

2022-003246

Klamath County, Oregon

03/16/2022 01:41:01 PM

Fee: \$122.00

After recording return to:

WMW Properties LLC
17781 Grand Island Road
Walnut Grove, California 95690

Until a change is requested, send tax statements to:

LRG Restaurant Group, LLC
P. O. Box 2650
Klamath Falls, Oregon 97601-0200

STATUTORY SPECIAL WARRANTY DEED

LT Investment Properties LLC, a Nevada limited liability company, as to an undivided 25% interest; **Bryer L.L.C.**, a Nevada limited liability company, as to an undivided 25% interest; **Damodice Holdings II LLC Series B**, a Nevada limited liability company, as to an undivided 25% interest; and **Krager Investments, LLC**, a Utah limited liability company, as to an undivided 25% interest, collectively Grantor, convey and specially warrant to **WMW Properties LLC**, a California limited liability company, Grantee, the real property described in attached Exhibit "A," free of encumbrances created or suffered by the Grantor except as specifically set forth in attached Exhibit "B".

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 is \$3,950,000.00.

(Signature page for Statutory Special Warranty Deed – LT
Investment/Bryer/Damodice/Krager to WMW Properties LLC)

Dated as of the 15 day of March, 2022.

GRANTOR:

LT INVESTMENT PROPERTIES LLC,
a Nevada limited liability company

By: 

Justin Stewart, Member

BRYER L.L.C.,
a Nevada limited liability company

By: _____

Bryce Larkin, Managing Member

DAMODICE HOLDINGS II LLC Series B,
a Nevada limited liability company

By: _____

Name: _____

Authorized Person

KRAGER INVESTMENTS, LLC,
a Utah limited liability company

By: _____

David J. Lyon, Manager

[Acknowledgments on following page]

(Signature page for Statutory Special Warranty Deed – LT
Investment/Bryer/Damodice/Krager to WMW Properties LLC)

Dated as of the 11 day of March, 2022.

GRANTOR:

LT INVESTMENT PROPERTIES LLC,
a Nevada limited liability company

By: _____
Todd Stewart, Managing Member

BRYER L.L.C.,
a Nevada limited liability company

By: _____
Bryce Larkin, Managing Member

DAMODICE HOLDINGS II LLC Series B,
a Nevada limited liability company

By: _____
Name: Ed Smith
Authorized Person

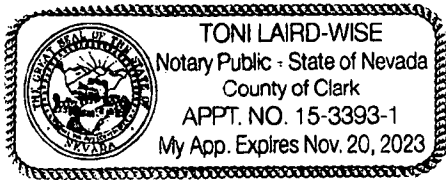
KRAGER INVESTMENTS, LLC,
a Utah limited liability company

By: _____
David L. Lyon, Manager

[Acknowledgments on following page]

STATE OF Nevada)
County of Clark) ss.

This instrument was acknowledged before me this 15 day of March, 2022, by Justin Stewart, as a Member of LT Investment Properties LLC, a Nevada limited liability company, on behalf of the company.



[Signature]
Notary Public for State of Nevada County of Clark
My commission expires: November 20, 2023

STATE OF _____)
County of _____) ss.

This instrument was acknowledged before me this ____ day of March, 2022, by Bryce Larkin, as Managing Member of Bryer, L.L.C., a Nevada limited liability company, on behalf of the company.

Notary Public for _____
My Commission expires: _____

STATE OF _____)
County of _____) ss.

This instrument was acknowledged before me this ____ day of March, 2022, by _____, as Authorized Person of Damodice Holdings II LLC Series B, a Nevada limited liability company, on behalf of the company.

Notary Public for _____
My Commission expires: _____

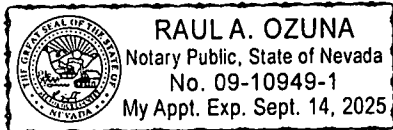
STATE OF _____)
County of _____) ss.


This instrument was acknowledged before me this ____ day of March, 2022, by Todd Stewart, as Managing Member of LT Investment Properties LLC, a Nevada limited liability company, on behalf of the company.

Notary Public for _____
My commission expires: _____

STATE OF Nevada)
County of Clark) ss.

