



WTC - 63025 MS

Vol M03 Page 85580

THIS SPACE RESERVED FOR RECORDER'S USE

After recording return to:

DANIEL M. LEAHY8512 HWY 39KLAMATH FALLS, OR 97603

State of Oregon, County of Klamath

Recorded 11/19/03 3:26 p.m.Vol M03 Pg 85580-81

Linda Smith, County Clerk

Fee \$ 26.00 # of Pgs 2

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

DANIEL M. LEAHY8512 HWY 39KLAMATH FALLS, OR 97603Escrow No. MT63025-MS

'03 NOV 19 PM3:26

WARRANTY DEED* Who acquired title as **GERALD BENTON WHITLATCH**

JERRY BENTON WHITLATCH, Grantor(s) hereby grant, bargain, sell, warrant and convey to **DANIEL M. LEAHY** and **MARJORIE J. LEAHY**, as tenants by the entirety, Grantee(s) and grantee's heirs, successors and assigns the following described real property, free of encumbrances except as specifically set forth herein in the County of **KLAMATH** and State of Oregon, to wit:

SEE EXHIBIT A WHICH IS MADE A PART HEREOF BY THIS REFERENCE

584228

583504

3909-025A0-04000-000

3909-02500-01300-000

Grantor is lawfully seized in fee simple on the above granted premises and **SUBJECT TO:** all those items of record if any, as of the date of this deed and those shown below, if any:

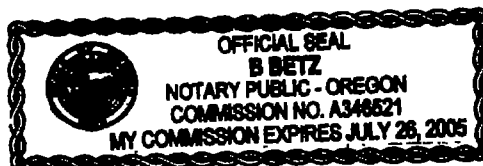
and the grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration for this conveyance is ~~300,000.00~~ **PURSUANT TO AN IRC 1031 EXCHANGE ON BEHALF OF GRANTOR?GRANTEE.**

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 14 day of Nov., 2003.

(X) **JERRY BENTON WHITLATCH**
BY: Jerry Benton Whitlatch
JERRY BENTON WHITLATCH, EXCHANGOR



State of Oregon
County of Lane

This instrument was acknowledged before me on 11/14/03 by **JERRY WHITLATCH**.

[Signature]
Notary Public for Oregon
My commission expires _____

26.10

EXHIBIT "A"
LEGAL DESCRIPTION

85581

A tract of land situated in the E1/2 of Section 25, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County Oregon, being more particularly described as follows:

Beginning at the Southwest corner of Parcel 3 of "Major Land Partition No. 36-85", said point being on the North line of that tract of land described in Deed Volume M97, page 24079 of the Klamath County Microfilm records; Thence along the boundary of said Deed Volume, West 152.44 feet, South 269.1 feet and North 88 degrees 43' East 496.0 feet, more or less to the West right of way line of State Highway 39; Thence South along said right of way line, 755 feet, more or less to the Northeasterly right of way line of the Burlington Northern Railroad; Thence Northwesterly, along said right of way line, 610 feet, more or less; Thence West, along said right of way line, 190 feet, more or less, thence Northwesterly, along said right of way line, 170 feet more or less, to the Easterly right of way line of the USBR 1-7 lateral; Thence Northerly. Along the said right of way line, 1210 feet, more or less, to the Southerly right of way line of Henley Road as described in Volume 75, page 629 of the Klamath County Deed records; Thence South 89 degrees 35' East, along the said Right of Way line, 270 feet, more or less, to the West line of that tract of land described in Deed Volume M92, page 15067 of the Klamath County Microfilm records; Thence South along said West line, 22 feet, more or less, to a point on the West line of said "Major Land Partition No. 36-85", Thence South 644.94 feet to the point of beginning