

04 JUL 20 PM3:40

Vol M04 Page 47497

State of Oregon, County of Klamath
Recorded 07/20/2004 3:40 p m
Vol M04 Pg 47497-99
Linda Smith, County Clerk
Fee \$ 3.00 # of Pgs 3

OC
RETURN TO:
Brandsness, Brandsness &
Rudd, P.C.
411 Pine Street
Klamath Falls, OR 97601

MAIL TAX STATEMENTS:

- WARRANTY DEED -

David Drake, Grantor, conveys and warrants to David F. Drake and Kelli L. Petersen, as Tenants by the Entirety, Grantees, the following described real property situate in Klamath County, Oregon, free of encumbrances except as specifically set forth herein:

Please refer to Exhibit "A" attached hereto

SUBJECT TO AND EXCEPTING: All recorded liens and encumbrances and those apparent upon the land; rules and regulations for irrigation, drainage & sewage; covenants, declarations and restrictions, easements & rights of way of record and those apparent on the land.

The true and actual consideration for this transfer is -0- and to transfer from sole to marital property.

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 2 day of ~~June~~ ^{July} 2004.


David Drake
Grantor

STATE OF VIRGINIA)

City of Richmond)
County of Richmond)

ss. July 2, 2004.

Personally appeared the above-named David Drake and acknowledged the foregoing instrument to be his voluntary act. Before me:

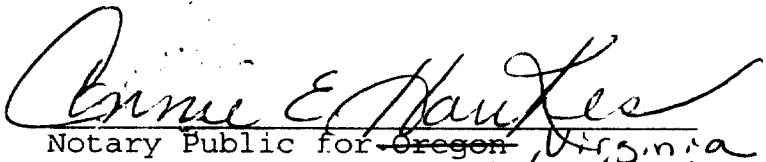

Notary Public for ~~Oregon~~ ^{Virginia}
My Commission expires: 3/31/2006

EXHIBIT "A"
LEGAL DESCRIPTION

Lot 5 Block 4, LONE PINE ON THE SPRAGUE, according to the duly recorded plat thereof on file in the Office of the County Clerk of Klamath County, Oregon, TOGETHER WITH an undivided 1/80 interest in and to the following, to-wit: A tract of land situated in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 11 and the NE $\frac{1}{4}$ of Section 14, all in T 35 S, R 9 E WM, Klamath County, Oregon, more particularly described as follows:

Beginning at an iron pin on the west line of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 11, said point being N $0^{\circ}07'13''$ W a distance of 71.79 feet from the S $\frac{1}{4}$ corner of said Section 11; thence S $62^{\circ}56'13''$ E 572.55 feet; thence on the arc of a 130-foot radius curve to the right 24.17 feet; thence S $52^{\circ}17'05''$ E 440.74 feet; thence on the arc of a 130-foot radius curve to the right 33.42 feet; thence S $37^{\circ}33'14''$ E 141.09 feet; thence on the arc of a 130-foot radius curve to the right 71.41 feet; thence S $06^{\circ}04'53''$ E 158.13 feet; thence on the arc of a 70-foot radius curve to the left 78.84 feet; thence S $71^{\circ}26'17''$ E 279.26 feet; thence S $72^{\circ}03'37''$ E 210.79 feet; thence on the arc of a 130-foot radius curve to the right 129.94 feet; thence S $14^{\circ}47'22''$ E 269.56 feet; thence S 30° E to the intersection with the thread or centerline of Sprague River; thence northwesterly along the thread of the Sprague River to its intersection with the west line of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 11; thence S $0^{\circ}07'13''$ E along said west line to the point of beginning.

SUBJECT TO: Contracts and/or liens for irrigation and/or drainage, if any; Rights of governmental bodies, if any, in and to that portion of the above described property lying below the high water mark of Sprague River; Easements and rights of way of record and those apparent on the land, if any; Reservations, restrictions and conditions shown on the plat and in the dedication of LONE PINE ON THE SPRAGUE.

Lot 4, Block 4, LONE PINE ON THE SPRAGUE, according to the duly recorded plat thereof on file in the office of the County Clerk of Klamath County, Oregon, together with an undivided 1/80th interest in and to the following, to-wit: A tract of land situated in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of said section II, and the NE $\frac{1}{4}$ of Section 14, all in T 35 S R 9 E WM Klamath County, Oregon, more particularly described as follows:

Beginning at an iron pin on the west line of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section II, said point being N $0^{\circ}07'13''$ W a distance of 71.79 feet from the South one-fourth corner of said Section II; thence S $62^{\circ}56'13''$ E 572.55; thence on the arc of a 130-foot

radius curve to the right 24.17 feet; thence S 52°17'05"E 440.74 feet; thence on the arc of a 130-foot radius curve to the right 33.42 feet; thence S37°33'14"E 141.09 feet; thence on the arc of 130-foot radius curve to the right 71.41 feet; thence S 06°04'53"E 158.13 feet; thence on the arc of a 70-foot radius curve to the left 78.84 feet; thence S 71°26'17"E 278.26 feet; thence S 30° E to the intersection with the thread or centerline of the Sprague River; thence northwesterly along the thread of the Sprague River to its intersection with the west line of the SW ¼ SE ¼ of said section II; thence S 0°07'13" E along said west line to the point of beginning.

SUBJECT TO: Contracts and/or liens for irrigation an/or drainage, if any, rights of governmental bodies, if any, in and to that portion of the above described property lying below the high water mark of Sprague River; Easements and rights of way of record and those apparent on the land, if any, Reservations, restrictions and conditions shown on the plat and in the dedication of LONE PINE ON THE SPRAGUE