

2013-011555

Klamath County, Oregon

10/11/2013 11:15:35 AM

Fee: \$67.00

**Filed for record at the request of/**

**After recording, return to:**

Lisa Travaglini

770 Tamalpais Drive, Suite 401-B

Corte Madera, CA 94925

**Grantor:**

ARGO K Falls, LLC

770 Tamalpais Drive, Suite 401-B

Corte Madera, CA 94925

**Grantee:**

ARGO Klamath Two, LLC

770 Tamalpais Drive, Suite 401-B

Corte Madera, CA 94925

**Until a change is requested, send tax statements to:**

770 Tamalpais Drive, Suite 401-B

Corte Madera, CA 94925

APN: See Attached Exhibit B

*For Clerk's Use Only*

### STATUTORY WARRANTY DEED

ARGO K Falls, LLC, an Oregon limited liability company, GRANTOR, conveys and warrants to ARGO Klamath Two, LLC, a Delaware limited liability company, GRANTEE, all its right, title and interest in and to the real property described on Exhibit A, free of encumbrances except as specifically set forth on Exhibit C attached hereto and incorporated herein by this reference.

THE TRUE CONSIDERATION FOR THIS CONVEYANCE IS \$0.

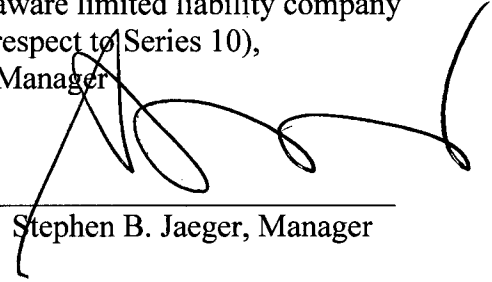
Dated this 11<sup>th</sup> day of October, 2013.

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

**SIGNATURE BLOCK AND NOTARY ACKNOWLEDGMENT ON FOLLOWING PAGE**

Argo K Falls, LLC,  
an Oregon limited liability company  
by its Manager

Argonaut Investments, LLC,  
a Delaware limited liability company  
(with respect to Series 10),  
by its Manager

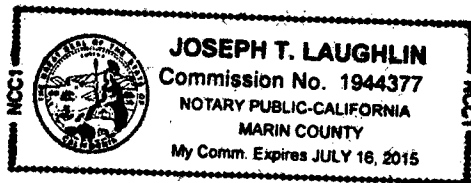
By:   
Stephen B. Jaeger, Manager

NOTARY ACKNOWLEDGMENT TO  
STATUTORY WARRANTY DEED

STATE OF CALIFORNIA     )  
  ) ss.  
COUNTY OF MARIN     )

This instrument was acknowledged before me on the 27<sup>th</sup> day of September, 2013, by  
Stephen B. Jaeger, Grantor.

Joseph T. Laughlin  
Notary Public for California  
My commission expires: July 16, 2015



**EXHIBIT A**

**PROPERTY DESCRIPTION**

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

**PARCEL 1:**

LOTS 1, 2, 3, 4, 5, 7, 10, 12, 13, 14, 15 AND COMMON AREAS A AND B, TRACT 1522, KLAMATH MALL, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK, KLAMATH COUNTY, OREGON.

**PARCEL 2:**

PARCEL 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.

**EXHIBIT B**

**TAX CODE NUMBERS**

R894825, R896297, R896298, R896299, R896300, R896301, R896303, R896304, R896307, R896308, R896310, R896311, and R896312

## EXHIBIT C

### EXCEPTIONS

1. Taxes for the fiscal year 2013-2014 a lien due, but not yet payable.
2. Taxes, including the current fiscal year, not assessed because of Common Area Exemption. If the exempt status is terminated an additional tax may be levied. Account No. R896313.  
  
