

03 OCT 15 PM 11:10

NJC-60921

Vol M03 Page 76563

## RECORDING COVER SHEET

### ALL TRANSACTIONS, PER ORS 205.234

THIS COVER SHEET HAS BEEN PREPARED BY THE PERSON PRESENTING THE ATTACHED INSTRUMENT FOR RECORDING. ANY ERRORS IN THIS COVER SHEET DO NOT AFFECT THE TRANSACTION(S) CONTAINED IN THE INSTRUMENT ITSELF.

#### AFTER RECORDING RETURN TO

name and address of the person authorized to receive the instrument after recording, as required by ORS 205.180(4) and ORS 205.238.

Peter O. Neil  
P. O. Box 124  
Midland, OR 97634

*This Space For County Recording Use Only*

State of Oregon, County of Klamath  
Recorded 10/15/03 11:10 a m  
Vol M03 Pg 76563-166  
Linda Smith, County Clerk  
Fee \$ 36.00 # of Pgs 4

1. NAME(S) OF THE TRANSACTION(S), described in the attached instrument and required by ORS 205.234(a).

Note: Transaction as defined by ORS 205.010 "means any action required or permitted by law to be recorded including, but not limited to, any transfer, encumbrance or release affecting title to or an interest in real property."

CORRECTION BARGAIN AND SALE DEED

To correct that certain Deed recorded in Volume M03, Page 68206

*to correct the legal description.*

2. DIRECT PARTY, name(s) of the person(s) described in ORS 205.125(1)(b) or GRANTOR, as described in ORS 205.160.

Washington Mutual Bank, Successor in interest by Merger to Western Bank

3. INDIRECT PARTY, name(s) of the person(s) described in ORS 205.125(1)(a) or GRANTEE, as described in ORS 205.160.

P & E Rentals, LLC, an Oregon limited liability company

4. TRUE AND ACTUAL CONSIDERATION PAID for instruments conveying or contracting to convey fee title to any real estate and all memoranda of such instruments, reference ORS 93.030.

\$37,000.00

5. UNTIL A CHANGE IS REQUESTED, ALL TAX STATEMENTS SHALL BE SENT TO THE FOLLOWING ADDRESS for instruments conveying or contracting to convey fee title to any real estate, reference ORS 93.260.

Peter O'Neil, P. O. Box 124, Midland, OR 97634

6. FULL OR PARTIAL SATISFACTION, IF ANY, OF THE LIEN CLAIM CREATED BY THE ORDER or WARRANT, for instruments to be recorded in County Clerk Lien Records, reference ORS 205.125(1)(c).

7. THE AMOUNT OF THE CIVIL PENALTY OR THE AMOUNT, INCLUDING PENALTIES, INTEREST AND OTHER CHARGES, FOR WHICH THE WARRANT, ORDER OR JUDGMENT WAS ISSUED, for instruments to be recorded in County Clerk Lien Records, reference ORS 205.125(1)(c) and ORS 18.325.

36.00

03 SEP 12 PM 3:44

NTC - 60921

76564

BARGAIN AND SALE DEED - STATUTORY FORM

THIS SPACE RESERVED FOR RECORDER'S USE

Grantor: Washington Mutual Bank

Grantee: Peter O'Neil

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

Peter O'Neil  
P.O. Box 124  
Midland, OR 97634

After Recording return to:

Peter O'Neil  
P.O. Box 124  
Midland, OR 97634

Escrow No. 798151 KHD  
Title No. 0080921

Vol M03 Page 68206

State of Oregon, County of Klamath  
Recorded 09/12/03 3:44 p.m.  
Vol M03 Pg 68206-07  
Linda Smith, County Clerk  
Fee \$ 26.00 # of Pgs 2

WASHINGTON MUTUAL BANK, SUCCESSOR IN INTEREST BY MERGER TO WESTERN BANK, Grantor, conveys to ~~PETER O'NEIL~~, Grantee, the following described real property situated in Klamath County, Oregon, to wit:

\*P & E Rentals, LLC, an Oregon limited liability company

See Attached Legal Description. ✓

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 \$37,000.00. (Here comply with the requirements of ORS 93.030).

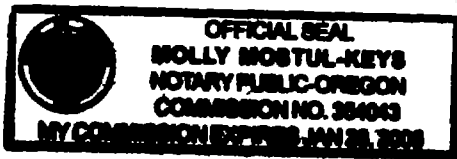
Dated this 12<sup>th</sup> day of August, 2003.

Washington Mutual Bank

Dennis Nye  
Dennis Nye, Vice President

State: OR  
County: Washington

The foregoing instrument was acknowledged before me this 12<sup>th</sup> day of August, 2003 by: Dennis Nye, Vice President of Washington Mutual Bank.



