

05 MAR 9 AM 11:04

This Deed is being re-recorded to correct an apparent error in the legal description

NTC-357047KR

2301

NTC-357047KR

Vol M05 Page 15576

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RETURN TO: Charles D. Bury & Lynn E. Bury 11440 Tingley Lane Klamath Falls, OR 97603	TAX STATEMENT TO: Charles D. Bury 11440 Tingley Lane Klamath Falls, OR 97603
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State of Oregon, County of Klamath
 Recorded 03/09/2005 11:04 a m
 Vol M05 Pg 15576-78
 Linda Smith, County Clerk
 Fee \$ 3100 # of Pgs 3
 20th NS

-WARRANTY DEED-

WESGO COMPANY, a partnership, Grantor, conveys and warrants to Charles D. Bury ^{and} /Grantee, the
 following described real property situate in Klamath County, Oregon, free of encumbrances except as
 Lynn E. Bury, husband & wife
 specifically set forth herein:

SEE EXHIBIT A ATTACHED HERETO

~~A tract of land situated in the SE¼ 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 on the West right of way line of Washburn Way, from which the Southeast
 corner of said Section 16 bears South 89°48'51" East 30.00 feet and South 00°11'09" West
 752.06 feet; thence North 89°48'51" West 190.00 feet; thence South 79°58'39" West 305.74
 feet, to the Northwestern right of way line of the Southern Pacific Railroad; thence North
 33°30'54" West, along said right of way line, 1672.84 feet to the Southwesterly right of way
 line of the South Side Express Way; thence along said Southwesterly right of way 1753 feet,
 more or less, to the West right of way line of Washburn Way; thence South 00°11'09" West
 452.77 feet to the point of beginning, containing 9.80 acres, EXCEPTING THEREFROM the
 area lying within the USBR 1-G Drain.~~

SUBJECT TO AND RESERVING to the Grantor an easement for roadway and utility purposes
 60.00 feet in width along the most southerly portion of the above described property, more
 particularly described as, Beginning at the Southeast corner of said Section 16; thence North
 00°11'09" East 742.06 feet, along the section line; thence North 89°48'51" West 30.00 feet,
 to a point on the West right of way line of Washburn Way; thence North 00°11'09" East 10.00
 feet along the West right of way line of Washburn Way to the true point of beginning of this
 easement; thence North 89°48'51" West 190.00 feet; thence South 79°58'39" West 305.74 feet
 to the Northeasterly boundary of the Southern Pacific Railroad right of way; thence North
 33°30'54" West 65.42 feet, along said Railroad right of way; thence North 79°58'39" East
 337.18 feet; thence South 89°48'51" East 195.36 feet to the West right of way line of Washburn
 Way; thence South along the West right of way line of Washburn Way 60.00 to the true point
 of beginning of this easement FOR THE USE AND BENEFIT OF Grantor's remaining property
 described as that portion of the SE¼ of Section 16, lying Westerly of the Westerly right of way
 line of the Southern Pacific Railroad.

SUBJECT TO AND EXCEPTING:

- (1) Reservations, restrictions, easements and rights of way of record and those apparent upon the land;
- (2) Rules, regulations and statutory powers, including the power of assessment of Klamath Irrigation District;
- (3) The premises are specially assessed a Farm Use Land. If the land becomes disqualified for the special assessment under the statute, an additional tax may be levied and a penalty may be levied if notice of disqualification is not timely given.
- (4) Limited access provisions contained in Deed to the State of Oregon, by and through its State Highway Commission, recorded on August 27, 1982 in Volume M82, page 12854, Microfilm Records of Klamath County, Oregon; which provided that no right of easement or right of access to, from or across the State Highway other than expressly therein provided for shall attach to the abutting property;

The true and actual consideration for this transfer is \$135,500.00.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE

3/10/05
2009 NS

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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.

Dated this 16 day of June, 1995.

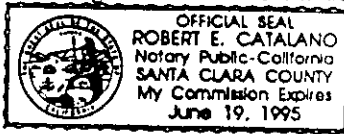
WESGO COMPANY, a partnership

By: [Signature]
Benjamin J. Menold

By: [Signature]
Melvin L. Stewart

STATE OF CALIFORNIA)
) ss. 16 June 1995
County of Santa Clara)

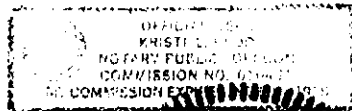
Personally appeared Benjamin J. Menold who, being duly sworn, stated he is a partner of Wesgo Company, a partnership, and that said instrument was signed on behalf of said partnership; and he acknowledged said instrument to be its voluntary act and deed. Before me:



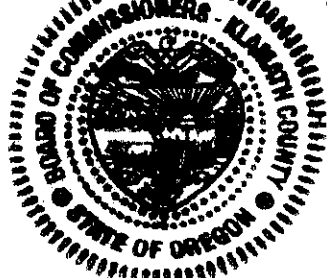
[Signature]
Notary Public for California
My Commission expires: 6-19-95

STATE OF OREGON)
) ss. 16th June 1995
County of Klamath)

Personally appeared Melvin L. Stewart who, being duly sworn, stated he is a partner of Wesgo Company, a partnership, and that said instrument was signed on behalf of said partnership; and he acknowledged said instrument to be its voluntary act and deed. Before me:



[Signature]
Notary Public for Oregon
My Commission expires: 11/6/95



STATE OF OREGON)
County of KLAMATH)
I CERTIFY that this is a true and correct copy of a document in the possession of the Klamath County Clerk.
Dated: 2-24-05
LINDA SMITH, Klamath County Clerk
By: [Signature], Deputy

STATE OF OREGON: COUNTY OF KLAMATH: ss.
Filed for record at request of Mountain Title Company the 30th day of June A.D. 19 95 at 3:44 o'clock P. M. and duly recorded in Vol. 895 of Deeds on Page 17207
Bernetha G. Letsch County Clerk
By [Signature]

FEE \$35.00

EXHIBIT "A"
LEGAL DESCRIPTION

A tract of land situated in the SE1/4 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 on the West right of way line of Washburn Way, from which the Southeast corner of said Section 16 bears South 89 degrees 48' 51" East 30.00 feet and South 00 degrees 11' 09" West 752.06 feet; thence North 89 degrees 48' 51" West 190.00 feet; thence South 79 degrees 58' 39" West 56.43 feet, thence South 79 ° 58' 39" West 249.31 feet to the Northwesterly right of way line of the Southern Pacific Railroad; thence North 33 degrees 30' 54" West along said right of way line, 1672.84 feet to the Southwesterly right of way line of the Southside Expressway; thence along said Southwesterly right of way 1753 feet more or less to the West right of way line of Washburn Way; thence South 00 degrees 11' 09" West 452.77 feet to the point of beginning.

EXCEPTING the area lying within the USBR 1-G Drain

AND EXCEPTING THEREFROM that portion thereof conveyed to Klamath County for road purposes (Washburn Way) by Warranty Deed recorded May 3, 1996 in Volume M96 page 12695, Microfilm Records of Klamath County, Oregon.

Account No.: 3909-01600-00402-000

Key No.: 797481

Account No.: 3909-01600-01000-000

Key No.: 579733