

AMC 171912AM

**After recording return to: (Name, Address, Zip)**

Klamath Falls Hotel Inc.  
3060 South 6th Street, Klamath Falls, OR 97603

**Until requested otherwise, send all tax statements to:**  
Same As Above

**GRANTOR:**

Curt Baney, Inc.  
475 NE Bellevue Drive, Suite 210, Bend, OR 97701

**GRANTEE:**

Klamath Falls Hotel Inc.  
3060 South 6th Street, Klamath Falls, OR 97603

ORDER NO. 17000200599

TAX ACCOUNT NO. Acct R898330 /  
R-3909-003BC-01002-000

Acct R579662 / Map R-3909-003BD-0300-000

**2018-000126**

Klamath County, Oregon

01/03/2018 02:58:01 PM

Fee: \$62.00

Space Above Reserved for Recorder's Use

**STATUTORY SPECIAL WARRANTY DEED**

Curt Baney, Inc, an Oregon corporation, Grantor, as Part of an I.R.C. 1031 tax deferred exchange, conveys and specially warrants to Klamath Falls Hotel Inc., an Oregon corporation, Grantees, the following described real property free of encumbrances created or suffered by the Grantor, except as specifically set forth herein, situated in Klamath County, State of Oregon, to wit:

**Tract A:**

Parcel 2 of Land Partition 29-14 located in the S1/2 NW 1/4 of Section 3, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, replat of Parcel 1 of LP 19-12, recorded February 17, 2015 in Volume 2015-001353, Records of Klamath County, Oregon.

**Tract B:**

Parcel 3 of Land Partition 19-12 located in the S1/2 NW 1/4 of Section 3, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon and being a replat of Parcel 2 of LP 6-11. Duly recorded March 18, 2013 in Volume 2013-002884, Records of Klamath County, Oregon.

Subject to and excepting: Covenants, Conditions, Restrictions and Easements of record.  
See Exhibit "B" Additional Deed Exceptions

**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.**

The true and actual consideration for this conveyance is \$4,400,000.00. (Here, comply with the requirements of ORS 93.030.)

File No.: 17000200599  
Special Warranty Deed OR

62417

Dated this 3<sup>rd</sup> day of January, 2018 CB

CURT BANEY, INC.,  
an Oregon corporation

by:

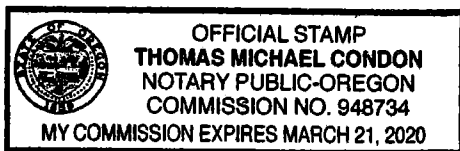
Curtis A. Baney  
Curtis A. Baney  
Director

State of Oregon

County of DESCHUTES

ss.

The foregoing instrument was acknowledged before me this 3<sup>rd</sup> day of JANUARY 2018 by Curtis A. Baney, Director of Curt Baney, Inc., an Oregon corporation.



Before me:

Thomas M Condon

Notary Public for Oregon

My commission expires: MARCH 21, 2020

**EXHIBIT "B"**  
**DEED EXCEPTIONS**

1. Special Assessment disclosed by the Klamath tax rolls:  
For: Klamath County Drainage District
2. The property lies within the boundaries of South Suburban Sanitary District and is subject to any charges or assessments levied by said District and pipeline easements in connection therewith.  
(No inquiry has been made)
3. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:  
Granted To: Oregon, California & Eastern Railway Company, an Oregon Corporation  
Recorded: December 13, 1935  
Volume: 105, page 458
4. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:  
Granted To: The California Oregon Power Company  
Recorded: February 4, 1947  
Volume: 202, page 29
5. An easement for sanitary sewer, including rights of maintenance and replacement disclosed by numerous documents of record.
6. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:  
Granted To: Pacific Power & Light Company, a corporation, its successors and assigns  
Recorded: December 8, 1976  
Volume: M76, page 19701
7. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:  
Granted To: Pacific Power & Light Company  
Recorded: December 17, 1979  
Volume: M79, page 28905
8. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:  
Granted To: Swam Lake Moulding Company  
Recorded: December 8, 1995  
Volume: M95, page 33582
9. Reciprocal Easement and Maintenance Agreement, including the terms and provisions thereof,  
Recorded: December 22, 2010  
Instrument No.: 2010-014506
10. Restrictions against residential use, including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:  
Granted To: Oregon DEQ  
Recorded: February 1, 2016  
Instrument No.: 2016-000986

Note: While the restrictions against residential use in the above referenced instrument affect the subject property, the easement therein does not.

11. Access and sewer lines as shown on the official plat of said land partition 19-12.

**Exhibit B (cont)**

12. Declaration of Reciprocal Easements and Maintenance Agreement , including the terms and provisions thereof,

Recorded: December 21, 2017  
Instrument No: 2017-014504

Unofficial  
Copy

## EXHIBIT "A"

### Tract A:

Parcel 2 of Land Partition 29-14 located in the S1/2 NW1/4 of Section 3, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, replat of Parcel 1 of LP 19-12, recorded February 17, 2015 in Volume 2015-001353, Records of Klamath County, Oregon.

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