

K-S0160-A1

## WARRANTY DEED

Recording requested by and  
when recorded return to:

John D. Sorlie  
Bryant, Lovlien & Jarvis  
40 N.W. Greenwood  
Bend, OR 97701

Unless a change is requested, all  
tax statements shall be sent to:

Ernst Brothers, LLC  
P.O. Box 637  
Gilchrist OR 97737

The true consideration for this transfer is \$153,000.00.

GILCHRIST REAL ESTATE, LLC, an Oregon limited liability company, Grantor, conveys and warrants to  
ERNST BROTHERS, LLC, an Oregon limited liability company, Grantee, the following described real property  
located in Klamath County, Oregon, free of encumbrances except as specifically set forth herein:

SEE EXHIBIT A ATTACHED HERETO

SUBJECT TO: Subsurface Rights reserved in Warranty Deed between Chevron USA, Inc., a California corporation,  
to Vern L. Harley, Inc., an Oregon corporation, dated August 11, 1980, recorded August 29, 1980, in Volume M80,  
page 16490, Deed Records of Klamath County, Oregon.

THIS 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.

DATED this 4 day of September 1997.

GILCHRIST REAL ESTATE, LLC

By: Wayne G. Ernst

Its Manager

STATE OF OREGON, County of Deschutes ) ss:

The foregoing instrument was acknowledged before me this 4<sup>th</sup> day of Sept, 1997, by  
Wayne G. Ernst, known to me to be the manager of Gilchrist Real Estate, LLC.



Sharon Kunkel  
Notary Public for Oregon

My Commission Expires: 2-28-98

## EXHIBIT "A"

PARCEL 1:

A parcel of land the same containing portions of the SW $\frac{1}{4}$ SW $\frac{1}{4}$  and the SE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 30, Township 24 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, the said parcel of land being described as follows:

Beginning at a point on the East line of the said SW $\frac{1}{4}$ SW $\frac{1}{4}$  of said Section 30, which point is marked by a 30 inch steel bar monument and which point is located South 0°17'46" West a distance of 331.74 feet from the Northeast corner of the said SW $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 30 (said corner being also marked by a 30 inch steel bar monument); thence South 89°10'03" East for 77.42 feet along the South line of the NW $\frac{1}{4}$  of the SE $\frac{1}{4}$  of the SW $\frac{1}{4}$  to an intersection with the Westerly boundary of the right of way of The Dalles-California State Highway, said right of way having a total width of 60 feet, to a 30 inch steel bar monument; thence in a Southwesterly direction along the curved Westerly boundary of said right of way, the said curve having a radius of 1940.00 feet, for a distance of 145.10 feet (the chord of said portion of said curve bearing South 32°35'42" West for a distance of 145.06 feet) to a 30 inch steel bar monument located on the East boundary of the SW $\frac{1}{4}$  of SW $\frac{1}{4}$  of Section 30; thence North 0°17'46" East along the said subdivision line for a distance of 38.66 feet to a steel bar monument, which point is further located South 0°17'46" West a distance of 84.72 feet from the point of beginning above described; thence South 39°33'20" West for 157.82 feet to a 30 inch steel bar monument; thence North 50°26'40" West for 154.53 feet to a 30 inch steel bar monument located on the Southeasterly boundary of the right of way of the Gilchrist Lumber Company Railroad, said right of way having a width of 100 feet; thence North 39°37'00" East along said right of way boundary for a distance of 346.42 feet to a 30 inch steel bar monument located on the East line of the said SW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 30, which point is also located South 0°17'46" West, a distance of 172.90 feet from the Northeast corner of the said SW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of said Section 30; thence along said subdivision line South 0°17'46" West, a distance of 153.84 feet to the point of beginning.

PARCEL 2:

That portion of Lot 4, (SW $\frac{1}{4}$ SW $\frac{1}{4}$ ) of Section 30, Township 24 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, described as follows:

Beginning at a point on the East side of said Lot 4, which is South 0°17'46" West, a distance of 430.76 feet from the Northeast corner of said Lot 4, which point is also the intersection of the relocated Westerly right of way line of The Dalles-California Highway with the Easterly line of said Lot 4; thence North 0°17'46" East a distance of 14.3 feet to a point; thence South 39°33'20" West along the Easterly line of property conveyed to Standard Oil Company of California by Deed recorded in Volume 125 at page 318, Deed records of Klamath County, Oregon, a distance of 132.82 feet; thence South 50°26'40" East a distance of 34.0 feet, more or less, to the relocated Westerly right of way line of The Dalles-California Highway; thence Northeasterly along said Westerly right of way line to the point of beginning.

EXCEPTING THEREFROM that portion of the SW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 30, Township 24 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, described as follows:

Beginning at a point which is South 0°17'46" West, a distance of 416.46 feet, and South 39°33'20" West, a distance of 132.82 feet from the Northeast corner of said SW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 30; thence South 39°33'20" West, a distance of 25 feet to a point; thence 50°26'40" West, a distance of 154.53 feet to a point; thence North 39°37' East, a distance of 25 feet to a point; thence South 50°26'40" East, a distance of 154.53 feet, more or less, to the point of beginning.

EXCEPT from above described Parcel 1 that portion conveyed to the State of Oregon, by and through its State Highway Commission by Bargain and Sale Deed recorded December 11, 1943, in Volume 160 page 405, Deed records of Klamath County, Oregon.

Bryant Lovison  Jarvis  
Notary Public for Oregon  
40 N.W. Greenwood • P.O. Box 1151 • Bend, Oregon 97709-1151 • (541) 332-4331 • Fax (541) 389-3386

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of \_\_\_\_\_ Klamath County Title \_\_\_\_\_ the 8th \_\_\_\_\_ day  
of \_\_\_\_\_ Sept. \_\_\_\_\_ A.D., 19 97 at 11:53 o'clock \_\_\_\_\_ A.M., and duly recorded in Vol. M97 \_\_\_\_\_  
of \_\_\_\_\_ Deeds \_\_\_\_\_ on Page 29293.

FEE \$35.00

By \_\_\_\_\_ Bernetha G. Leisch, County Clerk  
*Kathleen Ross*