

**2020-007156**

**Klamath County, Oregon**

**06/11/2020 08:23:53 AM**

**Fee: \$97.00**

When recorded return to:

First National Real Estate Services, LLC  
300 Rector Place, 4I  
New York, NY, 10280  
www.FirstNationalRES.com

**#1286**

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

ACI Real Estate SPE 127, LLC  
c/o Albertsons Companies  
250 E. Parkcenter Blvd.  
Boise, ID 83706  
Attention: Legal Department

### **SPECIAL WARRANTY DEED**

ABS OR-O LLC, a Delaware limited liability company ("**Grantor**"), hereby conveys and specially warrants to ACI Real Estate SPE 127, LLC, a Delaware limited liability company ("**Grantee**"), the following described real property, situated in the City of Klamath Falls, County of Klamath, State of Oregon, and legally described on **Exhibit A** attached hereto and incorporated herein by this reference (the "**Property**"), together with all buildings and other improvements located thereon, if any, and all and singular the rights, privileges, and appurtenances thereto in any manner belonging to said Grantor, free of encumbrances created or suffered by the Grantor except current taxes not yet due and payable; patent reservations; all leases, liens, covenants, conditions, restrictions, reservations, easements, encumbrances and declarations or other matters of record or to which reference is made in the public record; the state of facts which a physical inspection, or accurate survey, of the Property would reveal; and the applicable zoning and use regulations of any municipality, county, state, or the United States affecting the Property.

The true consideration for this conveyance is \$7,440,000.

And Grantor, for itself, and its successors and assigns, does hereby covenant, promise and agree, to and with Grantee, its successors and assigns, that it has not done or suffered to be done, anything whereby the property hereby conveyed is, or may be, in any manner encumbered or charged, except as herein recited, that Grantor is lawfully seized of said property in fee simple; that Grantor has good right and lawful authority to convey said real property and hereby specially warrants the title to said property, and that said property against all persons lawfully claiming, or to claim the same, by, through and under Grantor, but not otherwise, Grantor will **SPECIALLY WARRANT AND DEFEND**, subject to current taxes not yet due and payable; patent reservations; all leases, liens, covenants, conditions, restrictions, reservations, easements, encumbrances and declarations or other matters of record or to which reference is made in the public record; the state of facts which a physical inspection, or accurate survey, of the Property

Store #0577AS: Klamath Falls, OR  
Special Warranty Deed

would reveal; and the applicable zoning and use regulations of any municipality, county, state, or the United States affecting the Property.

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 remainder of this page is intentionally left blank.]*

IN WITNESS WHEREOF, Grantor has executed this Special Warranty Deed as of the day and year written below.

DATED as of the 8<sup>th</sup> day of June, 2020.

**GRANTOR:**

ABS OR-O LLC,  
a Delaware limited liability company

By: 

Name: Bradley Beckstrom

Title: Authorized Signatory

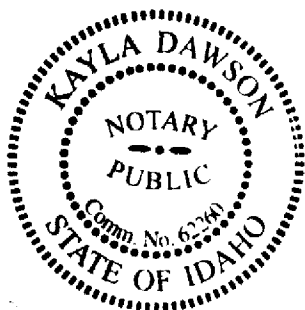
STATE OF IDAHO )


) ss.

County of Ada )

On this 1st day of June, 2020, before me Kayla Dawson, personally appeared Bradley Beckstrom, known or identified to me (or proved to me on the oath of \_\_\_\_\_) to be the Authorized Signatory of ABS OR-O LLC, the limited liability company that executed the instrument or the person who executed the instrument on behalf of said limited liability company, and acknowledged to me that such limited liability company executed the 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.



  
NOTARY PUBLIC FOR IDAHO  
Residing at Boise, Idaho  
My Commission Expires 12/14/2022

**EXHIBIT A TO DEED**

**(LEGAL DESCRIPTION)**

File No.: 3020-999838OR43 (IS)  
03/11/2020

Property: 5500 South 6th Street, Klamath Falls, OR 97603-5104

**PARCEL A:**

PARCEL 1 OF LAND PARTITION 15-99 BEING PARCEL 2 OF LAND PARTITION 24-98  
SITUATED IN LOTS 1 THRU 8 OF BLOCK 1, AND

LOTS 1, 2, 3, 8, AND 9 OF BLOCK 2 OF BAILEY TRACTS NO. 2 BEING IN THE  
NORTHEAST 1/4 SOUTHEAST 1/4 OF SECTION 2, TOWNSHIP 39 SOUTH, RANGE 9  
EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON.

EXCEPTING THEREFROM THAT PORTION DEEDED TO THE STATE OF OREGON, BY  
AND THROUGH ITS DEPARTMENT OF TRANSPORTATION BY DEED RECORDED  
JULY 9, 2013 IN INSTRUMENT 2013-008555, RECORDS OF KLAMATH COUNTY,  
OREGON.

EXCEPTING THEREFROM THAT PORTION DEEDED TO THE STATE OF OREGON, BY  
AND THROUGH ITS DEPARTMENT OF

TRANSPORTATION BY DEED RECORDED DECEMBER 20, 2019 IN INSTRUMENT  
2019-014823, RECORDS OF KLAMATH COUNTY, OREGON.

**PARCEL B:**

PARCEL 3 OF LAND PARTITION 24-98 SITUATED IN LOTS 1 THRU 8 OF BLOCK 1,  
AND LOTS 1, 2, 3, 8 AND 9 OF BLOCK 2 OF BAILEY TRACTS NO. 2 AND THE  
NORTHEAST 1/4 SOUTHEAST 1/4 OF SECTION 2, TOWNSHIP 39 SOUTH, RANGE 9  
EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON.  
A.P.N.