Molly Mostul-Keys  
Notary Public  
My Commission Expires: 1/28/06

**68207  
76565****EXHIBIT "A"  
LEGAL DESCRIPTION**

A tract of land situated in the W1/2 NW1/4 of Section 16, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a point 30 feet East and 30 feet North of the quarter corner common to Sections 16 and 17 in Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, running thence East 1658 feet, more or less, to the West boundary line of Government Drain Ditch, 1-C-1; thence along the Westerly boundary line of said Drain Ditch, North 10 degrees 45' East 402.3 feet; thence North 39 degrees 54' West 1338 feet, more or less, to an intersection with the Easterly boundary line of Midland Market Road; thence along the Easterly boundary of the said Market Road in a Southwesterly direction to the point of beginning.

LESS AND EXCEPTING rights of way for irrigation ditches and drains heretofore deeded to the United States of America.

EXCEPTING THEREFROM the following described tract of land deeded to Ronald L. McDaniel, et ux., by deed recorded in Deed Volume 354, page 428, Deed Records of Klamath County, Oregon:

Beginning at an iron pin situated on the Southeasterly right of way of the Old Midland Road, said point located South a distance of 1795.5 feet and South 77 degrees 15' East a distance of 168.0 feet from the Northwest corner of said Section 16; thence South 49 degrees 45' East a distance of 170.0 feet to an iron pin; thence South 2 degrees 55' East a distance of 166.9 feet, more or less, to an iron pin on the Northerly right of way of the U.S.B.R. A-3-1 (F-16) Canal; thence Northeasterly along the Northerly right of way of said canal to the intersection of the Westerly right of way of the U.S.B.R. A-3 Canal; thence Northwesterly along the Westerly right of way of said canal to the intersection with the Southeasterly right of way of the Old Midland Road; thence Southwesterly along the Southeasterly right of way of said road to the point of beginning.

ALSO EXCEPTING THEREFROM a tract of land situate in the SW1/4 NW1/4 of Section 16, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at an iron pin on the Southeasterly right of way of the Old Midland Road, said point being South 77 degrees 15' East a distance of 168.0 feet from an iron pipe which is South a distance of 1795.5 feet from the iron pin marking the Northwest corner of said Section 16; thence South 49 degrees 45' East a distance of 170.0 feet to an iron pin; thence South 30 degrees 00' West a distance of 120.06 feet to a point; thence North 59 degrees 12' West a distance of 163.58 feet, more or less, to a point on the Southeasterly line of Old Midland Road; thence Northeasterly, along said Southeasterly line being on the arc of a curve to the right, a distance of 148.35 feet, more or less, to the point of beginning.

Legal Description continued

W

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**  
**CONTINUED**

**ALSO EXCEPTING THEREFROM** a tract of land situate in the SW1/4 NW1/4 of Section 16, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at an iron pin situated on the Southeasterly right of way line of the Old Midland Road, said point being located South a distance of 1795.5 feet and South 29 degrees 11' East a distance of 191.67 feet from the Northwest corner of said Section 16; thence South 59 degrees 12' East a distance of 163.58 feet to an iron pin; thence South 30 degrees 00' West a distance of 56.54 feet to an iron pin located on the Northeasterly right of way line of the U.S.B.R. A-3-1 (F-16) Canal; thence North 74 degrees 15' West along the Northeasterly right of way line of said Canal a distance of 149.0 feet to an iron pin located on the Southeasterly right of way line of the Old Midland Road; thence Northeasterly along the Southeasterly right of way line of said road on the arc of a curve to the right a distance of 97.45 feet, more or less to the point of beginning.

**SAVING AND EXCEPTING** any portion thereof contained in the Midland Highway, as said highway has been relocated.

**ALSO EXCEPTING** beginning at an iron pin on the Southeasterly right of way of the Old Midland Road, said point being South 77 degrees 15' East a distance of 168.00 feet and South 49 degrees 45' East a distance of 170.0 feet from an iron pipe which is South a distance of 1795.5 feet from the iron pin marking the Northwest corner of Section 16, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon; said point of beginning being the Northeast corner of that tract of land described in document recorded December 29, 1972 in Volume M72, page 15128, Microfilm Records of Klamath County, Oregon; thence South 2 degrees 55' East a distance of 166.90 feet, more or less, to an iron pin on the Northerly right of way of the U.S.B.R. A-S-I (F-16) Canal; thence Southwesterly along the Northerly right of way of said canal to a point 149.0 feet from the Southeasterly right of way line of the Old Midland Road, said point also being the Southeast corner of that tract of land described in document recorded July 15, 1976 in Volume M76, page 10797, Microfilm Records of Klamath County, Oregon; thence North 30 degrees 00' East a distance of 176.60 feet to the point of beginning.

\* \* \* END \* \* \*