



After recording return to:
Titan Hill Property LLC
3425 Boone Road Southeast
Salem, OR 97317

Until a change is requested all tax
statements shall be sent to the
following address:
Titan Hill Property LLC
3425 Boone Road Southeast
Salem, OR 97317

File No.: NCS-923376-OR1 (WW)
Date: January 10, 2019

THIS SPACE RESERVED FOR RECORDER'S USE

RECORDED IN POLK COUNTY
Valerie Unger, County Clerk

2019-000633

01/22/2019 11:13:57 AM

REC-WD Cnt=1 Stn=5 C. PARIS
\$30.00 \$11.00 \$10.00 \$60.00 \$5.00

\$116.00

STATUTORY WARRANTY DEED

Christine L. Hart, Trustee of "The Christine L. Hart Trust" dated October 14, 2004 and John Mistkawi, as Successor Trustee of the "John and Judith Mistkawi Revocable Trust" dated May 16, 2000 as to Parcel I and Christine L. Hart, Trustee of the Christine L. Hart Trust, dated October 14, 2004 as to an undivided one-half interest and John Mistkawi, as Successor Trustee of the John and Judith Mistkawi Revocable Trust dated March 20, 2003 as to an undivided one-half interest as to Parcel II, Grantor, conveys and warrants to Titan Hill Property LLC, an Oregon limited liability company, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

See Exhibit 'A' attached hereto and by reference made a part hereof.

Subject to:

See Exhibit 'B' attached hereto and by reference made a part hereof

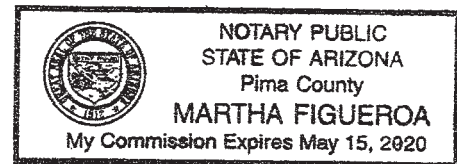
The true consideration for this conveyance is **\$2,000,000.00**. A portion of which, as paid to an accommodator pursuant to an IRC Section 1031 exchange.

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 15 day of January, 2019.

Christine L. Hart Trust, dated October 14, 2004

Christine L. Hart Trustee
Christine L. Hart, Trustee



STATE OF Arizona)
~~Oregon~~)ss.
County of Pima)

This instrument was acknowledged before me on this 15 day of January, 2019
by Christine L. Hart as Trustee of The Christine L. Hart Trust, on behalf of the Trust.

Martha Figueroa
Arizona
Notary Public for ~~Oregon~~
My commission expires: 5/15/2020

APN: 270647

Statutory Warranty Deed
- continued

File No.: NCS-923376-OR1 (WW)

John and Judith Mistkawi Revocable Trust,
dated May 16, 2000"

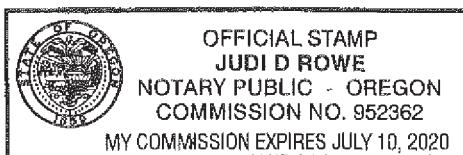

John Mistkawi, Successor Trustee

John and Judith Mistkawi Revocable Trust,
dated March 20, 2003


John Mistkawi, Successor Trustee

STATE OF Oregon)
County of Marion)ss.
)

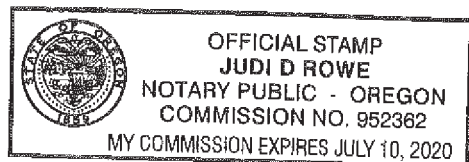
This instrument was acknowledged before me on this 16 day of January, 2019
by John Mistkawi as Successor Trustee of the John and Judith Mistkawi Recocable Trust, dated May 16,
2000, on behalf of the Trust.




Notary Public for Oregon
My commission expires: 7-10-20

STATE OF Oregon)
County of Marion)ss.
)

This instrument was acknowledged before me on this 16 day of January, 2019
by John Mistkawi as Successor Trustee of the John and Judith Mistkawi Recocable Trust, dated March
20, 2003, on behalf of the Trust




Notary Public for Oregon
My commission expires: 7-10-20

Exhibit 'A'

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

PARCEL I:

