

**2019-013784**

**Klamath County, Oregon**

11/25/2019 02:48:47 PM

Fee: \$102.00



After recording return to:  
TH7 LLC  
P.O. Box 63  
West Linn, OR 97068

Until a change is requested all tax  
statements shall be sent to the  
following address:  
TH7 LLC  
P.O. Box 63  
West Linn, OR 97068

File No.: NCS-979364-OR1 (MD)  
Date: November 22, 2019

THIS SPACE RESERVED FOR RECORDER'S USE

### **STATUTORY WARRANTY DEED**

**First Klamath, L.L.C., an Oregon Limited Liability Company which acquired title as First Klamath, L.L.C., a Nevada Limited Liability Company**, Grantor, conveys and warrants to **TH7 LLC, an Oregon limited liability company**, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

See Legal Description attached hereto as Exhibit A and by this reference incorporated herein.

**Subject to:** See Exhibit B attached hereto and made a part hereof

The true consideration for this conveyance is **\$3,800,000.00**. (Here comply with requirements of ORS 93.030)

APN: 526336

Statutory Warranty Deed  
- continued

File No.: NCS-979364-OR1 (MD)

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 22 day of jun, 2019.

First Klamath LLC, an Oregon limited liability  
company

By: \_\_\_\_\_

Name: Peter L. Dwares  
Title: Manager

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA )SS  
COUNTY OF San Francisco )

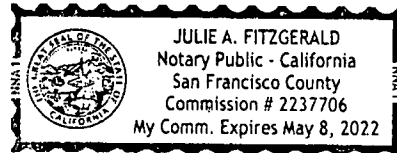
On November 22, 2019, before me, Julie A Fitzgerald, Notary Public, personally appeared Peter C Dwares, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their 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

Julie A Fitzgerald



*This area for official notarial seal*

**EXHIBIT A**

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

**A PORTION OF TRACT 36 AND 43 ENTERPRISE TRACTS, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**BEGINNING ON THE SOUTHERLY LINE OF SHASTA WAY, SOUTH 0°00 1/2' EAST 73 FEET AND NORTH 89° 54' EAST 280 FEET FROM THE SECTION CORNER COMMON TO SECTIONS 33 AND 34, TOWNSHIP 38 SOUTH, RANGE 9 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON, AND SECTIONS 3 AND 4, TOWNSHIP 39 SOUTH, RANGE 9 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON; THENCE SOUTH 0°00 1/2' EAST PARALLEL WITH THE WEST LINE OF SAID TRACT 43 ALONG THE EAST LINE OF THE TRACTS OF LAND DESCRIBED IN 2 DEEDS RECORDED IN DEED VOLUME 225, PAGE 261 AND DEED VOLUME 255, PAGE 613, 659.44 FEET TO THE NORTHEAST LINE OF PERSHING WAY; THENCE SOUTH 55°50 1/2' EAST 277.99 FEET ALONG SAID NORTHEASTERLY LINE OF PERSHING WAY; THENCE NORTH 0°00 1/2' WEST 820 FEET MORE OR LESS TO THE SOUTHERLY LINE OF SHASTA WAY; THENCE SOUTH 89°54' WEST 230 FEET TO THE POINT OF BEGINNING.**

**Exhibit "B"**  
**Subject to items:**

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the public records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Any encroachment (of existing improvements located on the subject land onto adjoining land or of existing improvements located on adjoining land onto the subject land), encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the subject land.
5. Any lien, or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the public records.
6. Water rights, claims to water or title to water, whether or not such rights are a matter of public record.
7. Nonexclusive Installation and Service Agreement, including the terms and provisions thereof,  
Recorded: May 29, 2013  
Instrument No.: 2013-006011
8. Rights of tenants under existing leases or tenancies, as tenants only without an option to purchase or right of first refusal.
9. Survey by GRS Group, dated November 14, 2019, finalized November 20, 2019, job no. 19-6225 ,  
discloses the following:
  - a. Fence encroachment over the North lot line.