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Vol M05 Page 15890

GRANTOR NAME AND ADDRESS

Don Kucera and Nancy Kucera, Trustees  
of the Don and Nancy Kucera Revocable Trust  
u.a.d. December 6, 2004  
13788 Matney Road  
Klamath Falls, Oregon 97603

State of Oregon, County of Klamath  
Recorded 03/10/2005 12:13 p m  
Vol M05 Pg 15890-92  
Linda Smith, County Clerk  
Fee \$ 3.00 # of Pgs 3

GRANTEE NAME AND ADDRESS

Kucera Enterprises LLC  
13788 Matney Road  
Klamath Falls, Oregon 97603

AFTER RECORDING RETURN TO

NEAL G. BUCHANAN  
435 OAK AVE.  
KLAMATH FALLS, OR 97603

SEND TAX STATEMENTS TO  
GRANTEE

WARRANTY DEED - STATUTORY FORM

DON KUCERA and NANCY KUCERA, Trustees of the DON and NANCY KUCERA REVOCABLE TRUST u.a.d. December 16, 2004, Grantors, convey and warrant to KUCERA ENTERPRISES LLC, Grantee, the following described real property free of encumbrances except as specifically set forth herein situated in Klamath County, Oregon, to-wit:

See the attached Exhibit A

ALL SUBJECT TO contracts and/or liens for irrigation and/or drainage, reservations, easements, restrictions and rights of way of record.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING AND 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 and actual consideration for this conveyance is \$-0-. However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration, being for estate planning purposes.

DATED this 5<sup>th</sup> day of January, 2005.

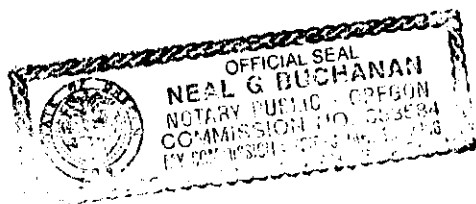
DON AND NANCY KUCERA REVOCABLE TRUST

By Don Kucera  
DON KUCERA, Trustee

By Nancy J. Kucera  
NANCY KUCERA, Trustee

STATE OF OREGON, County of Klamath) ss.

This instrument was acknowledged before me on January 5, 2005, by Donald Eugene Kucera and Nancy Irene Kucera.



Neal G. Buchanan  
NOTARY PUBLIC FOR OREGON

EXHIBIT "A"  
LEGAL DESCRIPTION

15891

PARCEL ONE

A tract of land situated in the SW1/4 NW1/4 of Section 11, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a point on the East right-of-way line of Summers Lane, said point being North 00 degrees 21' 30" West 586.80 feet and North 89 degrees 38' 30" East 30.00 feet from the West 1/4 corner of said Section 11; thence North 00 degrees 21' 30" West, along said right-of-way, 152.74 feet to the North line of that tract of land described in Volume 128, page 547 of the Klamath County Deed Records; thence North 89 degrees 48' 30" East, along the North line of said tract, 270.00 feet to the centerline of the 1-C-9A Drain; thence South 00 degrees 21' 30" East, along said centerline, 75.00 feet; thence North 89 degrees 48' 30" East 42.00 feet; thence South 00 degrees 21' 30" East 77.74 feet; thence South 89 degrees 48' 30" West 312.00 feet to the point of beginning, with bearings based on the Survey Map of Minor Land Partition No. 25-88.

Tax Account No.: 3909 011BC 04600 (with other property)

Grantor hereby retains an easement 30 feet in width along the southern boundary of the real property described in Exhibit A running for a distance of 180 feet easterly from the east boundary of Summers Lane. Grantor also grants an easement 30 feet in width immediately south of said southerly property line extending for a distance of 180 feet easterly from the east boundary of Summers Lane. This easement creates a joint easement 60 feet in width with the centerline running along the south boundary line of the real property described in Exhibit A for a distance of 180 feet from the easterly boundary of Summers Lane and shall be for parking lot purposes and shall be maintained consistent with the agreement of the parties as recorded in Klamath County Deed Records Vol. M88, Page 2137, on November 13, 1988; this easement is the same easement described in said recorded agreement.

