

2021-018826

Klamath County, Oregon

12/20/2021 03:21:02 PM

Fee: \$102.00

ABRE, L.L.C., Grantor

c/o Rich Olson
2722 NE Stephens Street
Roseburg, OR 97470

Abby's RE LLC, Grantee

c/o Lone Rock Timber Management Company
2323 Old Highway 99 South
PO Box 1127
Roseburg, OR 97470-0257
Attention: Greg Byrne

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

After recording, return to:

Abby's RE LLC
c/o Greg Byrne
2722 NE Stephens Street
Roseburg, OR 97470

Abby's RE LLC
c/o Greg Byrne
2722 NE Stephens Street
Roseburg, OR 97470

WARRANTY DEED—STATUTORY FORM

ABRE, L.L.C., an Arizona limited liability company, Grantor, conveys and warrants to Abby's RE LLC, an Oregon limited liability company, Grantee, the following described real property ("**Property**"), free of encumbrances, except as specifically set forth on Schedule 1, attached hereto and by reference incorporated herein:

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

This conveyance includes an assignment of Grantor's interest as landlord of this Property under the Master Lease dated April 20, 2021 (which covers this Property and other properties). A Memorandum of Lease and Option Agreement and Agreement of Purchase and Sale was recorded April 21, 2021 at Instrument No.: 2021-006232, Records of Klamath County, Oregon referencing the Master Lease.

The true consideration for this conveyance is One Million Four Hundred Thousand and No/100 Dollars (\$1,400,000.00).

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.

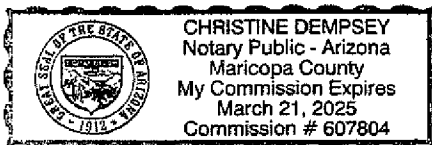
DATED this 14th day of DECEMBER, 2021.

ABRE, L.L.C.
an Arizona limited liability company

By: [Signature]
Richard Feldheim, Manager

STATE OF ARIZONA)
County of MARICOPA) ss.

DECEMBER The foregoing instrument was acknowledged before me this 14th day of DECEMBER 2021, by Richard Feldheim, as Manager of ABRE, L.L.C., an Arizona limited liability company, on behalf of the limited liability company.



[Signature]
Notary Public – State of Arizona

Notary Public
Print Name CHRISTINE DEMPSEY
My commission expires 3.21.25

EXHIBIT A

LEGAL DESCRIPTION

Parcel 1:

A piece of parcel of land situate in Tract 33A Enterprise Tracts, being a portion of the NW1/4 of Section 3, Township 39 South, Range 9 East, Willamette Meridian, and being more particularly described as follows:

Beginning at a 5/8 inch aluminum capped rebar on the Easterly right of way line of Austin Street as the same is presently located and constructed from which the iron pipe monument marking the Northeast corner of Tract 33A of Enterprise Tracts bears North 34°07'30" East 53.32 feet and South 89°30'00" East 209.67 feet distant; thence South 34°07'30" West along said right of way line of Austin Street 100.00 feet to a 5/8 inch aluminum capped rebar; thence South 55°52'30" East 255.00 feet to a 5/8 inch aluminum capped rebar; thence North 34°07'30" East 95.05 feet to a 5/8 inch aluminum capped rebar (said point being 30.00 feet distant from, when measured at right angles to, the East boundary of said Tract 33A of Enterprise Tracts); thence North 0°21'15" East parallel to said Tract 33A boundary 6.00 feet to a 5/8 inch aluminum capped rebar; thence North 55°52'30" West 251.66 feet, more or less, to the point of beginning; containing 0.585 acres, and reserving therefrom an easement for a 4.0 foot overhang from the adjacent property and for walkway purposes along the Southeasterly 140.0 feet of the Southwesterly side of the above described parcel. Together with an easement for walkway purposes 4.0 feet wide and 140.0 feet long adjacent to and Southwesterly from the Easement herein reserved.

Parcel 2:

A tract of land situated in Tracts 33A Enterprise Tracts in the NW1/4 of Section 3, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a point on the East line of said Tract 33A from which the Northeast corner of said Tract 33A bears North 00°21'15" East 203.65 feet more or less; thence North 55°52'30" West 36.09 feet to the Northeasterly corner of that tract of land described in Volume M72 page 6088 of Klamath County Deed Records; thence along the Easterly line of said tract South 00°21'15" West 6.09 feet (6.00 by Deed), South 34°07'30" West 94.94 feet (95.05 by Deed) to the Southeasterly corner of said tract; thence South 55°52'30" East 99.58 feet to a point on the East line of said Tract 33A; thence North 00°21'15" East 120.30 feet to the point of beginning, containing 6623 square feet and with bearings based on R.O.S. No. 3672 as filed with the Klamath County Surveyor

SCHEDULE 1

9. The property lies within the boundaries of South Suburban Sanitary District and is subject to any charges or assessments levied by said District and pipeline easements in connection therewith.
10. Regulations, including levies, assessments, water and irrigation rights and easements for ditches and canals of Klamath Irrigation District.
11. Agreement and the terms and conditions contained therein
Between: James P. Stillwell
And: Erickson Investment Company, a California corporation
Recorded: April 18, 1966
Volume: M66, page 3742
12. 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: Erickson Investment Company and James F. Stilwell
Recorded: November 8, 1968
Volume: M68, page 09981
13. 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: September 18, 1969
Volume: M69, page 8086
14. 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: Abby's Pizza Inns
Recorded: June 8, 1972
Volume: M72, page 6088
15. 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 10, 1972
Volume: M72, page 8857
19. Memorandum of Lease and Option Agreement and Agreement of Purchase and Sale, with certain terms, covenants, conditions and provisions set forth therein.
Landlord: ABRE, L.L.C. and Brainwash, L.L.C.

Tenant: Abby's, LLC
Dated: April 20, 2021
Recorded: April 21, 2021
Instrument No.: 2021-006232