



MT7-72459 MS

M05-70721

Klamath County, Oregon

12/08/2005 03:10:20 PM

Pages 4 Fee: \$36.00

THIS SPACE RESERVED FOR RECORDER'S USE

After recording return to:

Westwind Properties, LLC, an Oregon Limited
Liability Company

P.O. Box 6299

Bend, OR 97708

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

Westwind Properties, LLC, an Oregon Limited
Liability Company

P.O. Box 6299

Bend, OR 97708

Escrow No. MT72459-MS

Title No. 0072459

END

STATUTORY WARRANTY DEED

Wayne P. Snoozy and Sharon E. Snoozy, as tenants by the entirety, Grantor(s) hereby convey and warrant to **Westwind Properties, 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:

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 (See Exhibit "B" attached hereto and made a part hereof):

The true and actual consideration for this conveyance is **\$1,242,500.00, paid by an accommodator pursuant to an IRC 1031 exchange; said consideration shall consist of: (i) \$650,000.00 payable for the real property known as Tax lot 3909-001AC-02400-000; and (ii) \$592,500.00 payable for the real property known as Tax lot 3909-001AC-04200-000.**

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.

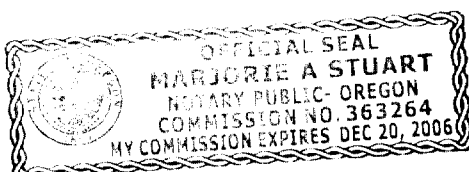
Dated this 7th day of Dec, 2005

Wayne P. Snoozy
Wayne P. Snoozy

Sharon E. Snoozy
Sharon E. Snoozy

State of Oregon
County of KLAMATH

This instrument was acknowledged before me on 12/7, 2005 by Wayne P. Snoozy and Sharon E. Snoozy.



[Signature]
(Notary Public for Oregon)

My commission expires 12/20/06

3600

EXHIBIT "A"
LEGAL DESCRIPTION

PARCEL 1

The South 40 feet of Lot 5 and all of Lot 6 in Block 3 of FIRST ADDITION TO MOYINA MANOR, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

Account No.: 3909-001AC-02400-000 Key No.: 504715

PARCEL 2

A tract of land situated in the SW1/4 NE1/4 of Section 1, Township 39, South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at the Southeast corner of Lot 4, Block 5 of FIRST ADDITION TO MOYINA MANOR, thence North to the South line of the FIRST ADDITION TO MOYINA MANOR, thence East along the South line of said Addition to the Northwest corner of Lot 7, Block 6; thence South to the Southwest corner of said Lot 7, thence East along the South line of Lot 7 and 6, Block 3 to the Southeast corner of said Lot 6 and 3; thence South 00° 21' 05" East 570 feet to the Northeast corner of Deed Volume 258, page 670; thence West along the North line of said Deed to West line of the SW1/4 NE1/4; thence North 570 feet along said West line to the Southwest corner of M73, page 15196, Microfilm Records of Klamath County, Oregon; thence North 89° 12' 22" East 110 feet; thence North 00° 47' 30" West 110 feet to the point of beginning.

EXCEPTING THEREFROM THE FOLLOWING:

A tract of land situated in the SW1/4 NE1/4 of Section 1, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a point which is South 89° 52' 12" West 1811.71 feet and North 00° 21' 05" West 327.24 feet from the East 1/4 of said Section 1, said point being the Southeast corner of that tract of land described in Deed Volume 323, page 233, as recorded in the Klamath County Deed Records; thence South 89° 52' 12" West along the South line of said Deed Volume, 200.00 feet; thence North 00° 21' 05" West 200.00; thence North 89° 52' 12" East 200.00 feet; thence South 00° 21' 05" East 200.00 feet to the point of beginning.

Tax Account No: 001AC-04200-000 Key No: 504877

EXHIBIT "B"

- Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
- Easements, liens encumbrances, interests or claims thereof which are not shown by the public records. Any facts, rights, interest, or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
- Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by public records.
- Unpatented mining claims, reservations or exceptions in patents or in acts authorizing the issuance thereof, water rights, claims or title to water, whether or not the matters excepted are shown by public record.
- Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
- The premises herein described are within and subject to the statutory powers, including the power of assessment and easements of Klamath County Drainage District.
- The premises herein described are within and subject to the statutory powers, including the power of assessment and easements of South Suburban Sanitary District.
- Reservations and restrictions as contained in plat dedication, to wit:
"Subject to: (1) Easements for future public utilities as shown on the annexed plat, (2) Building setback lines as shown on the annexed plat, (3) All easements and reservations of record and additional restrictions as provided in any recorded protective covenants."
Affects Parcel 1
- Building setback line 20 feet along Unity Street and 15 feet along the South lot line as shown on dedicated plat.
Affects Parcel 1
- Public utilities easement 8 feet along rear of each lot, as shown on dedicated plat.
Affects Parcel 1
- Covenants, conditions and restrictions, but omitting restrictions, if any, based on race, color, religion, sex, handicap, familial status or national origin, imposed by instrument, subject to the terms and provisions thereof,
Recorded: September 4, 1968
Volume: M68, page 8013, Microfilm Records of Klamath County, Oregon
Affects Parcel 1
- An easement created by instrument, subject to the terms and provisions thereof,
Dated: April 11, 1972
Recorded: April 11, 1972
Volume: M72, page 3809, Microfilm Records of Klamath County, Oregon
In favor of: 1st Church of the Nazarene
For: A 60 foot access easement
Affects Parcel 2

Exhibit "B" cont.

- An easement created by instrument, subject to the terms and provisions thereof,
Dated: August 14, 1981
Recorded: August 31, 1981
Volume: M81, page 15423, Microfilm Records of Klamath County, Oregon
In favor of: Pacific Power & Light Company
For: Electrical right of way
Affects Parcel 2
- Subject to an unrecorded easement in favor of the City of Klamath Falls for a water main as disclosed by the Pacific Power & Light Easement shown as exception 14. We have attached a copy of the unrecorded easement.
Affects Parcel 2
- Major Land Partition Creation of a Private Road subject to the terms and provisions thereof,
Recorded: July 12, 1989
Volume: M89, page 12960
Rerecorded: August 1, 1989
Volume: M89, page 14126, Microfilm Records of Klamath County, Oregon.
Affects Parcel 2