PARCEL TWO

All that portion of the E1/2 NW1/4 SE1/4 and NE1/4 SE1/4 of Section 15, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, which lies Southwesterly of the Southwesterly line of the right of way of the Great North Railway Company.

SAVE AND EXCEPT all that portion lying within the North 349 feet of the said E1/2 NW1/4 SE1/4.

ALSO SAVE AND EXCEPT all that portion lying within a tract of land described as follows:

Beginning at a point where the Westerly line of the right of way of the Great Northern Railway Company intersects the Northerly line of the right of way of the County Road (Johns Avenue) located in the said SE1/4 of Section 15 and from which point the Southeast corner of the said NE1/4 SE1/4 lies East, a distance of 638.4 feet; thence Northwesterly along said Westerly right of way line of the Railway Company, a distance of 433 feet; thence Northeasterly at right angles along said Westerly right of way line, a distance of 100 feet; thence at right angles, Northwesterly along said right of way line, a distance of 195.3 feet; thence south a distance of 506.7 feet to a point lying on the Northerly line of the right of way of said County Road; thence Easterly along said Northerly right of way line, a distance of 390 feet, more or less, to the point of beginning.

PARCEL THREE

The Southwest quarter of the Southeast quarter of Section 12, Township 40 South, Range 9 E. W.M., EXCEPTING that portion lying West of the Main Irrigation Canal and EXCEPTING rights of way heretofore deeded for canals and ditches, Klamath County, Oregon.

EXHIBIT "A"  
LEGAL DESCRIPTION  
(continued)

PARCEL FOUR

All that portion of the Southwest quarter of the Northwest quarter of Section 12, Township 39 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, EXCEPTING THEREFROM the following:

Beginning at the Northwest corner of Section 12, Township 39 South, Range 8 East of the Willamette Meridian; thence South 1348.93 feet to the Southwest corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; thence East 384.34 feet; thence South 1003.00 feet; thence North 72° 14' 14" West 70.34 feet; thence South 40° 37' 42" West 155.66 feet; thence South 110 feet more or less to the North boundary of that certain tract of land to the State of Oregon by and through its State Highway Commission described in Deed Volume 104, at page 547; thence continuing in a Southeasterly, Southerly and South direction along said tract of land and the North line of Balsam Drive, to the Westerly extended line of a tract of land described in Deed Volume 284, page 91, thence North along said Westerly line to the Northwest corner of that certain tract of land; thence West to the point of beginning.

ALSO EXCEPTING THEREFROM the following:

Beginning at a point which lies South 1348.93 feet from the Northwest corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 12, Township 39 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, thence South 89° 00' 26" East 384.34 feet; thence South 1003.00 feet to a point; thence North 72° 14' 14" West 70.34 feet to a point; thence South 40° 37' 42" West, 155.66 feet; thence South 110 feet more or less to the North boundary of a tract of land deeded to the State of Oregon by and through its State Highway Commission, thence in a Westerly and Northwesterly direction to the Westerly line of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; thence North to the point of beginning, all situate in Section 12, Township 39 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon.

ALSO EXCEPTING THEREFROM the following:

Beginning at the quarter corner common to Sections 11 and 12, Township 39 South, Range 8 East of the Willamette Meridian; thence North along the West line of said Section 12 a distance of 490.0 feet; thence along the Northerly line of the County Road South 24° 30' East a distance of 76.6 feet; thence South 45° 39' East a distance of 277.2 feet; thence South 62° 11' East a distance of 113.6 feet; thence South a distance of 173.1 feet; thence West a distance of 330.0 feet to the point of beginning, excepting from the above parcel of land a strip 60 feet in width along the Northeasterly side, said strip being in use as a road along the Northeasterly side of the above described parcel of land.

FURTHER EXCEPTING THEREFROM any portion thereof lying within the right of way line of Balsam Drive.

ALSO EXCEPTING THEREFROM the following:

Beginning at the center of Section 12, Township 39 South, Range 8 East of the Willamette Meridian; thence North 690 feet; thence North 89° 49' West for a distance of 1650 feet to the Southeast corner of the tract herein conveyed; thence North 600 feet; thence North 89° 49' West 363 feet; thence South 600 feet; thence South 89° 49' East for a distance of 363 feet to the point of beginning.