**BEGINNING ON THE NORTH LINE OF JOHN MARTIN AND WIFE DONATION LAND CLAIM, NOTIFICATION NO. 176, CLAIM NO. 66, AT A POINT 29.95 CHAINS EAST OF THE NORTHWEST CORNER OF SAID CLAIM, AND RUNNING THENCE EAST ON THE NORTH LINE OF SAID CLAIM, 10.04 CHAINS;
THENCE SOUTH 0°11' WEST 5 CHAINS;
THENCE EAST PARALLEL WITH AFORESAID NORTH LINE OF AFORESAID DONATION LAND CLAIM 8 CHAINS;
THENCE SOUTH 0°11' WEST 29.60 CHAINS TO A ROCK IN THE CENTER OF A COUNTRY ROAD LEADING FROM SALEM TO OAK GROVE;
THENCE NORTH 88° WEST IN THE CENTER OF SAID ROAD, 17.83 CHAINS;
THENCE NORTH 0°09' WEST 33.90 CHAINS TO THE PLACE OF BEGINNING, AND BEING A PART OF THE AFORESAID DONATION LAND CLAIM, SITUATED IN SECTION 17, TOWNSHIP 7 SOUTH, RANGE 3 WEST OF THE WILLAMETTE MERIDIAN IN THE CITY OF WEST SALEM, POLK COUNTY, OREGON;**

SAVE AND EXCEPT THEREFROM 3.60 ACRES OF LAND, MORE OR LESS AS DEEDED BY JOHN MORRIS AND WIFE TO MARY J. CHAPMAN, NOVEMBER 14, 1901, BY DEED RECORDED IN BOOK 37, PAGE 0296, DEED RECORDS FOR POLK COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING AT A STONE IN THE MIDDLE OF THE OAK GROVE ROAD AND THE INTERSECTION OF THE EOLA AND LINCOLN CROSS ROAD;
THENCE NORTH TO THE INTERSECTION OF THIS LINE WITH THE MIDDLE OF SAID EOLA AND LINCOLN CROSS ROAD;
THENCE SOUTH AND WEST ALONG SAID LINE OF EOLA AND LINCOLN CROSS ROAD IN A MEANDERING DIRECTION BACK TO THE PLACE OF BEGINNING.**

SAVE AND EXCEPT THOSE PORTIONS LYING WITHIN PUBLIC ROADS AND HIGHWAYS;

**SAVE AND EXCEPT:
BEGINNING AT AN IRON PIPE, 2" BY 36" SET 6" BELOW THE PRESENT GROUND SURFACE 30.00 FEET NORTH 00° 12' WEST OF THE SOUTHWEST CORNER OF THAT TRACT OF LAND CONVEYED BY THAT CERTAIN DEED RECORDED IN BOOK 123, PAGE 0599 OF THE POLK COUNTY DEED RECORDS AND DESCRIBED THEREIN AS BEING 29.95 CHAINS EAST AND 33.90 CHAINS SOUTH 0° 09' EAST OF THE NORTHWEST CORNER OF THE JOHN MARTIN AND WIFE'S DONATION LAND CLAIM, NOTIFICATION NO. 176, CLAIM NO. 66 IN SECTION 17, TOWNSHIP 7 SOUTH, RANGE 3 WEST OF THE WILLAMETTE MERIDIAN, CITY OF WEST SALEM, POLK COUNTY, OREGON, AND RUNNING
THENCE NORTH 00° 12' WEST 1125.00 FEET ALONG THE WEST LINE OF SAID TRACT OF LAND TO AN IRON PIPE;**

THENCE NORTH 89° 48' EAST 219.26 FEET TO AN IRON PIPE;
THENCE SOUTH 00° 27' WEST 100.00 FEET TO AN IRON PIPE;
THENCE NORTH 89° 48' EAST 189.70 FEET TO AN IRON PIPE;
THENCE SOUTH 00° 12' EAST 500.00 FEET TO AN IRON PIPE;
THENCE SOUTH 03° 19' WEST 570.53 FEET TO THE CENTER-LINE OF ORCHARD HEIGHTS
COUNTY ROAD;
THENCE NORTH 88° 03' WEST 373.03 FEET TO THE SOUTHWEST CORNER OF SAID TRACT;
THENCE NORTH 00° 12' WEST 30.00 FEET TO THE PLACE OF BEGINNING.

