

2023-000866

Klamath County, Oregon

02/08/2023 12:51:01 PM

Fee: \$92.00

SPECIAL WARRANTY DEED

Return and send tax statements to:

WinCo Foods, LLC
650 Armstrong Place
Boise, ID 83702
Attention: Kendra Smith

This SPECIAL WARRANTY DEED made this 8th day of Feb., 2023, by and between LOWE'S HOME CENTERS LLC, a North Carolina limited liability company, successor by merger to Lowe's HIW, Inc., with an office at 1000 Lowe's Blvd., Mooresville, NC 28117, Attention: Legal Department (LGL), hereinafter referred to as "GRANTOR" and WINCO FOODS, LLC, a Delaware limited liability company, whose mailing address is 650 Armstrong Place, Boise, Idaho 83702, Attention: Kendra Smith, hereinafter referred to as "GRANTEE". The designation GRANTOR and GRANTEE, as used herein, shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter, as required by context.

WITNESSETH:

THAT GRANTOR does hereby convey and specially warrant unto the GRANTEE, and its successors and assigns, a certain tract of land, situated, lying and being in or near the City of Klamath Falls, Klamath County, State of Oregon, and more particularly described in Exhibit A attached hereto and made a part hereof (the "Property") free from encumbrances created or suffered by the GRANTOR except as specifically set forth in this Special Warranty Deed.

The true consideration for this conveyance is \$1,300,000.00. (Here comply with the requirements of ORS 93.030.)

TO HAVE AND TO HOLD said land unto GRANTEE, and its successors and assigns, forever, with all tenements, appurtenances, and hereditaments thereunto belonging, subject to easements, conditions, restrictions and other matters of record.

AND SAID GRANTOR does hereby warrant title to said Property and will defend the same against the lawful claims of all persons claiming by, through or under GRANTOR, but none other, subject to (i) the easements, encumbrances, restrictions, and other matters of record or that would be disclosed by a current American Land Title Association ("ALTA") survey of the Property, (ii) the lien of ad valorem taxes for the current and subsequent years.

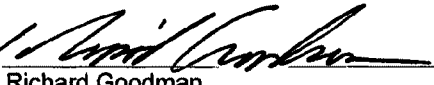
[Remainder of page left intentionally blank. Signature page follows.]

First Am NCS-1138595-02

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300 (Definitions for ORS 195.300 to 195.336), 195.301 (Legislative findings) AND 195.305 (Compensation for restriction of use of real property due to land use regulation) TO 195.336 (Compensation and Conservation Fund) 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 (Definitions for ORS 92.010 to 92.192) OR 215.010 (Definitions), 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 (Definitions for ORS 30.930 to 30.947), AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300 (Definitions for ORS 195.300 to 195.336), 195.301 (Legislative findings) AND 195.305 (Compensation for restriction of use of real property due to land use regulation) TO 195.336 (Compensation and Conservation Fund) 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, the GRANTOR has caused this instrument to be executed in its name by its Vice President, of the GRANTOR the day and year first above written.

LOWE'S HOME CENTERS LLC
a North Carolina limited liability company

By: 
Richard Goodman
Vice President
SL ROK CD
TJS JG

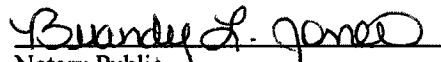
STATE OF NORTH CAROLINA)

COUNTY OF IREDELL)

I, Brandy L. Jones, a Notary Public for Gaston County, North Carolina, certify that Richard Goodman personally came before me this day and acknowledged that he is Vice President of Lowe's Home Centers, LLC, a North Carolina limited liability company, and that he, as Vice President, being authorized to do so, executed the foregoing on behalf of the corporation.

Witness my hand and official seal this 3rd day of February, 2023.

My commission expires: 3-20-2027


Notary Public

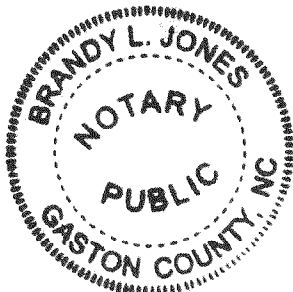


EXHIBIT A to Warranty Deed

LEGAL DESCRIPTION OF THE PROPERTY

PARCEL 1 OF LAND PARTITION 37-08 BEING A RE-PLAT OF PARCEL 2 OF LAND PARTITION 19-08 SITUATED IN THE SOUTHWEST 1/4 OF SECTION 34, TOWNSHIP 38 SOUTH, RANGE 9 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON. RECORDED MAY 21, 2009 IN 2009-007116 MICROFILM RECORDS OF KLAMATH COUNTY, OREGON.