

Recording Requested by:
Mark Donati
Donati Properties Oregon, LLC
41 East Main Street
Los Gatos, CA 95030

Recorded in MULTNOMAH COUNTY, OREGON
C. Swick, Deputy Clerk
A31 3
Total : 31.00 ATVLM

WHEN RECORDED MAIL TO:
Matteo G. Daste, Esq.
Leland, Parachini, et al.
333 Market St., Ste. 2700
San Francisco, CA 94105

2006-157896 08/24/2006 10:20:07am

BARGAIN AND SALE DEED

KNOWN ALL BY THESE PRESENTS, that Lexmar Development, LLC, a California limited liability company, Grantor, conveys to Donati Properties Oregon, LLC, an Oregon limited liability company, Grantee, the following real property situated in Multnomah County, State of Oregon, to-wit:

See attached Legal Description Exhibit A

The true consideration for this conveyance is \$0.00. (Here, comply with the requirements of ORS 93.030.) This deed is recorded for purpose of reflecting a transfer between entities sharing the same common ownership.

THE INSTRUMENT WILL 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 APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

August 16, 2006

Lexmar Development, LLC

By: Mark Donati
Mark Donati
Manager

STATE OF CALIFORNIA)
)
COUNTY OF Santa Clara)

On Aug 16, 2006, before me, Peggy Sue Ellis, a Notary Public, personally appeared Mark Donati, personally known to me (or 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.

WITNESS my hand and official seal.

Peggy Sue Ellis
Notary Public

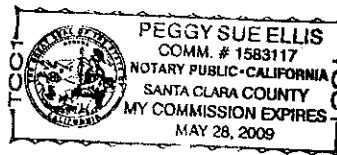


EXHIBIT- Legal Description

PARCEL 1: Lot 1, FAIRVIEW VILLAGE COMMERCIAL CENTER, in the City of Fairview, County of Multnomah, State of Oregon.

EXCEPT THEREFROM that portion described in Agreement and Conveyance to Stone Park, LLC, an Oregon limited liability company, recorded May 23, 1996, Fee No. 96078447, more particularly described as follows:

All of that tract described in deed recorded February 16, 1996, Fee No. 96024572 lying West and South of the following described lines:

A portion of Lot 1, FAIRVIEW VILLAGE COMMERCIAL CENTER, in the City of Fairview, County of Multnomah and State of Oregon, more particularly described as follows:

Beginning at the Southwest corner of said Lot 1; thence North 78° 47' 39" East, along the South line of said Lot 1, a distance of 331.22 feet to an angle point on said South line; thence South 11° 24' 40" East, 40.82 feet; thence North 78° 47' 39" East, 19.83 feet to the true point of beginning of the lines to be described; thence from said point of beginning, North 11° 12' 21" West, 40.82 feet; thence South 78° 47' 39" West, 19.78 feet to a point which bears North 78° 47' 38" East of the Southwest corner of said Lot 1, and there terminating.

PARCEL 2: Lot 2, FAIRVIEW VILLAGE COMMERCIAL CENTER, in the City of Fairview, County of Multnomah and State of Oregon.

EXCEPTING THEREFROM that portion described in Dedication Deed to Multnomah County recorded June 26, 1996, Fee No. 96097362.

PARCEL 3: Lot 3, a portion of Lot 1, FAIRVIEW VILLAGE COMMERCIAL CENTER and a portion of Parcel 1, PARTITION PLAT NO. 1995-41, in the City of Fairview, County of Multnomah and State of Oregon, more particularly described as follows:

Beginning at the Southwest corner of said Lot 1, FAIRVIEW VILLAGE COMMERCIAL CENTER; thence North 78° 47' 39" East, along the South line of said Lot 1, a distance of 331.22 feet to an angle point on said Southline; thence continuing on the Easterly extension of the South line of said Lot 1, North 78° 47' 39" East 19.78 feet; thence South 11° 12' 21" East 40.82 feet to a point on the most Southerly South line of said Lot 1; thence continuing South 11° 12' 21" East 74.64 feet; thence South 55° 19' 31" West, 60.33 feet to the North right-of-way line of Market Drive; thence Northwesterly on said right-of-way line, on a nontangent 77.00 foot radius curve concave to the South through a central angle of 8° 01' 52" (the long chord bears North 78° 45' 17" West, 10.78 feet) an arc distance of 10.79 feet to the Southeast corner of said Lot 3, FAIRVIEW VILLAGE COMMERCIAL CENTER; thence following said North right-of-way line of said Market Drive, Northwesterly on a nontangent 77.00 foot radius curve concave to the South (the long chord bears North 76° 59' 17" West, 63.17 feet) an arc distance of 65.09 feet; thence South 78° 47' 39" West 225.47 feet; thence on a nontangent 6.00 foot radius curve to the North (the long chord bears North 56° 12' 21" West, 8.49 feet) an arc distance of 9.42 feet; thence North 11° 12' 21" West, 99.03 feet to the point of beginning.

