

2015-000004

Klamath County, Oregon

01/02/2015 08:52:55 AM

Fee: \$57.00

**RECORDED AT THE REQUEST OF
AND
AFTER RECORDING RETURN TO:**

Skadden, Arps, Slate, Meagher
& Flom LLP
155 N. Wacker Drive,
Chicago, IL 60606-1720
Attn: Matea Bozja

**UNTIL A CHANGE IS REQUESTED,
ALL TAX STATEMENTS SHALL BE
SENT TO THE FOLLOWING ADDRESS:**

c/o Brookdale Senior Living Inc.
6737 W. Washington Street,
Suite 2300
Milwaukee, WI 53214
Attn: Community Accounting

DOCUMENT TITLE and TRANSACTIONS:

STATUTORY SPECIAL WARRANTY DEED

GRANTOR/GRANTEE:

GRANTOR: **HCP SH ELDORADO HEIGHTS LLC, a Delaware limited liability
company**

GRANTEE: **BROOKDALE KLAMATH FALLS, LLC, a Delaware limited liability
company**

ASSESSOR'S PROPERTY TAX PARCEL ACCOUNT NUMBER(S): **R170442 and R170451.**

The true and actual consideration is **\$8,050,000.**

STATUTORY SPECIAL WARRANTY DEED

HCP SH ELDORADO HEIGHTS LLC, a Delaware limited liability company, grantor ("Grantor"), conveys and specially warrants to BROOKDALE KLAMATH FALLS, LLC, a Delaware limited liability company, grantee ("Grantee"), the real property described on the attached Exhibit A, incorporated herein by this reference, free of encumbrances created or suffered by Grantor except as described on the attached Exhibit A.

The true and actual consideration is \$8,050,000.

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.

Until a change is requested, all tax statements shall be sent to the following address:
c/o Brookdale Senior Living Inc., 6737 W. Washington Street, Suite 2300, Milwaukee, WI 53214
Attn: Community Accounting
Assessor's Property Tax Account Number(s): **R170442 and R170451.**

Dated this 31st day of December, 2014.

GRANTOR:

HCP SH ELDORADO HEIGHTS LLC, a Delaware limited liability company

By: 

Name (printed):

KENDALL K. YOUNG

Title:

EXECUTIVE VICE PRESIDENT

STATE OF CALIFORNIA)

) SS.

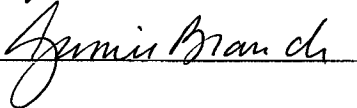
COUNTY OF ORANGE)

On December 30, 2014, before me, Sumie Branch, Notary Public in and for said State, personally appeared Kendall K. Young, who ~~is personally known to me (or~~ proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(ies), and that by his/~~her/their~~ signature(s) on the instrument, the person(s) or the entity upon behalf of which the person(s) 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.

Signature



(Seal)

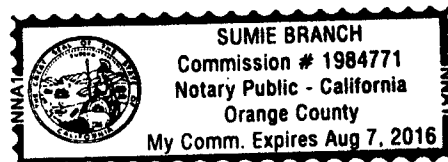


Exhibit A

Description of Property; Exceptions

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

PARCEL 1:

A PARCEL OF LAND SITUATED IN PORTIONS OF VACATED BLOCKS 2, 3, 6, 7 , 9 AND 10, ELDORADO ADDITION TO THE CITY OF KLAMATH FALLS, OREGON, IN THE COUNTY OF KLAMATH, STATE OF OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT BEING THE MOST NORTHERLY CORNER OF LOT 2, BLOCK 10, ELDORADO ADDITION TO THE CITY OF KLAMATH FALLS, OREGON; THENCE ALONG THE NORTHWESTERLY LINE OF SAID LOT 2, SOUTH 38 DEGREES 16.30" WEST 100.00 FEET TO THE MOST WESTERLY CORNER OF SAID LOT 2; THENCE ALONG THE SOUTHWESTERLY LINE OF THE VACATED PORTION OF BLOCKS 9 AND 10 OF SAID ELDORADO ADDITION, NORTH 51 DEGREES 42.50" WEST 170.69 FEET; THENCE LEAVING SAID SOUTHWESTERLY LINE NORTH 38 DEGREES 16.30" EAST 667.37 FEET TO THE SOUTHERLY LINE OF ELDORADO BOULEVARD; THENCE ALONG SAID SOUTHERLY LINE OF ELDORADO BOULEVARD 182.39 FEET ALONG THE ARC OF A 667.34 FOOT RADIUS CURVE TO THE RIGHT, THE LONG CHORD OF WHICH BEARS SOUTH 55 DEGREES 00.55" EAST 181.84 FEET; THENCE 29.87 FEET ALONG THE ARC OF A 20.00 FOOT CURVE TO THE RIGHT, THE LONG CHORD OF WHICH BEARS SOUTH 4 DEGREES 30.47" EAST, TO ITS POINT OF TANGENCY WITH THE WESTERLY LINE OF SLOAN STREET; THENCE ALONG SAID WESTERLY LINE OF SLOAN STREET SOUTH 38 DEGREES 16.30" WEST 557.91 FEET TO THE NORTHEASTERLY LINE OF SAID LOT 2; THENCE ALONG SAID NORTHEASTERLY LINE NORTH 51 DEGREES 42.50" WEST 29.31 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

LOT 2 IN BLOCK 10, ELDORADO ADDITION TO THE CITY OF KLAMATH FALLS, IN THE COUNTY OF KLAMATH, STATE OF OREGON, EXCEPTING THEREFROM THE SOUTHEASTERLY 19 FEET, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

TOGETHER WITH ALL RIGHTS CONTAINED IN THE CROSS EASEMENT AGREEMENT RECORDED WITH THE COUNTY CLERK OF KLAMATH FALLS, OREGON AS VOLUME M96, PAGE 922, MICROFILM RECORDS OF KLAMATH COUNTY, OREGON.

SUBJECT TO: (1) easements, reservations, restrictions, covenants and conditions of record as of the date hereof; (2) taxes and assessments, general and special, not yet due and payable; (3) rights of the public to parts of the real property, if any, lying in streets and rights of way; and (4) Any leases or tenancies created or suffered by the lessee of the property under a master lease dated as of August 29, 2014, which master lease shall no longer apply to the property in Exhibit A after the conveyance of the property to Grantee.