

**2018-011901**

Klamath County, Oregon

09/28/2018 03:28:00 PM

Fee: \$107.00

**RECORDING REQUESTED BY  
OLD REPUBLIC TITLE COMPANY OF OREGON**

Escrow No.: 0227021000mp: Title # 204694AM  
APN: R787599 & R516846

**WHEN RECORDED MAIL TO**

John Niemeyer  
15 82<sup>nd</sup> Drive, #201  
Gladstone, OR 91027

**MAIL TAX STATEMENT TO**

John Niemeyer  
15 82<sup>nd</sup> Drive, #201  
Gladstone, OR 91027

SPACE ABOVE RESERVED FOR RECORDER'S USE

**WARRANTY DEED**

RI – Klamath Falls, LLC, a California limited liability company which acquired title as Read Real Estate II, LLC, a California limited liability company, Grantor, conveys and warrants to John Niemeyer, Grantee, the following described real property in the County of Klamath, State of Oregon, described as follows:

See "Exhibit A" attached hereto and made a part hereof.

The described real property is free of all liens and encumbrances except (if none, so state):

See "Exhibit A" attached hereto and made a part hereof.

The true and actual consideration paid for this transfer, stated in terms of dollars is \$3,250,000.00.

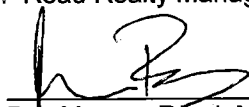
**BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSONS RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 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 26<sup>th</sup> day of September 2018.

RI – Klamath Falls, LLC, a California limited liability company which acquired title as Read Real Estate II, LLC, a California limited liability company

By: Read Management, LLC, a California limited liability company, its Manager

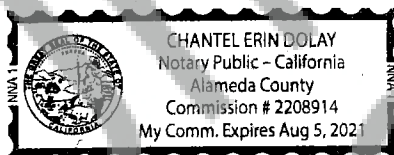
By: Read Realty Management LLC, a Delaware limited liability company, its Sole Member



By: Morgan Read, Manager

STATE OF CALIFORNIA  
County of ALAMEDA

This instrument was acknowledged before me on this 26<sup>th</sup> day of September, 2018 by MORGAN READ as MANAGER of Read Real Estate II, LLC, on its behalf.



  
Notary Public for: CALIFORNIA  
My Commission Expires: August 5, 2021

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

**PARCEL 1:**

A tract of land situated in the SW1/4 NW1/4 of Section 2, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, described as follows:

Commencing at the Westerly one-quarter corner of said Section 2; thence North 89°44'52" East 517.06 feet; thence North 00°20'15" East 37.91 feet to a point on the Northerly boundary line of State Highway 66; thence North 89°43'30" East 166.30 feet; thence North 00°20'15" East 196.70 feet to the point of beginning; thence North 05°06'40" East 34.24 feet; thence North 00°15'00" West 205.91 feet; thence North 89°43'30" East 228.48 feet; thence South 00°06'39" East 142.53 feet; thence North 89°43'30" East 184.10 feet to the Westerly boundary line of Gary Street; thence South 00°09'21" West 37.47 feet; thence South 89°43'30" West 324.56 feet; thence South 00°20'15" West 60.00 feet; thence South 89°43'30" West 90.00 feet to the true point of beginning.

TOGETHER WITH an easement for the joint right to use for customer, patron, invitee and employee parking and for the purposes of ingress and egress and passage for automobile and pedestrian traffic on all that real property described hereinafter.

A tract of land situated in the SW1/4 NW1/4 of Section 2, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at the West one-fourth corner of said Section 2, said point being marked by a brass plug in a capped monument which is 1.60 feet North of the centerline of State Highway 66 (South Sixth Street); thence North 89°44'52" East along the East-West centerline of said Section 2 (this is the bearing to the center one-fourth corner of said Section 2 which is monumented by a bolt in the pavement that is 1.20 feet North of the centerline of said highway) a distance of 517.06 feet; thence North 0°20'15" East a distance of 37.91 feet to a one-half inch iron pin on the Northerly line of State Highway 66 to be relocated a distance of 40.00 feet at right angles to the centerline of said highway; thence North 89°43'30" East along said Northerly line of State Highway 66 a distance of 166.30 feet to a 5/8 inch iron pin on the true point of beginning of this description, said point being on the Westerly line of the Peace Memorial Church property as described in Deed Volume 317 at Page 491, Klamath County Deed Records and the Easterly line of the Bennington property as described in Deed Volume 331 at Page 402, Klamath County Deed Records; thence North 0°20'15" East along the last described line a distance of 196.70 feet to a 5/8 inch iron pin; thence North 89°43'30" East a distance of 90.00 feet to a 5/8 inch iron pin; thence North 0°20'15" East a distance of 60.00 feet to a 5/8 inch iron pin on the Southerly line of the Collier property as described in Deed Volume 353 at Page 398, Klamath County Deed Records; thence North 89°43'30" East along the Southerly line of said Collier property a distance of 76.30 feet to a 5/8 inch iron pin; thence South 0°20'15" West a distance of 256.70 feet to a 5/8 inch iron pin on the Northerly line of the above described State Highway 66 right of way, said point being on the Easterly line of the above described church property; thence South 89°43'30" West along said Northerly line of State Highway 66 a distance of 166.30 feet to the true point of beginning.

