

2020-012570

Klamath County, Oregon

10/01/2020 08:16:05 AM

Fee: \$107.00

After recording return to:

TRMC Retail LLC
539 S. Main St.
Findlay, OH 45840
ATTN: Real Estate Dept.

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

TRMC Retail LLC
539 S. Main St.
Findlay, OH 45840
ATTN: Tax Dept.

File No.: NCS-MSP-9485-SNANT

Date: October 1, 2020

SPECIAL WARRANTY DEED
(not statutory)

TESORO REFINING & MARKETING COMPANY LLC, a Delaware limited liability company formerly known as TESORO REFINING AND MARKETING COMPANY, a Delaware corporation, Grantor, conveys and warrants to TRMC RETAIL LLC, a Delaware limited liability company, Grantee, the following described real property located in the County of Klamath, State of Oregon, as more particularly described on Exhibit "A" attached hereto and made part hereof, together with all easements, hereditaments and appurtenants thereto:

SUBJECT ONLY TO those matters set forth on Exhibit "B" attached hereto and made a part hereof ("Permitted Exceptions").

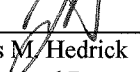
The true consideration for this conveyance is not stated in terms of dollars because other property or value was either part of or the whole consideration.

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 1st day of October 2020.

GRANTOR:
TESORO REFINING & MARKETING COMPANY
LLC

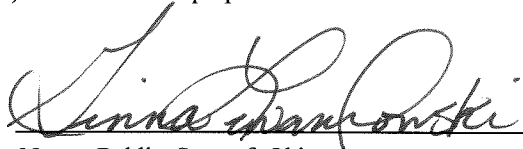


By: 
Name: James M. Hedrick
Title: Authorized Person

STATE OF Ohio)
)ss.
County of Hancock)

I certify that I know or have satisfactory evidence that James M. Hedrick is the person who appeared before me on this 1st day of October 1, 2020, and he acknowledged that he signed this instrument and on oath stated that he is authorized to execute the instrument and acknowledge it as the Authorized Person of Tesoro Refining & Marketing Company LLC, a Delaware limited liability company, to be the free and voluntary act of such party(ies) for the uses and purposes mentioned in this instrument.

My Commission Expires: 9-14-2022


Notary Public, State of Ohio

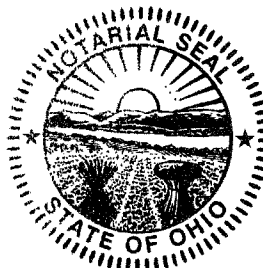


Exhibit "A"

PARCEL 1:

PARCEL 1 OF LAND PARTITION 24-98, SITUATED IN LOTS 1 THROUGH 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.

PARCEL 2:

LOT 9 IN BLOCK 1 OF BAILEY TRACTS NO. 2 ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK, KLAMATH COUNTY, OREGON. EXCEPTING THEREFROM THAT PORTION CONVEYED TO KLAMATH COUNTY, A POLITICAL SUBDIVISION, BY DEED RECORDED APRIL 2, 1981 IN VOLUME M81, PAGE 5923, RECORDS OF KLAMATH COUNTY, OREGON.

EXCEPTING FROM THE ABOVE DESCRIBED PARCELS THAT PORTION DEED TO THE STATE OF OREGON, BY AND THROUGH ITS DEPARTMENT OF TRANSPORTATION BY WARRANTY DEED RECORDED NOVEMBER 12, 2013 IN 2013-012587.

APN: 3909-002DA-01600

(Unit # 9485 – 5400 S. 6th St. Klamath Falls, OR 97603)

Exhibit "B"

General and special taxes and assessments as a lien only and not yet due as payable at the time of closing

1. The right to construct ditches or laterals along the lines of or across Tracts 8 and 9 of Block 1 of Bailey Tracts No. 2 as disclosed in document, Recorded: December 11, 1935
Instrument No.: Volume 105, Page 435, Deed Records
2. Limited access provisions contained in Deed to the 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, Recorded: February 19, 1964
Instrument No.: Volume 351, Page 203, Deed Records

Modified by Indenture of Access, subject to the terms and provisions thereof, Recorded: January 26, 1994
Instrument No.: M94, Page 2737
3. Limited access provisions contained in Deed to the 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, Recorded: March 17, 1964
Instrument No.: Volume 351, Page 563, Deed Records
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: State of Oregon, by and through its State Highway Commission
Recorded: June 11, 1964
Instrument No.: Volume 353, Page 410, Deed Records
5. Limited access provisions contained in Deed to the 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,

Recorded: June 16, 1964
Instrument No.: Volume 353, Page 529, Deed Records

Modified by Indenture of Access, subject to the terms and provisions thereof,
Recorded: February 1, 1968
Instrument No.: M68, Page 794

Modified by Indenture of Access, subject to the terms and provisions thereof,
Recorded: January 26, 1994
Instrument No.: M94, Page 2737

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:
Recorded: June 23, 1964
Instrument No.: Volume 354, Page 69, Deed Records
7. Limited access provisions contained in Deed from Ted L. Lindow and Herman B. Lindow to Klamath County, which provided that no right or easement of right of access to, from or across the Homedale Road other than expressly therein provided for shall attach to the abutting property,
Recorded: April 2, 1981
Instrument No.: Volume M81, Page 5923
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: Pacific Power & Light Company
Recorded: August 2, 1991
Instrument No.: M91, Page 15211
9. The terms and provisions as contained in the Order, subject to the terms and provisions thereof,
Recorded: January 12, 1993
Instrument No.: M93, Page 821
10. Letter of Confirmation as disclosed in document,
Recorded: March 17, 1993
Instrument No.: M93, Page 5470
11. Consent to Annexation, including the terms and provisions thereof,
Recorded: October 26, 1993
Instrument No.: M93, Page 28119
12. Irrigation Easement as shown on the official plat of said land.
13. 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: May 2, 2000
Instrument No.: M00, Page 15747
14. Rights of tenants under existing leases or tenancies.

15. Memorandum of Purchase and Use Restriction Agreement, including the terms and provisions thereof,

Dated: January 20, 2012
Recorded: February 22, 2012
Instrument No.: 2012-001952
Between: New Albertson's Inc., an Ohio corporation
And: Tesoro Refining and Marketing Company

16. Agreement of Restrictions, including the terms and provisions thereof,

Dated: January 20, 2012
Recorded: February 22, 2012
Instrument No.: 2012-001953
Between: New Albertson's Inc., an Ohio corporation
And: Tesoro Refining and Marketing Company

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

Recorded: May 3, 2018
Instrument No.: 2018-005509

-END OF EXCEPTIONS-