
Tax Year:                      2013-2014  
Tax Acct Number:            3909-004AA-02500-000, Key No. 530802  
County:                        Klamath
- 2      The premises herein described are within and subject to the statutory powers, including the power of assessment and easements of Klamath Irrigation District.
- 3      The premises herein described are within and subject to the statutory powers, including the power of assessment and easements of South Suburban Sanitary District.
- 4      Reservations and restrictions in Highway Deed, including the terms and provisions thereof.  
Recorded Date:              March 28, 1942  
Recording Number:          Volume 146, Page 264 and April 3, 1942 in Volume 146, Page 379 and July 23, 1942 in Volume 148, Page 408 and August 3, 1943 in Volume 157, Page 285 and February 1, 1945 in Volume 173, Page 97 and June 5, 1946 in Volume 190, Page 237, Deed Records of Klamath County, Oregon.  
County:                        Klamath
- 5      Unrecorded lease, by and between C-3 Investments, Inc. and Thrifty Payless, Inc. dated November 1, 1998.