



After recording return to:  
Jeff A. Carter

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

File No.: 7021-279789 (SAC)  
Date: January 13, 2004

THIS SPACE RESERVED FOR RECORDER'S USE

Vol M04 Page 05667

State of Oregon, County of Klamath  
Recorded 01/29/2004 3:01 p m  
Vol M04 Pg 5667-70  
Linda Smith, County Clerk  
Fee \$ 36.00 # of Pgs 4

## STATUTORY WARRANTY DEED

**Herman McCarty and C. Roland McCarty, as an an undivided 1/2 interest as to Parcel 1, and C. Roland McCarty, as an undivided 1/2 interest as to Parcel 2, and Herman McCarty, as Trustee of the Herman McCarty Revocable Trust, under Declaration of Trust dated March 18, 2003 for the benefit of Herman McCarty, as to an undivided 1/2 interest as to Parcel 2, Grantor, conveys and warrants to Jeff A. Carter, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:**

See Legal Description attached hereto as Exhibit A and by this reference incorporated herein.

**This property is free from liens and encumbrances, EXCEPT:**

1. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

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.

05668

APN:

Statutory Warranty Deed  
- continued

File No.: 7021-279789 (SAC)  
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The true consideration for this conveyance is \$**"The true consideration for this conveyance is pursuant to an IRC Tax Deferred Exchange on behalf of the Grantee."** (Here comply with requirements of ORS 93.030)

*Herman McCarty*

Herman McCarty

*C. Roland McCarty*

C. Roland McCarty

The Herman McCarty Revocable Trust

*Herman McCarty Trustee*

Herman McCarty, Trustee

STATE OF Oregon

)

)ss.

County of

)

See Attached

This instrument was acknowledged before me on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
by **Herman McCarty and C. Roland McCarty and The Herman McCarty Revocable Trust.**

\_\_\_\_\_  
Notary Public for Oregon  
My commission expires:

# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

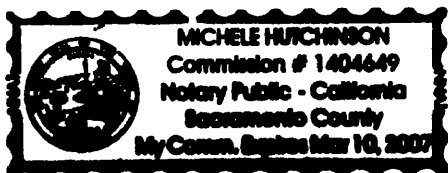
05669

STATE OF CALIFORNIA

COUNTY OF Sacramento } SS.

On January - 15 - 2004 before me, the undersigned, a Notary Public in and for said State personally appeared Herman McCarthy and C. Roland McCarthy  
Name(s) of Signer(s)

☐ 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.

Michele Hutchinson  
Signature of Notary

Michele Hutchinson  
Name (Typed or Printed)

(Area above for official notarial seal)

## Capacity Claimed by Signer

☒ Individual(s)  
☐ Corporate Officer(s) - Title(s) \_\_\_\_\_

☐ Partner(s)  
☐ Attorney-in-Fact  
☐ Trustee(s)  
☐ Guardian/Conservator  
☐ Other: \_\_\_\_\_

Signer is Representing: Name of person(s) or Entity(ies) \_\_\_\_\_

## Description of Attached Document

(Although this information is optional, it could prevent fraudulent attachment of this certificate to another document.)

This certificate is for attachment to the document described below:

Title or type of document \_\_\_\_\_  
Spoliation Warranty Deed

Number of pages (2)

Date of document 1-13-04

Signer(s) other than named above \_\_\_\_\_

APN:

Statutory Warranty Deed  
- continuedFile No.: 7021-279789 (SAC)  
Date: 01/13/2004**EXHIBIT A****LEGAL DESCRIPTION:****Parcel 1:**

A tract of land situated in the NE 1/4 SE 1/4 of Section 12, Township 39 South, Range 8 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at the Northeast corner of Lot 1 of Tract 1283, a duly recorded subdivision, said point also on the West line of Stewart, a duly recorded subdivision, from which the C-E 1/16 corner of said Section 2 bears North 78°07'06" West 1,387.66 feet; thence along the boundary of said Tract 1283, South 72°47'33" West 189.39 feet, South 68°25'43" West 80.51 feet, South 54°05'35" West 87.78 feet, South 38°48'27" West 87.78 feet South 23°31'19" West 87.78 feet and South 09°30'40" West 75.31 feet; thence North 89°24'23" West 903.86 feet to the Easterly right of way line of Orindale Road; thence North 00°28'18" East, along the said right of way line, 104.21 feet to a point on the South line of that tract of land described in Deed Volume M92 page 20434 of the Klamath County Deed Records; thence along said Deed Volume North 89°10'27" East 353.86 feet and North 00°28'18" East 112.70 feet to the Southeast corner of that tract of land described in Deed Volume M92 page 20842 of the Klamath County Deed Records; thence along said Deed Volume, North 00°28'18" East 122.69 feet and South 89°10'27" West 353.86 feet to its intersection with the Easterly right of way line of Orindale Road; thence North 00°28'18" East, along the said right of way line 142.91 feet to the Southwest corner of that tract of land described in Volume M79 page 11866 of the Klamath County Deed Records; thence along said Deed Volume, North 89°10'27" East 353.86 feet and North 00°28'18" East 117.52 feet to the Southerly right of way line of Balsam Drive; thence South 89°46'36" East, along the said right of way line, 732.08 feet to the Northwest corner of that tract of land described in Deed Volume 327 page 475 of the Klamath County Deed Records; thence along said Deed Volume, South 00°49'55" East 178.70 feet and South 89°46'36" East 238.70 feet to a point on the said West line of Stewart; thence South 00°49'55" East 71.76 feet to the point of beginning, with bearings based on the plat of Tract 1283.

**Parcel 2:**

A tract of land situated in the NE 1/4 SE 1/4 of Section 12, Township 39 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at the Southwest corner of Lot 20 of Tract 1283, a duly recorded subdivision, from which the C-E 1/16 corner of said Section 12 bears North 43°58'06" West 1293.09 feet; thence North 89°24'23" West 875.38 feet to a point on the Easterly right of way line of Orindale Road; thence along said Easterly right of way line North 00°28'18" East 64.00 feet to the Southwest corner of that tract of land described in Deed Volume M83 page 3783, of the Klamath County Deed Records; thence along said Deed Volume South 89°46'29" East (South 88°53'37" East by Deed Volume M83 page 3783) 50.00 feet, North 00°28'18" East 53.00 (North 01°22'10" West by Deed Volume M83 page 3783) feet and North 89°46'29" West (North 88°52'37" by Deed Volume M83 page 3783) 50.00 feet to a point on said Easterly right of way; thence along said Easterly right of way North 00°28'18" East 168.00 feet; thence South 89°24'23" East 903.86 feet to a point on the Westerly line of said Tract 1283; thence along said Westerly line South 00°35'37" West 100.00 feet, North 89°24'23" West 27.88 feet and South 00°35'37" West 185.00 feet to the true point of beginning, with bearings based on said Tract 1283.