Taxes, including the current fiscal year, not assessed because of Common Area Exemption. If the exempt status is terminated an additional tax may be levied. Account No. R896304.
3. City liens, if any, of the City of Klamath Falls.
4. Rules, regulations and assessments of South Suburban Sanitary District.
5. Acceptance of terms and conditions of Reclamation Extension Act, including terms and provisions thereof.  
Recorded: November 27, 1914 in Volume 43 Page 120, Deed Records of Klamath County, Oregon
6. Easement, including terms and provisions contained therein:  
Recording Information: March 11, 1949 in Volume 229 Page 300, Deed Records of Klamath County, Oregon  
In Favor of: Enterprise Land & Investment Company  
For: irrigation, drainage, domestic gas and sewage along road rights of way appurtenant to the herein described property
7. Easement, including terms and provisions contained therein:  
Recording Information: January 23, 1981 in Volume M81 Page 1074, records of Klamath County, Oregon  
In Favor of: Pacific Power & Light Company  
For: Underground Electric Circuit
8. Encroachment Permit Agreement, including terms and provisions thereof.  
Recorded: June 2, 1987 in Volume M87 Page 9453, records of Klamath County, Oregon
9. Encroachment Permit, including terms and provisions thereof.  
Recorded: August 15, 2000 in Volume M00 Page 29947, records of Klamath County, Oregon
10. City of Klamath Falls, Ordinance No. 05-13, an Ordinance of the City of Klamath Falls approving the Klamath Falls Town Center Urban Renewal Plan and Directing that Notice of Approval is published.  
Recorded: November 14, 2005 in Volume M05 Page 68919, Records of Klamath County, Oregon
11. Easement, including terms and provisions contained therein:  
Recording Information: February 15, 2006 in Volume M06 Page 2921, Records of Klamath County, Oregon  
In Favor of: City of Klamath Falls, Oregon  
For: water meter
12. Easement, including terms and provisions contained therein:  
Recording Information: February 15, 2006 in Volume M06 Page 2922, Records of Klamath County, Oregon  
In Favor of: City of Klamath Falls, Oregon  
For: water meter
13. Easement, including terms and provisions contained therein:  
Recording Information: February 15, 2006 in Volume M06 Page 2923, Records of Klamath County, Oregon  
In Favor of: City of Klamath Falls, Oregon  
For: Water Meter

14. Easement, including terms and provisions contained therein:  
Recording Information: February 15, 2006 in Volume M06 Page 2924, Records of Klamath County, Oregon  
In Favor of: City of Klamath Falls, Oregon  
For: Water Meter
15. Easement, including terms and provisions contained therein:  
Recording Information: February 15, 2006 in Volume M06 Page 2925, Records of Klamath County, Oregon  
In Favor of: City of Klamath Falls, Oregon  
For: Water Meter
16. Easement, including terms and provisions contained therein:  
Recording Information: February 15, 2006 in Volume M06 Page 2926, Records of Klamath County, Oregon  
In Favor of: City of Klamath Falls, Oregon  
For: Water Meter
17. Easement, including terms and provisions contained therein:  
Recording Information: February 15, 2006 in Volume M06 Page 2927, Records of Klamath County, Oregon  
In Favor of: City of Klamath Falls, Oregon  
For: fire hydrant
18. Covenants, conditions, restrictions and/or easements; but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, family status, or national origin to the extent such covenants, conditions or restrictions violate Title 42, Section 3604(c), of the United States Codes:  
Recording Information: January 19, 2007 in Volume 2007 Page 001016, Records of Klamath County, Oregon
19. Unrecorded leases or periodic tenancies, if any.
20. Restrictions shown on the recorded plat/partition of Land Partition 70-07.
21. Restrictions shown on the recorded plat/partition of Tract 1522 Klamath Mall.
22. Agreement for Release of Water and Drainage Rights and the terms and conditions thereof:  
Between: Evergreen Environmental Dev. Corp.  
And: Klamath Irrigation District  
Recording Information: November 14, 2011, in 2011-12665 records of Klamath County, Oregon
23. Line of Credit Trust Deed, including the terms and provisions thereof, given to secure an indebtedness of up to \$9,710,000.00  
Grantor: TRV Properties, LLC, an Oregon limited liability company and Argo K Falls, LLC, an Oregon limited liability company  
Beneficiary: Mechanics Bank, a California banking corporation  
Trustee: First American Title Insurance Company  
Dated: April 23, 2012  
Recorded: April 30, 2012  
Recording Information: 2012-4450, records of Klamath County, Oregon

ITEM 23 TO BE REMOVED IMMEDIATELY AFTER THIS DEED