**PARCEL 2:**

A tract of land situated in the SW1/4 NW1/4 of Section 2, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at the West one-quarter corner of said Section 2, said point being marked by a brass plug in a capped monument which is 1.60 feet North of the centerline of State Highway 66 (South Sixth Street) ; thence North 89°44'52" East along the East-West centerline of said Section 2 (this is the bearing to the center one-fourth corner of said Section 2 which is monumented by a bolt in the pavement that is 1.20 feet North of the centerline of said highway) a distance of 517.06 feet; thence North 0°20'15" East a distance of 37.91 feet to a one-half inch iron pin on the true point of beginning of this description, said point being on the Northerly line of State Highway 66, as relocated a distance of 40.00 feet at right angles to the centerline of said highway said point also being on the Westerly line of the Bennington property as described in Deed Volume 331 at Page 402, Klamath County Deed Records; thence North 89°43'30" East along the Northerly line of Highway 66 as relocated a distance of 40.00 feet at right angles to the centerline of said highway a distance of 166.30 feet to a 5/8 inch iron pin on the Easterly line of said Bennington property and the Westerly line of the Peace Memorial Presbyterian Church property as described in Deed Volume 317 at Page 491, Klamath County Deed Records; thence North 0°20'15" East along the last described line a distance of 196.70 feet to a 5/8 inch iron pin; thence North 05°06'40" East a distance of 34.24 feet; thence North 00°15'00" East a distance of 205.91 feet; thence South 89°43'30" West a distance of 155.57 feet; thence South 00°14'10" East a distance of 205.89 feet; thence South 17°20'35" West a distance of 46.27 feet; thence South 00°20'15" West a distance of 186.70 feet to the true point of beginning.

TOGETHER WITH a non-exclusive easement for ingress, egress, and traveling by vehicular or pedestrian travel over and across the herein mentioned described easement area and for utility and service line over, under and across that said certain easement area situated in the SW1/4 NW1/4 of Section 2, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon more particularly described as follows:

Commencing at the West one-quarter corner of said Section 2; thence North 89°44'52" East, 517.06 feet; thence North 00°20'15" East, 224.61 feet; thence North 17°20'35" East, 46.27 feet to the Southwest corner of an existing building; thence along the Westerly face of said building North 00°14'10" West 123.96 feet to the Northwest corner of said building; thence continuing North 00°14'10" West 30.00 feet to the true point of beginning; thence South 89°43'30" West 148.30 feet to the Easterly boundary line of Etna Street; thence North 00°20'15" East 20.00 feet; thence leaving the Easterly boundary line of Etna Street

6. The 2018-2019 Taxes: A lien not yet due or payable.

7. 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.

8. Special Assessment disclosed by the Klamath tax rolls: For: Klamath County Drainage Service District

9. The rights of the public in and to that portion of the herein described property lying within the limits of public roads, streets or highways.

10. Limited access provisions contained in "Final Judgment and Order of Taking" to State of Oregon, by and through its State Highway Commission, which provided that no right or easement of right of access to, from or across the State Highway other than expressly therein provided for shall attach to the abutting property,

Filed: July 6, 1965

Case No.: 64-118-E

Circuit Court for: Klamath County

11. 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:

Recorded: August 19, 1964

Volume: 355, page 427

12. Agreement, including the terms and provisions thereof,

Recorded: February 14, 1968

Volume: M68, page 1140

Between: Albertson's, Inc., a Nevada Corporation

And: Peace Memorial Presbyterian Church and the Presbytery of Southwest Oregon

13. Warranty Deed, including the terms and provisions thereof,

Recorded: April 24, 1968

Volume: M68, page 3178

Between: Albertson's Inc., a Nevada Corporation

And: Sixth Cheltenham Properties, Inc., a Delaware Corporation

14. Covenants, conditions and restrictions, but omitting any covenant or restriction based on race, color, religion, sex, sexual orientation, disability, handicap, familial status, marital status, ancestry, national origin or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law.

Recorded: December 15, 1969

Volume: M69, page 10367

Amended by instrument,

Recorded: December 3, 1971

Volume: M71, page 12700

Amended by instrument,

Recorded: October 28, 1983

Volume: M83, page 18686

15. Easement or easements, including the terms and provisions thereof, as contained in instrument,

Recorded: December 15, 1969

Volume: M69, page 10367

16. 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: PacifiCorp, an Oregon Corporation, its successors and assigns

Recorded: June 3, 2005

Volume: M05, page 41310

17. An unrecorded lease with certain terms, covenants, conditions and provisions set forth therein and such other exceptions as may appear necessary upon recording thereof,

Lessor: Klamath-Etna, LLC, an Oregon limited liability company

Lessee: Grocery Outlet

Disclosed by: Subordination, Attornment and Non-Disturbance Agreement

Recorded: December 22, 2015

Volume: M05, page 71613

18. Conveyance of Access Rights, including the terms and provisions thereof,

Recorded: June 11, 2007

Instrument No.: 2007-010508

Between: Klamath Etna, LLC an Oregon limited liability company

And: State of Oregon, by and through its department of transportation

19. Unrecorded leaseholds, if any, and the rights of vendors and holders of security interest in personal property of tenants to remove said personal property at the expiration of the term.

20. Rights of tenants under existing leases or tenancies.