

MTT-71069 TM



**M05-66383**

Klamath County, Oregon

10/12/2005 03:34:28 PM

Pages 3 Fee: \$31.00

After recording return to:

PHILIP L. GOOGINS

P.O. BOX 1441

KLAMATH FALLS, OR 97601

Until a change is requested all  
tax statements shall be sent to  
The following address:

PHILIP L. GOOGINS

P.O. BOX 1441

KLAMATH FALLS, OR 97601

Escrow No. MT71069-TM

Title No. 0071069

SWP

### STATUTORY WARRANTY DEED

**MICHAEL N. FITZPATRICK and MARY E. FITZPATRICK**, as tenants by the entirety, Grantor(s) hereby convey and warrant to **PHILIP L. GOOGINS and ~~PATRICK~~ L. GOOGINS**, as tenants by the entirety, Grantee(s) the following described real property in the County of **KLAMATH** and State of Oregon free of encumbrances except as specifically set forth herein: **\*\*PATTI**

**SEE EXHIBIT A WHICH IS MADE A PART HEREOF BY THIS REFERENCE**

The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any:

The true and actual consideration for this conveyance is **\$285,000.00**.

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 12th day of OCT 2005

Michael N. Fitzpatrick by Kevin Arndt his Attorney in fact  
MICHAEL N. FITZPATRICK KEVIN ARNDT, his attorney in fact

Mary E. Fitzpatrick by Kevin Arndt her Attorney in fact  
MARY E. FITZPATRICK KEVIN ARNDT, her attorney in fact

State of Oregon  
County of KLAMATH

*Kevin Arndt, AS Attorney in fact for*

This instrument was acknowledged before me on 10-12-, 2005 by MICHAEL N. FITZPATRICK and MARY E. FITZPATRICK.



Debbie Sinnock  
(Notary Public for Oregon)

My commission expires 9-8-09

3/00

EXHIBIT "A"  
LEGAL DESCRIPTION

PARCEL I :

A tract of land situated in the SW1/4 NW1/4, Section 18, 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 pin on the East right of way line of State Highway No. 39 (Klamath Falls-Merrill Highway), said point being located South a distance of 1326.66 feet and East a distance of 29.61 feet from the bolt purportedly marking the Southwest corner of Section 7, Township 39 South, Range 10 East of the Willamette Meridian, as set and shown by record of Survey No. 1018 filed in the office of the Klamath County Surveyor, said beginning point also being North a distance of 3989.91 feet and East a distance of 9.80 feet from the iron pin marking the Southwest corner of Section 18, Township 39 South, Range 10 East of the Willamette Meridian; thence North 89° 47' 40" East along the Westerly extension of an old existing fence line and along said fence line 1001.20 feet; thence South 293.25 feet; thence North 70° 49' 32" East 102.63 feet to a point on the arc of a 50-foot radius curve; thence Southeasterly along the arc of said curve (central angle = 102° 21' 44") 90.25 feet; thence South 31° 36' 12" East 104.55 feet; thence South 65° 48' 00" West 10.00 feet; thence South 24° 12' 00" East 180.00 feet; thence South 65° 48' 00" West 91.43 feet to the beginning of a curve; thence along the arc of said curve to the left (central angle = 42° 41' 30" and radius = 135.77 feet) 101.16 feet; thence South 23° 06' 30" West 74.72 feet; thence along the arc of a curve to the right (central angle = 113° 45' 00" and radius = 100 feet) 198.53 feet; thence North 43° 08' 30" West 185.00 feet to the true point of beginning of this description; thence North 46° 51' 30" East 118.75 feet; thence North 43° 08' 30" West 49.88 feet; thence on the arc of a curve to the left (central angle = 16° 33' 45" and radius = 220 feet) 63.60 feet; thence South 30° 17' 45" West 114.36 feet; thence South 43° 08' 30" East 80.00 feet to the true point of beginning of this description.

TOGETHER WITH a perpetual and non-exclusive easement for access as described in deed recorded April 3, 1979 in Volume M79 page 7265, Deed records of Klamath County, Oregon.

PARCEL II:

A tract of land situated in the SW1/4 NW1/4, Section 18, 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 pin on the East right of way line of State Highway No. 39 (Klamath Falls-Merrill Highway), said point being located South a distance of 1326.66 feet and East a distance of 29.61 feet from the bolt purportedly marking the Southwest corner of Section 7, Township 39 South, Range 10 East of the Willamette Meridian, as set and shown by record of Survey No. 1018 filed in the office of the Klamath County Surveyor, said beginning point also being North a distance of 3989.91 feet and East a distance of 9.80 feet from the iron pin marking the Southwest corner of Section 18, Township 39 South, Range 10 East of the Willamette Meridian; thence North 89° 47' 40" East along the Westerly extension of an old existing fence line and along said fence line 1001.20 feet; thence South 293.25 feet; thence North 70° 49' 32" East 102.63 feet to a point on the arc of a 50-foot radius curve; thence Southeasterly along the arc of said curve (central angle = 102° 21' 44") 90.25 feet; thence South 31° 36' 12" East 104.55 feet; thence South 65° 48' 00" West 10.00 feet; thence South 24° 12' 00" East 180.00 feet;

- Continued -

(Legal description continued)

thence South  $65^{\circ} 48' 00''$  West 91.43 feet to the beginning of a curve; thence along the arc of said curve to the left (central angle =  $42^{\circ} 41' 30''$  and radius = 135.77 feet) 101.16 feet; thence South  $23^{\circ} 06' 30''$  West 74.72 feet; thence along the arc of a curve to the right (central angle =  $113^{\circ} 45' 00''$  and radius = 100 feet) 193.53 feet; thence North  $43^{\circ} 08' 30''$  West 265.00 feet to the true point of beginning of this description; thence continuing North  $43^{\circ} 08' 30''$  West 74.64 feet; thence North  $65^{\circ} 09' 30''$  West 116.01 feet; thence North  $00^{\circ} 16' 00''$  West 25.21 feet; thence North  $89^{\circ} 47' 40''$  East 102.35 feet; thence along the arc of a curve to the right (central angle =  $30^{\circ} 30' 05''$  and radius = 220.00 feet) 117.12 feet; thence South  $30^{\circ} 17' 45''$  West 114.36 feet to the true point of beginning of this description.

TOGETHER WITH a perpetual and non-exclusive easement for access as described in deed recorded May 2, 1979 in Volume M79 page 10005, Deed records of Klamath County, Oregon.

Tax Account No: 3910-018B0-01400-000

Key No: 598026