SAVE AND EXCEPT THAT PORTION DESCRIBED IN DEED FROM ARTHUR H. BONE AND
BERNICE W. BONE, HUSBAND AND WIFE, TO CLYDE M. MARTIN AND MARGARET H. MARTIN,
AS TENANTS BY THE ENTIRETY, RECORDED JULY 7, 1952, IN BOOK 148, PAGE 0021, DEED
RECORDS FOR POLK COUNTY, OREGON.

SAVE AND EXCEPT THAT PORTION DESCRIBED IN DEED FROM ARTHUR H. BONE AND
BERNICE W. BONE, HIS WIFE, TO IAN MACDONALD AND HELEN MACDONALD, HIS WIFE,
RECORDED JANUARY 12, 1961, IN BOOK 176, PAGE 0213, DEED RECORDS FOR POLK
COUNTY, OREGON;

SAVE AND EXCEPT THAT PORTION DESCRIBED IN DEED FROM BERNICE W. BONE TO
WALTER C. PETERSEN AND MADGE C. PETERSEN, HUSBAND AND WIFE, RECORDED
DECEMBER 30, 1974, IN BOOK 66, PAGE 0194, BOOK OF RECORDS FOR POLK COUNTY.

EXCEPT THAT PORTION DEDICATED TO THE CITY OF SALEM, A MUNICIPAL CORPORATION
BY WARRANTY DEED RECORDED JULY 10, 2001 AS DOCUMENT NO. 2001-008843 AND ALSO
DESCRIBED THROUGH RESOLUTION NO. 2007-19 RECORDED MARCH 30, 2007 AS
DOCUMENT NO. 2007-004878.

THE LEGAL DESCRIPTION WAS CREATED PRIOR TO JANUARY 01, 2008.

PARCEL II:

BEGINNING AT A 3/4 INCH IRON PIPE ON THE CENTER LINE OF COUNTY ROAD (ORCHARD
HEIGHTS ROAD) WHICH IS 294.5 FEET NORTH 88° WEST OF THE SOUTHEAST CORNER OF
THE PROPERTY DESCRIBED IN VOLUME 123, PAGE 0599, POLK COUNTY DEED RECORDS IN
SECTION 17, TOWNSHIP 7 SOUTH, RANGE 3 WEST OF THE WILLAMETTE MERIDIAN, CITY OF
WEST SALEM, POLK COUNTY, OREGON;

THENCE NORTH 2° EAST 215 FEET;
THENCE NORTH 88° WEST 200 FEET;
THENCE SOUTH 2° WEST 215 FEET;
THENCE SOUTH 88° EAST 200 FEET TO THE POINT OF BEGINNING.

SAVE AND EXCEPT THAT PORTION ALONG AND ADJACENT TO THE SOUTH LINE OF THE
ABOVE DESCRIBED PROPERTY WHICH IS USED FOR PUBLIC ROADWAY PURPOSES.

THE LEGAL DESCRIPTION WAS CREATED PRIOR TO JANUARY 01, 2008.

Exhibit 'B'

1. The assessment roll and the tax roll disclose that the within described premises were specially zoned or classified for Farm use. If the land has become or becomes disqualified for such use under the statute, an additional tax or penalty may be imposed.
2. Covenants, conditions, restrictions and easements in the document recorded July 07, 1952 as Book 148, Page 0021, Deed Records, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, national origin, sexual orientation, marital status, ancestry, source of income or disability, to the extent such covenants, conditions or restrictions violate Title 42, Section 3604(c), of the United States Codes. Lawful restrictions under state and federal law on the age of occupants in senior housing or housing for older persons shall not be construed as restrictions based on familial status.
3. An easement for pipe line and incidental purposes, recorded August 11, 1953 as Book 151, Page 0416, Deed Records.
In Favor of: Orchard Heights Water Association, an Oregon corporation, its
successors and assigns
Affects: (Parcel I) as described therein
4. An easement for underground storm drain pipeline and incidental purposes, recorded July 10, 2001 as Document No. 2001-008844.
In Favor of: City of Salem, a municipal corporation
Affects: (Parcel I) as described therein

(Affects Parcel II)
5. The terms and provisions contained in the document entitled "Annexation Agreement" recorded April 27, 2004 as Document No. 2004-006600 .