



MTL-72706 KR

**M05-70250**

Klamath County, Oregon

12/01/2005 02:48:42 PM

Pages 2 Fee: \$26.00

After recording return to:

Klamath Basin Storage, LLC, an Oregon limited liability company

5537 Homer Drive

Klamath Falls, OR 97603

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

Klamath Basin Storage, LLC, an Oregon limited liability company

5537 Homer Drive

Klamath Falls, OR 97603

Escrow No. MT72706-KR

Title No. 0072706

NA, )

### STATUTORY WARRANTY DEED

**James L. Moore and Cheryl L. Moore, as tenants by the entirety**, Grantor(s) hereby convey and warrant to **Klamath Basin Storage, LLC, an Oregon limited liability company**, 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

The SE1/4 of Section 3, Township 41 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, EXCEPTING THEREFROM, that portion thereof described as follows:

A parcel of land situated in the SE1/4 of Section 3, Township 41 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Commencing at an axle marking the Southwest corner of said SE1/4; thence North 00° 17' 30" East along the centerline of Merrill Pit Road, a county road 30.00 feet; thence South 89° 04' 13" East, 30.00 feet to the Easterly right of way line of said Merrill Pit Road and the point of beginning for this description; thence North 00° 17' 30" East along said right of way line, 2609.75 feet; thence South 89° 40' 30" East, 258.42 feet; thence South 09° 06' 53" East, 2652.97 feet to the Northerly right of way line of Falvey Road, a county road; thence North 89° 04' 13" West along said Northerly right of way line, 692.06 feet to the point of beginning.

AND EXCEPTING THEREFROM that portion thereof conveyed to Central Pacific Railway Company be deed recorded January 14, 1929, Deed Records of Klamath County, Oregon;

AND EXCEPTING THEREFROM that portion thereof lying Easterly of the Easterly right of way line of the Southern Pacific Railroad;

AND EXCEPTING THEREFROM Falvey Road.

Tax Account No: 4110-00300-01600-000  
(Affects other property also)

Key No: 100866

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:

26.00

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.

Dated this 30<sup>th</sup> day of November, 2005.

James L. Moore  
James L. Moore

Cheryl L. Moore  
Cheryl L. Moore

State of Oregon  
County of KLAMATH

This instrument was acknowledged before me on November 30, 2005 by James L. Moore and Cheryl L. Moore.

Kristi L. Redd  
(Notary Public for Oregon)

My commission expires 11/16/2007