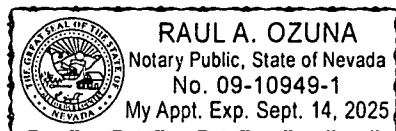
This instrument was acknowledged before me this 11 day of March, 2022, by Bryce Larkin, as Managing Member of Bryer, L.L.C., a Nevada limited liability company, on behalf of the company.

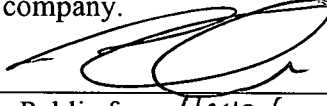



Notary Public for Nevada
My Commission expires: Sep 14 2025

STATE OF Nevada)
County of Clark) ss.

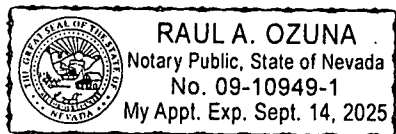
This instrument was acknowledged before me this 11 day of March, 2022, by Ed Smith, as Authorized Person of Damodice Holdings II LLC Series B, a Nevada limited liability company, on behalf of the company.




Notary Public for Nevada
My Commission expires: Sep 14 2025

STATE OF Nevada)
County of Clark) ss.

This instrument was acknowledged before me this 11 day of March, 2022, by David J. Lyon, as Manager of Krager Investments LLC, a Utah limited liability company, on behalf of the company.



A stylized handwritten signature in black ink.

Notary Public for Nevada
My Commission expires: Sep 14-2025

EXHIBIT "A"

DESCRIPTION OF REAL PROPERTY

Real property in the County of Klamath, State of Oregon, described as follows:

PARCEL 2 OF LAND PARTITION 45-99 IN NORTHWEST 1/4 SOUTHWEST 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 APRIL 9, 2013 IN VOLUME 2013-003775, MICROFILM RECORDS OF KLAMATH COUNTY, OREGON.

EXHIBIT "B"

PERMITTED ENCUMBRANCES

1. Charges or assessments levied by South Suburban Sanitary District
2. Regulations, including levies, assessments, water and irrigation rights and easements for ditches and canals of Enterprise Irrigation District.
3. Special assessment of the Klamath Drainage District
4. 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: July 24, 1950
Instrument No.: 240, Page 426
5. 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: June 29, 1953
Instrument No.: 261, Page 483
6. Permanent Slope 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: March 24, 1964
Instrument No.: 351, Page 663
7. Limited access provisions contained in Deed from E.R. Roufs also known as Edward R. Roufs and Margaret Alice Roufs, husband and wife to 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 24, 1964
Instrument No.: 351, Page 663
8. Limited access provisions contained in Final Judgment and Order of taking to State of Oregon, by and through its State Highway Commission, which provides 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: November 14, 1966
Filed: November 14, 1966
Circuit Court No.: 64-175-L

9. Easement created by instrument, subject to the terms and provisions thereof;
Filed: November 14, 1966
Circuit Court No. 64-175-L
10. Easement for existing public utilities in vacated street area and the conditions imposed thereby.
Reserved by vacation order recorded: March 25, 1974
Instrument No.: M74, Page 3704
11. Slope Easement as shown on the Partition Plat No. 45-99.
12. Limited access provisions contained in Deed from L & B Holdings LLC, a Nevada limited liability company to 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: April 9, 2013
Instrument No.: 2013-003775
13. Conveyance of Access Rights, including the terms and provisions thereof,
Recorded: September 28, 2017
Instrument No.: 2017-011037
Between: L & B Holdings LLC, a Nevada Limited Liability Company
And: State of Oregon, by and through its Department of Transportation
14. An unrecorded lease with certain terms, covenants, conditions and provisions set forth therein and such other exceptions as may appear necessary upon recording thereof,
Lessor: LT Investment Properties LLC, a Nevada limited liability company; Bryer L.L.C. a Nevada limited liability company; Damodice Holdings II LLC Series B, a Nevada limited liability company; and Krager Investments, LLC, a Utah limited liability company each with an undivided twenty-five percent (25%) interest
Lessee: LRG Restaurant Group, LLC, a Nevada limited liability company
Disclosed by: Memorandum of Lease Agreement
Date: November, 2021
Recorded: December 1, 2021
Instrument No.: 2021-017846
15. Survey prepared by American Surveying & Mapping, Inc., dated November 4, 2021, last updated February 17, 2022 - Preliminary, under Job No. 2215080-37801-Klamath Falls OR, shows the following:

A. Cross access in the Northeast corner without benefit of easement.