PARCEL 4: Lot 4, FAIRVIEW VILLAGE COMMERCIAL CENTER, in the City of Fairview, County of Multnomah and State of Oregon.

EXCEPT THEREFROM that portion described in Dedication Deed to Multnomah County recorded June 26, 1996, Fee No. 96097363.

PARCEL 5: Lots 6, 7 and 8, FAIRVIEW VILLAGE COMMERCIAL CENTER, in the City of Fairview, County of Multnomah and State of Oregon.

PARCEL 6: A tract of land situated in Sections 28 and 33, Township 1 North, Range 3 East of the Willamette Meridian, in the City of Fairview, County of Multnomah and State of Oregon, more particularly described as follows:

Beginning at a point 50 feet South of the Southeast corner of Block 30, FAIRVIEW; thence East 28.8 feet; thence South 0° 12-1/2' West, 227 feet to the true point of beginning of the tract to be described; thence continuing South 0° 12-1/2' West 200 feet; thence East 625 feet to a point that is South 0° 12-1/2' West 200 feet from the Southeast corner of that certain tract of land described in deed to John B. Whalley, et ux recorded June 25, 1943 in Book 759, Page 1, Records of Multnomah County; thence North 0° 12-1/2' East 200 feet to the Southeast corner of said Whalley tract; thence West along the South line of said Whalley tract and a continuation thereof, 625 feet to the true point of beginning.

PARCEL 7: A tract of land situated in the Southeast one-quarter of Section 28, Township 1 North, Range 3 East, Willamette Meridian, in the City of Fairview, County of Multnomah and State of Oregon, more particularly described as follows:

Beginning at a point 2381.7 feet North and 1010 feet West of the Southwest corner of the A.C. Dunbar Donation Land Claim; thence South 227 feet; thence East 115 feet; thence North 227 feet; thence West 115 feet to the point of beginning;

EXCEPT THEREFROM that portion thereof lying within Barr Road No. 1212, (now NE Halsey Street).

PARCEL 8: A tract of land situated in the Southeast one-quarter of Section 28, Township 1 North, Range 3 East of the Willamette Meridian, in the City of Fairview, County of Multnomah and State of Oregon, more particularly described as follows:

Beginning 355.7 feet South and 270 feet East of the intersection of the South line of Lincoln Street, in the City of Fairview and the West line of a certain tract of land described in deed to Eliza Stone recorded March 22, 1883 in Book 66, Page 119, Records of Multnomah County; thence East 383.8 feet; thence South 227 feet; thence West 383.8 feet; thence North 227 feet to the point of beginning.

EXCEPT THEREFROM that portion lying within Barr Road No. 1212 (now NE Halsey Street).

ALSO EXCEPT THEREFROM the following described tract:

A tract of land situated in the Southeast one-quarter of Section 28, Township 1 North, Range 3 East, Willamette Meridian, in the City of Fairview, County of Multnomah and State of Oregon, more particularly described as follows:

Commencing at the Southwest corner of the A.C. Dunbar Donation Land Claim; thence North 0° 14' 20" East along the West line thereof a distance of 2228.68 feet; thence North 89° 45' 40" West at right angles to the last mentioned course, a distance of 480.97 feet to the true point of beginning of the tract herein described; thence from said true point of beginning South 83° 39' 00" West a distance of 60.49 feet; thence North 0° 07' 15" West a distance of 52.19 feet; thence North 85° 15' 50" West a distance of 4.96 feet; thence South 89° 42' 40" West a distance of 17.89 feet; thence North 0° 12' 10" West a distance of 84.55 feet to the Southerly line of NE Halsey Street; thence North 84° 47' 10" East along said Southerly line a distance of 110.81 feet; thence South 0° 59' 20" East a distance of 39.97 feet; thence South 34° 29' 10" West a distance of 40.69 feet; thence South 3° 57' 10" West a distance of 67.10 feet to the true point of beginning.

PARCEL 9: A tract of land situated in the Southeast one-quarter of Section 28, Township 1 North, Range 3 East of the Willamette Meridian, in the City of Fairview, County of Multnomah and State of Oregon, more particularly described as follows:

Commencing at the Southwest corner of the A.C. Dunbar Donation Land Claim; thence North 0° 14' 20" East along the West line thereof a distance of 2228.68 feet; thence North 89° 45' 40" West at right angles to the last mentioned course, a distance of 480.97 feet to the true point of beginning of the tract herein described; thence from said true point of beginning South 83° 39' 00" West a distance of 60.49 feet; thence North 0° 07' 15" West a distance of 52.19 feet; thence North 85° 15' 50" West a distance of 4.96 feet; thence South 89° 42' 40" West a distance of 17.89 feet; thence North 0° 12' 10" West a distance of 84.55 feet to the Southerly line of NE Halsey Street; thence North 84° 47' 10" East along said Southerly line a distance of 110.81 feet; thence South 0° 59' 20" East a distance of 39.97 feet; thence South 34° 29' 10" West a distance of 40.69 feet; thence South 3° 57' 50" West a distance of 67.10 feet to the true point of beginning.