



After recording return to:  
Summit Accommodators, Inc.  
9390 & 8659 Hwy 140 East  
Klamath Falls, OR 97603

Until a change is requested all tax statements  
shall be sent to the following address:  
Summit Accommodators, Inc.  
9390 & 8659 Hwy 140 East  
Klamath Falls, OR 97603

File No.: 7021-336573 (SAC)  
Date: March 15, 2004

THIS SPACE RESERVED FOR RECORDER'S USE

Vol M04 Page 15785

State of Oregon, County of Klamath  
Recorded 03/19/2004 12:14 P m  
Vol M04 Pg 15785-87  
Linda Smith, County Clerk  
Fee \$ 31.00 # of Pgs 3

## STATUTORY WARRANTY DEED

**Bernard L. Simonsen and Rhea Ellen Simonsen, as Co-Trustees of the Simonsen Family Trust,** Grantor, conveys and warrants to **Dan R. Kurtz and Sydney R. Kurtz, as tenants by the entirety,** 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.

The true consideration for this conveyance is \$**"The true consideration for this conveyance is pursuant to an IRC Tax Deferred Exchange on behalf of said Grantee."** (Here comply with requirements of ORS 93.030)

15786

APN: R590186

Statutory Warranty Deed  
- continued

File No.: 7021-336573 (SAC)  
Date: 03/15/2004

Bernard L. Simonsen and Rhea Ellen  
Simonsen, as Co-Trustees of the Simonsen  
Family Trust

*Bernard L. Simonsen* TRUSTEE  
Bernard L. Simonsen, Co-Trustee

*Rhea Ellen Simonsen* Trustee  
Rhea Ellen Simonsen, Co-Trustee

STATE OF Oregon )  
County of Klamath )ss.  
)

This Instrument was acknowledged before me on this 15 day of March, 20 04  
by as of Bernard L. Simonsen and Rhea Ellen Simonsen, as Co-Trustees of the Simonsen Family Trust,  
on behalf of the .

*Stacy Collins*  
Notary Public for Oregon  
My commission expires: 8-2-07



APN: R590186

Statutory Warranty Deed  
- continuedFile No.: 7021-336573 (SAC)  
Date: 03/15/2004**EXHIBIT A****LEGAL DESCRIPTION:****Parcel 1:**

A tract of land situated in the E 1/2 E 1/2 of Section 7, the SW 1/4 SW 1/4 of Section 8, the NW 1/4 NW 1/4 of Section 17, and the NE 1/4 NE 1/4 of Section 18, all in Township 39 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a 5/8 Inch Iron rebar marking the South 1/16 corner common to said Sections 7 and 8; thence West 299.19 feet; thence along the arc of a curve to the right (radius = 188.70 feet and central angle =  $100^{\circ}12'14''$ ) 330.02 feet to a point 45 feet Easterly of an existing drain; thence paralleling said drain as follows: along the arc of a curve to the left (radius point bears N.  $79^{\circ}47'46''$  W. 165.00 feet and central angle =  $64^{\circ}29'22''$ ) 185.72 feet, N.  $54^{\circ}17'08''$  W. 70.42 feet, along the arc of a curve to the right (radius = 105.00 feet and central angle =  $33^{\circ}10'29''$ ) 60.80 feet, N.  $21^{\circ}06'39''$  W. 31.90 feet, along the arc of a curve to the right (radius = 125.00 feet and central angle =  $21^{\circ}50'41''$ ) 47.66 feet, N.  $00^{\circ}44'02''$  E. 528.19 feet; thence leaving said drain along the arc of a curve to the left (radius = 289.41 feet and central angle =  $90^{\circ}33'15''$ ) 457.40 feet; thence N.  $89^{\circ}49'13''$  W. 345.45 feet to the Easterly right of way of Booth Road; thence along said Easterly right of way line S.  $00^{\circ}10'47''$  W. 30.00 feet to a point from which the C-E 1/16 corner of said Section 7 bears N.  $89^{\circ}49'13''$  W. 30.00 feet; thence S.  $89^{\circ}49'13''$  E. 345.45 feet; thence along the arc of a curve to the right (radius = 259.41 feet and central angle =  $90^{\circ}33'15''$ ) 409.99 feet to a point 15 feet Easterly of the said drain; thence paralleling said drain as follows: S.  $00^{\circ}44'02''$  W. 528.19 feet, along the arc of a curve to the left (radius = 155.00 feet and central angle =  $21^{\circ}50'41''$ ) 59.10 feet, S.  $21^{\circ}06'39''$  E. 31.90 feet, along the arc of a curve to the left (radius = 135.00 feet and central angle =  $33^{\circ}10'29''$ ) 78.17 feet, S.  $54^{\circ}17'08''$  E. 70.42 feet, along the arc of a curve to the right (radius = 135.00 feet and central angle =  $64^{\circ}29'22''$ ) 151.95 feet; thence N.  $79^{\circ}47'46''$  W. 15 feet to the centerline of said existing drain; thence along the centerline of said drain Southwesterly to a point of the West line of the SE 1/4 SE 1/4 of said Section 7; thence along said West line S.  $00^{\circ}29'26''$  W. 430 feet, more or less, to the Northerly right of way line of the O.C. & E. Railroad; thence Southeasterly along said right of way line 1773 feet, more or less, to the Easterly bank of an existing drain; thence Northerly along said Easterly bank, passing through a point 304 feet East of the Southeast corner of said Section 7, to a point on the South line of the N 1/2 SW 1/4 SW 1/4 of said Section 8; thence Easterly along said South line 1019.7 feet, more or less, to the Southeast corner of said N 1/2 SW 1/4 SW 1/4; thence Northerly to the Northeast corner of the SW 1/4 SW 1/4 of said Section 8; thence Westerly to the point of beginning.

EXCEPTING a strip of land lying between the West line of the E 1/2 SE 1/4 of Section 7, Township 39 South, Range 10 East of the Willamette Meridian, and the existing fence line with the said E 1/2 SE 1/4, said strip of land being more particularly described as follows:

Beginning at a point marked by a 5/8 Inch Iron pin with plastic cap on the West line of the said E 1/2 SE 1/4, said point being S  $00^{\circ}29'26''$  W. 1827.79 feet from the C-E 1/16 corner of said Section 7; thence S.  $00^{\circ}29'26''$  W. 408.11 feet to a 5/8 Inch Iron pin with plastic cap on the Northerly right of way line of the O.C. & E. Railroad; thence S.  $66^{\circ}52'30''$  E., along said right of way line, 34.9 feet, more or less to the said existing fence line; thence Northerly along said existing fence line, 422 feet, more or less, to the centerline of an existing drain ditch; thence Westerly 27 feet, more or less to the point of beginning.