



After recording return to:

Walter P. Hammerich

3311 Hopkins Rd.
Donnanza, OR 97623

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

Walter P. Hammerich

3311 Hopkins Rd.
Donnanza, OR 97623

Escrow No. K53888S

Title No.

THIS SPACE RESERVED FOR RECORDER'S USE

Vol M02 Page 13257

State of Oregon, County of Klamath

Recorded 03/05/2002 3:38 p m.

Vol M02, Pg 13257-59

Linda Smith, County Clerk

Fee \$ 31.00 # of Pgs 3

'02 MAR 5 PM 3:38

STATUTORY WARRANTY DEED

Charles Masten and Selena Masten, husband and wife, Grantor, conveys and warrants to Walter P. Hammerich and Nancy L. Hammerich, husband and wife, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

See legal description marked Exhibit "A" attached hereto and by this reference made a part thereof as though fully set forth herein.

This property is free of liens and encumbrances, EXCEPT: Reservations and restrictions of record, rights of way, and easements of record and those apparent upon the land, contracts and/or liens for irrigation and/or drainage.

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.

The true consideration for this conveyance is \$1,115,000.00 (Here comply with the requirements of ORS 93.030)

THE EXECUTION OF THIS DEED DIRECTLY TO THE GRANTEE NAMED IS DONE AT THE DIRECTION OF LAND AMERICA EXCHANGE AS PART OF A TAX DEFERRED EXCHANGE FOR THE BENEFIT OF SAID GRANTEE.

Dated this 5th day of March, 2002

By: Charles Masten

Charles Masten

By: Selena Masten

Selena Masten

STATE OF OREGON

County of Klamath

} ss.

This instrument was acknowledged before me on this 5th day of March, 2002
by Charles Masten and Selena Masten



[Signature]
Notary Public for Oregon
My commission expires: 8-2003

EXHIBIT "A"

The following described real property situate in Klamath County, Oregon:

That portion of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 5, Township 39 South, Range 11 East of the Willamette Meridian, lying Southerly and Westerly of the Dairy-Bonanza Highway as said highway now appears on the ground. EXCEPTING a tract of land situated in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 5, T. 39 S. R. 11 E.W.M., Klamath County, Oregon, more particularly described as follows: Beginning at a 5/8 inch iron pin on the southwesterly right of way line of the Dairy-Bonanza Highway, said point being N 43°48'19" E a distance of 2158.79 feet from the southwest corner of said Section 5; thence S 32°11'38" W 178.21 feet to a 5/8 inch iron pin; thence N 58°52'04" W 109 feet, more or less, to the west line of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 5; thence northerly along the west line of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 5, 217.3 feet, more or less, to the southwesterly right of way line of said Dairy-Bonanza Highway; thence S 56°59'00" E along said right of way line 225.5 feet, more or less, to the point of beginning, containing 0.69 acres, more or less, with the bearings based on a solar observation.

Also that portion of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5, and that portion of the N $\frac{1}{2}$ NE $\frac{1}{4}$ Section 8, Township 39 South, Range 11 East of the Willamette Meridian lying Southerly of the Dairy-Bonanza Highway, EXCEPTING a tract conveyed to W. H. Casebeer by Deed recorded on page 620, of Volume 93, Klamath County Deed records and more particularly described as follows: That portion of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 8 described as follows: Beginning 866 feet South of the corner common to Sections 4, 5, 8 and 9 in the middle of the Dairy-Bonanza Highway; thence South 454 feet; thence West 660 feet; thence North 885 feet to the middle of said highway; thence South 56°52' East 789 feet to the place of beginning.

Also the E $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 8, Township 39 South, Range 11 East of the Willamette Meridian.

Also all that portion of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8, Township 39 South, Range 11 East of the Willamette Meridian, lying Northerly from the center line of the Old Bonanza-Klamath Falls Road.

The SE $\frac{1}{4}$ SW $\frac{1}{4}$, and SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 33, Township 38 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon.

Lots 2, 3, 4 and SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 4; the N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ of Section 9, excepting right of way conveyed to Horsefly Irrigation District, by deed recorded at page 218 of Volume 49 of Deeds, and right of way conveyed to Klamath County, Oregon, by deed recorded on page 83 of Volume 64 of Deeds, said Sections 4 and 9 being in Township 39 south, Range 11 East of the Willamette Meridian, Klamath County, Oregon.

