



THIS SPACE RESERVED FOR

**2019-012788**

Klamath County, Oregon

10/31/2019 02:55:02 PM

Fee: \$92.00

**2019-012942**

Klamath County, Oregon

11/05/2019 09:46:01 AM

Fee: \$97.00

After recording return to:

Kingswood Apts LLC, an Oregon Limited Liability  
Company

48 Brandenham Place

Buffalo, NY 14226

Until a change is requested all tax statements shall be  
sent to the following address:

Kingswood Apts LLC, an Oregon Limited Liability  
Company

48 Brandenham Place

Buffalo, NY 14226

File No. 316176AM

\*\*This is being rerecorded at the request of Amerititle to clarify the legal  
description. Previously recorded in 2019-012788

### STATUTORY WARRANTY DEED

MaryAnne Graves, Trustee of the Frank M. Graves and Maryanne Graves Revocable Trust dated June 8, 2010,

Grantor(s), hereby convey and warrant to

**Kingswood Apts LLC, an Oregon Limited Liability Company and Kingswood Klamath LLC, an Oregon  
Limited Liability Company, each as to an undivided 50% interest.**

Grantee(s), the following described real property in the County of Klamath and State of Oregon free of encumbrances except  
as specifically set forth herein:

**See Attached Exhibit 'A'**

The consideration paid for the transfer is \$4,700,000.00, PURSUANT TO AN IRC 1031 TAX DEFERRED EXCHANGE ON  
BEHALF OF GRANTOR/GRANTEE.

The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and  
those shown below, if any:

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 26 day of October, 2019.

Maryanne Graves, Trustee of the Frank M. Graves and Maryanne Graves Revocable Trust dated June 8, 2010

X By: Maryanne Graves  
Maryanne Graves, Trustee

State of Arizona } ss  
County of Maricopa }

On this 26 day of October, 2019, before me, Brian Richardson a Notary Public in and for said state, personally appeared Maryanne Graves, Trustee of the Frank M. Graves and Maryann Graves Revocable Trust dated June 8, 2010, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument and acknowledged to me that he/she/they executed same.  
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

BR

Notary Public for the State of AZ  
Residing at: 9451 Beck St  
Commission Expires: 10-31-20

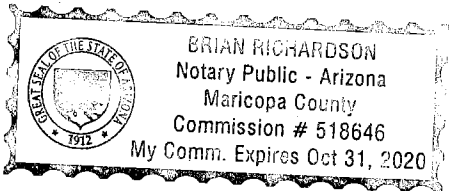


EXHIBIT 'A'

File No. 316176AM

That portion of the following described parcel lying East of the East line of vacated Applewood Street deeded to the City of Klamath Falls in Deed Volume M76, page 10767, Microfilm Records of Klamath County, Oregon and recorded July 15, 1976, located in the SW1/4 of Section 34, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon:

A tract of land 320 feet wide North and South, in ENTERPRISE TRACTS NO. 38A and No. 41B, and lying North of the North line of the county road known as Eberlein Avenue and bounded on the North by the Northerly line of Wandland Avenue of Darrow Addition to the City of Klamath Falls, Oregon, extended East to the right of way of the U.S.R.S. Canal: also, such fragment of Enterprise Tracts No. 30 lying South of the U.S.R.S. Canal, as may remain after conveyance heretofore made by Enterprise Land and Investment Company to the U.S.R.S. for right of way, and to Klamath County, Oregon, for road purposes, together with vacated portions of Allandale and Applewood Streets described as Parcels 1 and 2 in Volume 70, page 4511, Deed Records of Klamath County, Oregon, recorded June 5, 1970, in the SW1/4 Section 34, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon.

EXCEPTING, HOWEVER, rights of way of roads known as the extension of Eberlein Avenue and Washburn Way.

EXCEPTING ALSO that certain parcel of land deeded by Alfred D. Collier and Ethel F. Collier, husband and wife, to Geo. H. Merryman and Mabel C. Merryman, husband and wife, and George H. Merryman, Jr. and Elizabeth F. Merryman, husband and wife, recorded May 2, 1941 in Book 137 at page 359, Deed Records of Klamath County, Oregon.

EXCEPTING ALSO that certain parcel of land deeded by Alfred D. Collier and Ethel F. Collier, husband and wife, to Klamath County, Oregon, recorded May 11, 1941 in Book 137, page 542, Deed Records of Klamath County, Oregon, BUT INCLUDING ALSO the rights and privileges reserved in said deed to Alfred D. Collier and Ethel F. Collier, said land being deeded to Klamath County, Oregon, for the use as a county road as therein set forth.

## EXHIBIT "A"

That portion of the following described parcel lying East of the East line of vacated Alandale Street deeded to the City of Klamath Falls in Deed Volume M76, page 10767, Microfilm Records of Klamath County, Oregon and recorded July 15, 1976, located in the SW1/4 of Section 34, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon:

A tract of land 320 feet wide North and South, in ENTERPRISE TRACTS NO. 38A and No. 41B, and lying North of the North line of the county road known as Eberlein Avenue and bounded on the North by the Northerly line of Wantland Avenue of Darrow Addition to the City of Klamath Falls, Oregon, extended East to the right of way of the U.S.R.S. Canal: also, such fragment of Enterprise Tracts No. 30 lying South of the U.S.R.S. Canal, as may remain after conveyance heretofore made by Enterprise Land and Investment Company to the U.S.R.S. for right of way, and to Klamath County, Oregon, for road purposes.

EXCEPTING, HOWEVER, rights of way of roads known as the extension of Eberlein Avenue and Washburn Way.

EXCEPTING ALSO that certain parcel of land deeded by Alfred D. Collier and Ethel F. Collier, husband and wife, to Geo. H. Merryman and Mabel C. Merryman, husband and wife, and George H. Merryman, Jr. and Elizabeth F. Merryman, husband and wife, recorded May 2, 1941 in Book 137 at page 359, Deed Records of Klamath County, Oregon.

EXCEPTING ALSO that certain parcel of land deeded by Alfred D. Collier and Ethel F. Collier, husband and wife, to Klamath County, Oregon, recorded May 11, 1941 in Book 137, page 542, Deed Records of Klamath County, Oregon, BUT INCLUDING ALSO the rights and privileges reserved in said deed to Alfred D. Collier and Ethel F. Collier, said land being deeded to Klamath County, Oregon, for the use as a county road as therein set forth.

TOGETHER WITH vacated portions of Allandale and Applewood Streets described as Parcels 1 and 2 in Volume M70, page 4511, Deed Records of Klamath County, Oregon, recorded June 5, 1970, in the SW1/4 Section 34, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon.