

472518006402-0750-CM
471818077704
CHICAGO TITLE
TICOR TITLE

After recording return to:

Morrison & Foerster, LLP
755 Page Mill Road
Palo Alto, CA 94304
Attn: Philip J. Levine, Esq.

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

CH Sunnyslope LLC
904 Silver Spur Rd.
Rolling Hills, CA 90274

This space reserved for recorder's use.

REEL 4241 PAGE 174
MARION COUNTY
BILL BURGESS, COUNTY CLERK
09-12-2019 12:58 pm.
Control Number 567875 \$ 131.00
Instrument 2019 00043212

STATUTORY SPECIAL WARRANTY DEED

Liberty Square Associates Limited Partnership, an Oregon limited partnership ("Grantor") conveys and specially warrants to CH Sunnyslope LLC, a Delaware limited liability company ("Grantee") the real property in Marion County, Oregon, more particularly described on Exhibit A attached hereto (the "Property") and by this reference incorporated herein, free of encumbrances created or suffered by the Grantor, except for those encumbrances set forth on Exhibit B, attached hereto and by this reference incorporated herein.

The true consideration for this conveyance in terms of dollars is \$11,425,000.

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 GRANTEES, 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: 9/10/2019.

GRANTOR:

Liberty Square Associates Limited Partnership,
an Oregon limited partnership

By: Liberty Associates Corporation,
an Oregon corporation,
its general partner

By: Linda Nathanson, President
Name: Linda Nathanson
Its: President

STATE OF CALIFORNIA)
) ss.
COUNTY OF LOS ANGELES

The foregoing instrument was acknowledged before me this 10th day of SEPTEMBER, 2019, by
LINDA, as PRESIDENT of LIBERTY SQUARE ASSOCIATES LP
NATHANSON

Barbara J. Johnson
Notary Public for CALIFORNIA
My commission expires: 1/24/2020

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

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 LOS ANGELES)

On 9/10/2019 before me, BARBARA J. O'SULLIVAN, Notary Public,
Date Here Insert Name and Title of the Officer

personally appeared LINDA NATHANSON, PRESIDENT OF LIBERTY SQUARE ASSOCIATES LP
Name(s) of Signer(s)

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

Barbara J. O'Sullivan
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____ Document Date: _____

Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

☐ Corporate Officer — Title(s): _____

☐ Partner — ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

Signer's Name: _____

☐ Corporate Officer — Title(s): _____

☐ Partner — ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

EXHIBIT A

LEGAL DESCRIPTION

PARCEL 1:

Beginning at an iron pipe set in the West line of Lot 7, LIBERTY FRUIT FARMS, Township 8 South, Range 3 West of the Willamette Meridian, Marion County, Oregon, at a point which is South 0°32'10" East 658.48 feet from the Northwest corner of said Lot 7, said point of beginning being North 0°32'10" West 313.69 feet from the center of Section 9 in said Township and Range; and running thence South 75°04'40" East 364.85 feet to an iron pipe set in the Westerly right-of-way line of said Liberty Road; thence Southerly, along the Westerly right-of-way line of said Liberty Road, on a spiral curve to the left (the chord of which bears South 28°47'20" West 95.00 feet), an arc distance of 95.00 feet to an iron pipe; thence North 75°04'40" West 316.57 feet to an iron pipe set in the West line of said Lot 7; thence North 0°32'10" West 95.69 feet, along said West line, to the point of beginning.

EXCEPTING THEREFROM, that portion of the above parcel conveyed to the City of Salem by deed recorded January 14, 1983 in Reel 300, Page 593, Marion County Records.

FURTHER EXCEPTING THEREFROM, that portion conveyed to the City of Salem by deed recorded April 17, 2000 in Reel 1683, Page 597, Marion County Records.

PARCEL 2:

Beginning at an iron pipe in the West line of Lot 7, LIBERTY FRUIT FARMS, Marion County, Oregon, that is 361.68 feet South 0°51'30" East from the Northwest corner of said lot; thence South 74°58'50" East 76.17 feet to an iron pipe; thence North 04°14'10" East 353.97 feet to an iron pipe on the North line of said lot; thence South 75° East, along the North line of said lot, 603.72 feet to the intersection of said North line with the West line of Liberty Road; thence South 29°57'05" West, along the West line 655.23 feet to the intersection of said West line of Liberty Road, with the center line (extended across said Liberty Road) of Hrubetz Road thence North 75°04'35" West, along the center line of Hrubetz Road extended Northwesterly, 364.85 feet to the West line of said Lot 7; thence North 0°38'50" West 296.78 feet to the place of beginning.

EXCEPTING THEREFROM, that portion of the above parcel conveyed to the City of Salem, by deed recorded December 1, 1967 in Book 639, Page 838, Deed Records for Marion County, Oregon, and re-recorded to correct the legal description on March 22, 1972 in Book 722, Page 831, Deed Records, Marion County, Oregon.

FURTHER EXCEPTING THEREFROM, that portion of the above parcel conveyed to the City of Salem by deed recorded January 14, 1983 in Reel 300, Page 593, Marion County Records.

FURTHER EXCEPTING THEREFROM, that portion conveyed to the City of Salem by deed recorded April 17, 2000 in Reel 1683, Pages 599 and 600, Marion County Records.

FURTHER EXCEPTING THEREFROM, that portion conveyed to the City of Salem by deed recorded November 15, 2002 in Reel 2025, Page 464, Marion County Records.

PARCEL 3:

Beginning on the West right-of-way line of Liberty Road, at a point which is 754.15 feet South 0°32'10" East and 316.57 feet South 75°04'40" East from the Northwest corner of Lot 7, LIBERTY FRUIT FARMS, in Marion County, Oregon; thence North 75°04'40" West 316.57 feet; thence South 0°32'10" East 20.75 feet; thence South 75°04'40" East 306.95 feet to a point on said right-of-way line; thence North 26°27'40" East 20.41 feet to the place of beginning.

EXCEPTING THEREFROM, that portion of the above parcel conveyed to the City of Salem by deed recorded January 14, 1983 in Reel 300, Page 593, Marion County Records.

FURTHER EXCEPTING THEREFROM, that portion conveyed to the City of Salem by deed recorded April 17, 2000 in Reel 1683, Page 598, Marion County Records.

PARCEL 4:

Beginning at the point of intersection of the South line of Cunningham Lane South, City of Salem, Marion County, Oregon, and the East line of Lot 34, SUNNYSIDE FRUIT FARMS NO.1 in Marion County, Oregon; thence South 0°12' West, along the East line of said lot, 344.09 feet; thence South 75°30' East 76.17 feet; thence North 4°08' East 347.42 feet; thence North 80°19'19" West 100 feet to the place of beginning.

EXCEPTING THEREFROM, that portion of the above parcel conveyed to the City of Salem, by deed recorded December 1, 1967 in Book 639, Page 838, Deed Records for Marion County, Oregon, and re-recorded to correct the legal description on March 22, 1972 in Book 722, Page 831, Deed Records, Marion County, Oregon.

FURTHER EXCEPTING THEREFROM, that portion of the above parcel conveyed to the City of Salem by deed recorded January 14, 1983 in Reel 300, Page 593, Marion County Records.

PARCEL 5:

A non-exclusive easement for driveway use, in common with adjacent property owners per Marion County Deed references Reel 223, Pages 584, 587, 597, 601, 604 and 608, described as follows:

Beginning at a point 754.17 feet South 0°32'10" East of the Northwest corner of Lot 7, Liberty Fruit Farms in Marion County, Oregon; thence South 75°04'40" East 316.45 feet to a point on the Westerly right-of-way line of Liberty Road, which point is the true point of beginning; thence North 75°04'40" West 155.13 feet to a point; thence South 15°06'10" West 8.00 feet to a spike; thence North 74°53'10" West 88.25 feet to a spike; thence South 15°06'10" West 24.00 feet to a point; thence South 74°53'50" East 91.38 feet to a spike; thence South 60°41' West 4.02 feet to a point; thence South 75°09' East 34.45 feet to a point (which point is the Northwest corner of the Erickson Parking Easement dated July 18, 1980 and recorded August 22, 1980); thence South 75°09' East, along the North line of said Erickson parking Easement, 113.69 feet to a point on the West right-of-way line of Liberty Road; thence North 26°27'40" East 34.56 feet to the point of beginning.

EXHIBIT "B"
Exceptions

Subject to:

The subject property is partially under public, charitable, fraternal, or religious organization occupancy and is partially exempt from ad valorem taxation. Any change in ownership prior to delivery of the assessment roll may result in tax liability.

Tax Account No.: R81244
Map No.: 083W09AC04300

Affects: Portion of Parcel 1 leased to a non-profit entity.

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Sunnyslope Manor Oreg. LTD (owner of adjoining property)
Purpose: Sewer line
Recording Date: August 16, 1972
Recording No: Volume 733, Page 71
Affects: Parcel 4, as depicted on the ALTA/NSPS survey prepared by CRE Surveys, dated February 4, 2019 as Project No. 88142.

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Pacific Northwest Bell Telephone Company
Purpose: Underground communication facilities and appurtenances
Recording Date: January 5, 1973
Recording No: Volume 742, Page 405
Affects: Parcel 2, as depicted on the ALTA/NSPS survey prepared by CRE Surveys, dated February 4, 2019 as Project No. 88142.

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Pacific Northwest Bell Telephone Company
Purpose: Communication terminal and associated equipment
Recording Date: January 16, 1976
Recording No: Reel 34, Page 1036
Affects: Parcel 2, as depicted on the ALTA/NSPS survey prepared by CRE Surveys, dated February 4, 2019 as Project No. 88142.

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Owners of adjoining property
Purpose: Driveway
Recording Date: August 22, 1980
Recording No: Reel 223, Page 584
Affects: Parcel 3, as depicted on the ALTA/NSPS survey prepared by CRE Surveys, dated February 4, 2019 as Project No. 88142.

EXHIBIT "B"
Exceptions

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Owners of adjoining property
Purpose: Driveway
Recording Date: August 22, 1980
Recording No: Reel 223, Page 587
Affects: Parcel 3, as depicted on the ALTA/NSPS survey prepared by CRE Surveys, dated February 4, 2019 as Project No. 88142.

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Owners of adjoining property
Purpose: Driveway
Recording Date: August 22, 1980
Recording No: Reel 223, Page 597
Affects: Parcel 3, as depicted on the ALTA/NSPS survey prepared by CRE Surveys, dated February 4, 2019 as Project No. 88142.

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Owners of adjoining property
Purpose: Driveway
Recording Date: August 22, 1980
Recording No: Reel 223, Page 601
Affects: Parcel 3, as depicted on the ALTA/NSPS survey prepared by CRE Surveys, dated February 4, 2019 as Project No. 88142.

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Owners of adjoining property
Purpose: Driveway
Recording Date: August 22, 1980
Recording No: Reel 223, Page 604
Affects: Parcel 3, as depicted on the ALTA/NSPS survey prepared by CRE Surveys, dated February 4, 2019 as Project No. 88142.

Driveway Maintenance Agreement, including the terms and provisions thereof,

Recording Date: August 22, 1980
Recording No.: Reel 223, Page 608
Affects: Parcel 3, as depicted on the ALTA/NSPS survey prepared by CRE Surveys, dated February 4, 2019 as Project No. 88142.

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: City of Salem
Purpose: Public utilities
Recording Date: April 17, 2000
Recording No: Reel 1683, Page 597
Affects: Parcel 1, as depicted on the ALTA/NSPS survey prepared by CRE Surveys, dated February 4, 2019 as Project No. 88142.

EXHIBIT "B"
Exceptions

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: City of Salem
Purpose: Public utilities
Recording Date: April 17, 2000
Recording No: Reel 1683, Page 598
Affects: Parcel 3, as depicted on the ALTA/NSPS survey prepared by CRE Surveys, dated February 4, 2019 as Project No. 88142.

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: City of Salem
Purpose: Public utilities
Recording Date: April 17, 2000
Recording No: Reel 1683, Page 599
Affects: Parcel 3, as depicted on the ALTA/NSPS survey prepared by CRE Surveys, dated February 4, 2019 as Project No. 88142.

