

MTT-72202-KR



**M05-68474**

Klamath County, Oregon

11/07/2005 03:04:24 PM

Pages 2 Fee: \$26.00

After recording return to:

James J. Bellet

2346 Nile Street

Klamath Falls, OR 97603

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

James J. Bellet

2346 Nile Street

Klamath Falls, OR 97603

Escrow No. MT72202-KR

Title No. 0072202

SWL

## STATUTORY WARRANTY DEED

**Thomas H. Gastaldi and Lu R. Gastaldi, as tenants by the entirety**, Grantor(s) hereby convey and warrant to **James J. Bellet and Sherry A. Bellet, 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:

### LEGAL DESCRIPTION

All that part of the North one-half of Tract 30, and all that part of Tracts 31 and 32 of ALTAMONT SMALL FARMS in Section 15, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, lying Southwesterly of a line parallel with and distant 100 feet Southwesterly measured at right angles from the center line of the main track of the railway of the Great Northern Railway Company as now located and constructed, said center line being more particularly described as follows:

Beginning at a point on the Northerly boundary of said Section 15, distant 412.2 feet Easterly from the Northwest corner thereof; thence Southeasterly along a straight line making a Southeasterly included angle of 41° 02' with said Northerly boundary, a distance of 6,629.8 feet, more or less, to an intersection with the Easterly boundary of said Section 15, at a point distant 926.4 feet Northerly from the Southeast corner thereof.

SAVING AND EXCEPTING from the above-described premises, that portion thereof conveyed by the Great Northern Railway Company to Klamath County, a political subdivision of the State of Oregon, by deed dated October 12, 1942, recorded September 11, 1944, in Book 168 at page 557, Deed Records of Klamath County, Oregon.

FURTHER EXCEPTING all that part of Tracts 30, 31 and 32 of ALTAMONT SMALL FARMS lying between the Southwesterly right of way line of the Great Northern Railway Company and a line parallel with and distant 25 feet Southwesterly, measured at right angles, from said Southwesterly right of way line.

Tax Account No: 3909-015BD-01100-000

Key No: 578912

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 **PURSUANT TO AN IRC 1031 TAX DEFERRED EXCHANGE ON BEHALF OF GRANTOR/GRANTEE.**

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.

26.0

Dated this 4<sup>th</sup> day of November, 2005

Thomas H. Gastaldi  
Thomas H. Gastaldi

Lu R. Gastaldi  
Lu R. Gastaldi

State of Oregon  
County of KLAMATH

This instrument was acknowledged before me on November 4, 2005 by Thomas H. Gastaldi and Lu R. Gastaldi.

Kristi L. Redd  
(Notary Public for Oregon)

My commission expires 11/16/2007

