

THIS SPACE PROVIDED FOR RECORDER'S USE ONLY:

2021-001057

Klamath County, Oregon

01/25/2021 08:15:01 AM

Fee: \$102.00

WHEN RECORDED RETURN TO:

Rebecca Fisher and Associates, PLLC
414 Bridge Street
Franklin, TN 37064

UNTIL A CHANGE IS REQUESTED ALL
TAX STATEMENTS SHALL BE SENT TO
THE FOLLOWING ADDRESS:

Jagtar S. Dhaliwal & Satveer K. Dhaliwal
2010 Chadbourne Ct
Danville, Ca 94506

WARRANTY DEED

THE GRANTOR, **KLAMATH FALLS BTS RETAIL, LLC**, an Oregon limited liability company, for and in consideration of: One Dollar (\$1.00) and other good and valuable consideration grants, bargains, sells, conveys and warranties to the GRANTEE: Jagtar S. Dhaliwal & Satveer K. Dhaliwal, the following described real estate, situated in Klamath Falls, in the County of Klamath, State of Oregon:

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

Beginning at a point 528 feet East of an iron pin driven into the ground just inside the fence corner at the Southwest corner of the Northwest 1/4 of Section 1, Township 39 South, Range 9 East of the Willamette Meridian, on the property of Otis V. Saylor being the Southwest corner of said property abutting on the Dalles-California Highway; thence North 330 feet; thence East 132 feet; thence South 330 feet; thence West 132 feet to the point of beginning.

Beginning at a point 462 feet East of an iron pin driven into the ground just inside of the fence corner at the Southwest corner of Northwest 1/4 of Section 1, Township 39 South, Range 9 East of the Willamette Meridian on the property of Otis V. Saylor, being the Southwest corner of said property abutting on the Dalles-California Highway; thence North 330 feet to a point; thence East 66 feet to a point; thence South 330 feet to a point; thence West 66 feet to the point of beginning.

SAVING AND EXCEPTING therefrom any portion lying within the highway right of way as contained in Warranty Deed recorded June 23, 1964 in Volume 354, Page 75, Deed records of Klamath County, Oregon.

ALSO SAVING AND EXCEPTING THEREFROM all that portion in favor of the State of Oregon, by and through its Department of Transportation by Stipulated General Judgment, Case No. 1301596CV, recorded January 14, 2014, Instrument No. 2014-000339.

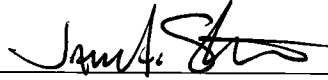
Subject to existing taxes, assessments, liens, encumbrances, covenants, conditions, restrictions, rights of way and easements listed on Exhibit A, attached hereto and incorporated herein by reference. The Grantor hereby covenants with the Grantee that Grantor is lawfully seized in fee simple of the above granted premises and has good right to sell and convey the same; and that Grantor, his heirs, executors and administrators shall warrant and defend the title unto the Grantee, his heirs and Assigns against all lawful claims whatsoever.

The true consideration for this conveyance is **\$2,400,000.00** and other good and valuable consideration. (Here comply with requirements of ORS 93.030)

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.

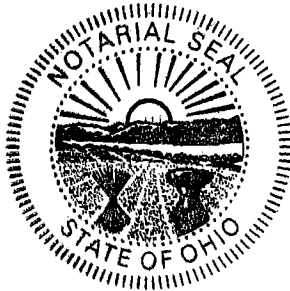
IN WITNESS WHEREOF, Grantor has executed this deed on the 14 day of JANUARY, 2021.

KLAMATH FALLS BTS RETAIL, LLC,
an Oregon limited liability company

By: 
Name: James A. Strauss
Title: Authorized Signatory

STATE OF OHIO)
COUNTY OF CUYAHOGA)

The foregoing instrument was acknowledged before me this 14th day of January, 2021 by James A. Strauss, Authorized Signatory of KLAMATH FALLS BTS RETAIL, LLC, an Oregon limited liability company, on behalf of the company.



DORIS E. ARDO
NOTARY PUBLIC
STATE OF OHIO
Comm. Expires
10-31-2023
Recorded in
Medina County


Notary Public

Doris E. Ardo
Printed Name

My Commission Expires: 10/31/2023

EXHIBIT A

1. Taxes and assessments for the years 2020-2021 and subsequent years not yet due and payable.
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: June 23, 1964
Instrument No.: Volume 354, Page 75
3. 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: The State of Oregon, by and through its State Highway Commission
Recorded: June 23, 1964
Instrument No.: Volume 354, Page 75
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: Pacific Power & Light Company, a Maine Corporation
Recorded: March 26, 1965
Instrument No.: Volume 360, Page 346
5. Limited access provisions contained in "Final Judgment and Order of Taking" to State of Oregon, by and through its Department of Transportation, 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
Filed: November 13, 2013
Case No.: 1301596CV
Circuit Court for: Klamath County
Recorded: January 14, 2014
Instrument No.: 2014-000339
6. A permanent easement for slopes, 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 Department of Transportation
Recorded: January 14, 2014
Instrument No.: 2014-000339

7. A temporary easement for work area, 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 Department of Transportation
Recorded: January 14, 2014
Instrument No.: 2014-000339
8. Memorandum of Consent to Annexation Agreement, including the terms and provisions thereof
Recorded: June 30, 2020
Instrument No.: 2020-007967
9. A Memorandum of Lease with certain terms, covenants, conditions and provisions set forth therein.
Landlord: Klamath Falls BTS Retail, LLC, a Limited Liability Company
Tenant: DG Retail, LLC, a Tennessee Limited Liability Company
Dated: June 25, 2020
Recorded: August 3, 2020
Instrument No.: 2020-009466
10. 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: County of Klamath
Recorded: September 30, 2020
Instrument No.: 2020-012506