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: City of Salem
Purpose: Public utilities
Recording Date: April 17, 2000
Recording No: Reel 1683, Page 600
Affects: Parcel 2, as depicted on the ALTA/NSPS survey prepared by CRE Surveys, dated February 4, 2019 as Project No. 88142.

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: City of Salem
Purpose: Public utilities
Recording Date: April 17, 2000
Recording No: Reel 1683, Page 601
Affects: Parcel 2, as depicted on the ALTA/NSPS survey prepared by CRE Surveys, dated February 4, 2019 as Project No. 88142.

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: City of Salem
Purpose: Public utilities
Recording Date: April 17, 2000
Recording No: Reel 1683, Page 602
Affects: Parcel 2, as depicted on the ALTA/NSPS survey prepared by CRE Surveys, dated February 4, 2019 as Project No. 88142.

EXHIBIT "B"
Exceptions

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: City of Salem
Purpose: Public utilities
Recording Date: April 17, 2000
Recording No: Reel 1683, Page 603
Affects: Parcel 3, as depicted on the ALTA/NSPS survey prepared by CRE Surveys, dated February 4, 2019 as Project No. 88142.

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: City of Salem
Purpose: Public utilities
Recording Date: April 17, 2000
Recording No: Reel 1683, Page 604
Affects: Parcel 1, as depicted on the ALTA/NSPS survey prepared by CRE Surveys, dated February 4, 2019 as Project No. 88142.

An unrecorded lease with certain terms, covenants, conditions and provisions set forth therein as disclosed by the document

Entitled: Memorandum of Lease
Lessor: Liberty Square Associates Limited Partnership
Lessee: Subway Real Estate Corp.
Recording Date: December 28, 2010
Recording No: Reel 3245, Page 486

Affects: A portion of Parcel 2.

A deed of trust to secure an indebtedness in the amount shown below,

Amount: \$8,000,000.00
Dated: November 10, 2015
Trustor/Grantor: Liberty Square Associates Limited Partnership, an Oregon limited partnership
Trustee: Chicago Title Insurance Company
Beneficiary: Barclays Bank PLC, a public company registered in England and Wales
Loan No.: 00009038
Recording Date: November 10, 2015
Recording No.: Reel 3759, Page 17

An assignment of the beneficial interest under said deed of trust which names:

Assignee: Wilmington Trust, National Association, as Trustee for the benefit of the registered holders of JPMCC Commercial Mortgage Securities Trust 2015-JP1, Commercial Mortgage Pass-Through Certificates, Series 2015-JP1
Loan No.: 2435.007
Recording Date: February 17, 2016
Recording No.: Reel 3783, Page 168

EXHIBIT "B"
Exceptions

An assignment of all the moneys due, or to become due as rental, as additional security for the obligations secured by deed of trust shown above

Assigned to: Barclays Bank PLC, a public company registered in England and Wales
Recording Date: November 10, 2015
Recording No: Reel 3759, Page 18

An assignment of the security interest under said assignment which names:

Assignee: Wilmington Trust, National Association, as Trustee for the benefit of the registered holders of JPMCC Commercial Mortgage Securities Trust 2015-JP1, Commercial Mortgage Pass-Through Certificates, Series 2015-JP1
Recording Date: February 17, 2016
Recording No.: Reel 3783, Page 169

Assumption agreement for the above described Deed of Trust:

Recording Date: _____
Recording No.: _____

The tenants listed on Exhibit A, listed on as tenants only, whose rights do not include any options or rights of first refusal to purchase all or any portion of the Land.

Property taxes in an undetermined amount, which are a lien but not yet payable, including any assessments collected with taxes to be levied for the fiscal year 2019-2020.

REEL: 4241

PAGE: 174

September 12, 2019, 12:58 pm.

CONTROL #: 567875

State of Oregon
County of Marion

I hereby certify that the attached
instrument was received and duly
recorded by me in Marion County
records:

FEE: \$ 131.00

**BILL BURGESS
COUNTY CLERK**

THIS IS NOT AN INVOICE.