

2024-001256

Klamath County, Oregon

02/15/2024 02:17:01 PM

Fee: \$107.00



After recording return to:
Nakano Family Trust
560 W Palm Drive
Glendora, CA. 91741

Until a change is requested all tax
statements shall be sent to the
following address:
Nakano Family Trust
560 W Palm Drive
Glendora, CA. 91741

File No.: NCS-1194608-OR1 (RR)
Date: February 15, 2024

THIS SPACE RESERVED FOR RECORDER'S USE

STATUTORY SPECIAL WARRANTY DEED

Francis Realty, Inc. Profit Sharing Plan, a California Trust, Grantor, conveys and specially warrants to **James I. Nakano and Miyoko Nakano as Co-Trustees of the Nakano Family Trust dated January 4, 1976**, Grantee, the following described real property free of liens and encumbrances created or suffered by the Grantor, except as specifically set forth herein:

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

PARCEL 2 OF MINOR LAND PARTITION 33-92, SITUATED IN BLOCK 1, LOT 2, PARCEL 2 OF MAJOR LAND PARTITION 23-91 IN TRACT 1080-WASHBURN PARK, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON, IN THE SOUTHEAST 1/4 NORTHEAST 1/4 OF SECTION 9, TOWNSHIP 39 SOUTH, RANGE 9 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON.

Subject to those items set forth on Exhibit A attached hereto and made a part hereof.

The true consideration for this conveyance is **\$2,315,000.00**. (Here comply with requirements of ORS 93.030)

- continued

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 13 day of February, 2024.

Francis Realty, Inc. Profit Sharing Plan, a
California corporate trust

By: 

Name: Gabe Hagemann
Title: Trustee

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 Humboldt)

On February 13, 2024 before me, Gina Marie Miller, Notary Public, personally appeared Gabe Hagemann, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.

Signature Gina Marie Miller (Seal)



- continued

Exhibit A

1. Restrictions shown on the recorded plat/partition of Washburn Park, Tract 1080.
2. Easement, including terms and provisions contained therein:
Recording Information: March 18, 1980 in Volume M80, Page 5069, records of Klamath County, Oregon
In Favor of: CP National Corporation
For: gas line
3. Easement, including terms and provisions contained therein:
Recording Information: March 18, 1980 in Volume M80, Page 5070, records of Klamath County, Oregon
In Favor of: CP National Corporation
For: gas line

Easement, Right of Way and Permit Assignment and Assumption Agreement, including the terms and provisions thereof, recorded October 7, 1991 in Volume M91, Page 20783, records of Klamath County, Oregon, in which said easement was assigned to The Washington Water Power Company (doing business as WP Natural Gas), a Washington corporation

4. Covenants, conditions, restrictions and/or easements; but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, family status, or national origin to the extent such covenants, conditions or restrictions violate Title 42, Section 3604(c), of the United States Codes:
Recording Information: June 25, 1991 in Volume M91, Page 12081, records of Klamath County, Oregon
5. Easement, including terms and provisions contained therein:
Recording Information: June 25, 1991 in Volume M91, Page 12081, records of Klamath County, Oregon
In Favor of: Wal-Mart Stores, Inc., and Washburn Enterprises, Inc.
For: easement with covenants and restrictions affecting land
6. Memorandum of Annexation Agreement, including terms and provisions thereof.
Recorded: November 26, 1991 in Volume M91, Page 24751, records of Klamath County, Oregon

- continued

7. An easement reserved in a deed, including the terms and provisions thereof;
Recorded: July 22, 1992 in Volume M92, Page 16213, records of Klamath County, Oregon
From: Wal-Mart Stores, Inc.
To: Warburton & Buttner Development Company
8. Easement, including terms and provisions contained therein:
Recording Information: July 22, 1992 in Volume M92, Page 16216, records of Klamath County, Oregon
In Favor of: Wal-Mart Stores, Inc. and Warburton & Buttner Development Company
For: access easement
9. Easement, including terms and provisions contained therein:
Recording Information: September 2, 1992 in Volume M92, Page 20104, records of Klamath County, Oregon
In Favor of: Warburton & Buttner Development Company, LP
For: utility easement
10. Easement, including terms and provisions contained therein:
Recording Information: September 2, 1992 in Volume M92, Page 20112, records of Klamath County, Oregon
In Favor of: Warburton & Buttner Development Company, LP
For: utility easement
11. 30' wide ingress egress easement as shown on the recorded partition of Minor Land Partition 33-92.

Amendment to Ingress/Egress Easement, including the terms and provisions thereof, recorded September 30, 1994 in Volume M94, Page 30746, records of Klamath County, Oregon.
12. Easement, including terms and provisions contained therein:
Recording Information: September 29, 1992 in Volume M92, Page 22650, records of Klamath County, Oregon
In Favor of: Warburton & Buttner Company, LP
For: relocation of ingress/egress easement Minor Land Partition 33-92
13. Easement, including terms and provisions contained therein:
Recording Information: March 15, 1993 in Volume M93, Page 5244, records of Klamath County, Oregon
In Favor of: Warburton & Buttner Company, LP

Statutory Special Warranty Deed

File No.: **NCS-1194608-OR1
(RR)**

- continued

For: relocation of a portion of ingress/egress easement Minor Land
Partition 33-92

14. Easement, including terms and provisions contained therein:
Recording Information: November 14, 2005 in Volume M05, Page 68917, records of Klamath
County, Oregon
In Favor of: City of Klamath Falls, Oregon
For: sewer/water line(s)
15. Revocable License & Encroachment Permit, including terms and provisions thereof.
Recorded: November 14, 2005 in Volume M05, Page 68918, records of Klamath
County, Oregon
16. Lease and the terms and conditions thereof as disclosed by Memorandum of Lease.
Lessor: Francis Realty Inc., Profit Sharing Plan
Lessee: Starbucks Corporation, a Washington Corporation
Term: 10 Years
Recorded: November 02, 2022
Recording Information: Volume 2022, Page 012968, records of Klamath County, Oregon.
17. City liens, if any, of the City of Klamath Falls.
18. Rules, regulations and assessments of South Suburban Sanitary District.