Beginning at the point of intersection of the East and West center line of Section 9, Township 39 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon with the Northeasterly boundary line of the right of way of the Dairy-Bonanza Highway as the same is now located and constructed; thence North 89°50' East along the said East West center line of said Section 9, 384.50 feet; thence Southerly and parallel with the Easterly boundary of said Section 9, 249.2 feet, more or less, to a point in the Northeasterly boundary line of said right of way of the Dairy-Bonanza Highway; thence Northwesterly along said right of way line to the point of beginning, and also

Beginning at a point in the East and West center line of Section 9, Township 39 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon, from which the point of intersection of the said East and West center line of Section 9 with the Northeasterly boundary line of the right of way of the Dairy-Bonanza Highway as the same is now located and constructed bears South 89°50' West 384.5 feet distant and running thence Southerly and parallel with the Easterly boundary of the said Section 9, 249.2 feet, more or less to a point in the Northeasterly boundary line of the right of way of the Dairy-Bonanza Highway; thence Southeasterly along said right of way line 849.3 feet, more or less, to its intersection with the West line of Bowne Ave., (now vacated) of Bowne Addition to Bonanza, Oregon, the plat whereof is on file in the record in the office of the County Clerk of Klamath County, Oregon; thence North along the said West line of Bowne Ave. (now vacated) 711.8 feet, more or less, to its intersection with the said East and West center line of the said Section 9; thence South 89°50' West 713.6 feet, along the said East and West center line to the point of beginning.

A tract of land in the E $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 8, Township 39 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a point on the East line of said NE $\frac{1}{4}$, said point being North a distance of 239 feet from the Southeast corner thereof; thence Northwest, in a straight line to a point on the North line of the SE $\frac{1}{4}$ NE $\frac{1}{4}$, said point being West a distance of 660 feet from the Northeast corner thereof; thence North a distance of 885 feet to the center line of the Dairy-Bonanza Highway; thence South 56°52' East, along said center line, a distance of 789 feet to a point on the East line of said NE $\frac{1}{4}$, said point being South a distance of 866 feet from the Northeast corner of Section 8; thence South on said East line a distance of 1535 feet more or less to the point of beginning.

The SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 9, Township 39 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon

EXCEPTING that tract of land conveyed to Klamath County School District by instrument recorded January 17, 1969 in Volume M69, page 455, Deed records of Klamath County, Oregon, described as follows:

Beginning at a 5/8" X 30" iron pin with cap marking the East one-fourth corner of said Section 9 as shown on the Bowne Addition to Bonanza subdivision plat; thence North 00°13'25" West along the East line of said Section 9 a distance of 113.25 feet to a 5/8" x 30" iron pin with cap; thence North 89°40'10" West along the Easterly extension of and along the Southerly edge of an existing fence a distance of 261.45 feet to a 5/8" x 30" iron pin with cap which is 1.5 feet Southeasterly of an existing fence corner; thence South 40°48'40" West along the Easterly edge of an existing fence a distance of 152.00 feet to an "x" in the bottom of a concrete irrigation box which is four feet Southeasterly of an existing fence corner; thence South 01°35'10" East a distance of 41.91 feet to a 5/8" x 30" iron pin with cap on the centerline of vacated Klamath Street; thence South 89°51'10" East along the centerline of vacated Klamath Street a distance of 360.00 feet to a 5/8" x 30" iron pin with cap on the centerline of Carroll Avenue; thence North 00°04'35" East along the centerline of Carroll Avenue a distance of 43.10 feet to the point of beginning, EXCEPTING the un-vacated portion of Carroll Avenue as shown on the Grandview Addition to Bonanza subdivision plat.

ALSO EXCEPTING that portion conveyed to Patrick W. Kelly and Cynthia A. Kelly, by deed recorded November 14, 1996 in Volume M96, page 35865, Deed records of Klamath County, Oregon, more particularly described as follows: A tract of land situated in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 9, Township 39 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows: Beginning at a point on the North line of that tract of land conveyed to Klamath County School District described in Volume M69 on page 455 of the Klamath County Deed Records and the West line of Carroll Avenue, from which the East $\frac{1}{4}$ corner of said Section 9 bears S. 14°46'22" E. 117.30 feet; thence N. 89°40'10" W. along the North line of said tract of land, 122.44 feet; thence N. 02°01'13" E. along the fence line, 212.21 feet; thence S. 74°39'31" E. along the fence line, 119.41 feet, to the West line of Carroll Avenue; thence S. 00°03'44" W. 181.19 feet to the point of beginning, containing 23,420 square feet, with bearings based on record of Survey No. 1327.