

2020-013930

Klamath County, Oregon

10/28/2020 10:09:01 AM

Fee: \$97.00

AFTER RECORDING RETURN TO:

John T. Grieb, Esq.
McGuireWoods LLP
1230 Peachtree Street, Suite 2100
Atlanta, Georgia 30309

**UNTIL A CHANGE IS REQUESTED,
ALL TAX STATEMENTS SHALL BE
SENT TO:**

Shady River LLC
c/o Colony Parks
3500 East Coast Highway, Suite 100
Corona Del Mar, CA 92625

When Recorded Return To:
Kathryn Treuman
First American Title Insurance Company
National Commercial Services
Six Concourse Parkway, Ste. 2000
Atlanta, GA 30328
File No: NCS 1014467

SPECIAL WARRANTY DEED

LEBANAIRE PARTNERSHIP, a California partnership ("Grantor"), hereby conveys and specially warrants to **SHADY RIVER LLC**, an Idaho limited liability company ("Grantee"), the following described real property:

See Exhibit "A" attached hereto free and clear of encumbrances created or suffered by the Grantor, except as specifically set forth on Exhibit "B" attached hereto.

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 true consideration for this conveyance in terms of dollars is Five Hundred Thousand and No/100 Dollars (\$500,000.00).

[Signature Appears on Next Page]

IN WITNESS WHEREOF, Grantor has executed this Special Warranty Deed on this 22 day of October, 2020.

GRANTOR:

LEBANAIRE PARTNERSHIP, a California partnership

By: William S. Smith
William S. Smith, Managing Partner

ACKNOWLEDGMENT

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)

COUNTY OF Placer) SS:

On this 29 day of Sept October, 2020, before me Barbara A. Kelly, Notary Public, personally appeared William S. Smith, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signatures on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the forgoing paragraph is true and correct.

WITNESS my hand and official seal.

Barbara A. Kelly
Signature of Notary Public

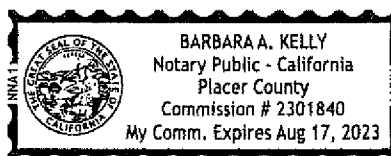


EXHIBIT "A"

Legal Description

The Land referred to herein below is situated in the County of Klamath, State of Oregon, and is described as follows:

PARCEL 1:

ALL OF BLOCK 6, FAIRFIELD ADDITION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

ALSO THAT PORTION OF VACATED ALLEY WHICH INURED THERETO.

PARCEL 2:

LOT 1, BLOCK 7, FAIRFIELD ADDITION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

PARCEL 3:

LOT 2, BLOCK 7, FAIRFIELD ADDITION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

PARCEL 4:

LOT 3, BLOCK 7, FAIRFIELD ADDITION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

PARCEL 5:

LOTS 4 AND 5, BLOCK 7, FAIRFIELD ADDITION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

PARCEL 6:

LOTS 6, 7, 8 AND 9, INCLUSIVE, BLOCK 7, FAIRFIELD ADDITION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

EXHIBIT "B"

Permitted Exceptions

1. Taxes and assessments for the year 2020 - 2021 and subsequent years, a lien not yet due and payable.
2. 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: California Oregon Power Company
Recorded: May 4, 1914
Volume: 42, Page 117.
3. Building restrictions against Lots 1 and 2 of Block 7 pursuant to Deed recorded August 29, 1950 in Volume 90, Page 578.
4. Any facts, rights, interests or claims that may exist or arise by reason of the following matters disclosed by an ALTA/NSPS survey made by Blew & Associates, PA for MKA A National Land Services Group on July 21, 2020 last revised July 24, 2020, designated 6380-20-6832: (a) Gravel road extends over east and northeast borders of Parcel 1 onto adjoining property by as much as 60.2'.