

mtc-73509 MP

THIS SPACE RESER

M06-07417

Klamath County, Oregon

04/17/2006 10:26:24 AM

Pages 2 Fee: \$26.00



After recording return to:

Ernest W. Tosti

26591 S. Poe Valley Road

Klamath Falls, OR 97603

Until a change is requested all

tax statements shall be sent to

The following address:

Ernest W. Tosti

26591 S. Poe Valley Road

Klamath Falls, OR 97603

Escrow No. MT73509-KR

Title No. 0073509

SWD

STATUTORY WARRANTY DEED

Anthony G. West and Tammie J. West, as tenants by the entirety, Grantor(s) hereby convey and warrant to

Ernest W. Tosti and Tama Tosti, as tenants by the entirety, Grantee(s) the following described real property in the County of 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:

The true and actual consideration for this conveyance is **\$220,000.00**.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)). THIS INSTRUMENT DOES 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 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)).

Dated this 10th day of April, 2006

Anthony G. West
Anthony G. West

Tammie J. West
Tammie J. West

State of Oregon
County of KLAMATH

This instrument was acknowledged before me on April 10, 2006 by Anthony G. West and Tammie J. West.



Kristi L. Redd
(Notary Public for Oregon)

My commission expires 11/16/2007

26.00

EXHIBIT "A"
LEGAL DESCRIPTION

The SW1/4 SW1/4 and that portion of Government Lot 12, Section 35, Township 39 South, Range 11 1/2 East of the Willamette Meridian, Klamath County, Oregon, lying Southwesterly of the centerline of Lost River, and Westerly of the West line of the following described parcel:

A parcel of land situate in Government Lots 12, 13 and the SE1/4 SE1/4 of Section 35, Township 39 South, Range 11 1/2 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a point on the South line of said Section 35 which bears North 89° 53' West a distance of 803.4 feet from the Southeast corner of said Section 35; thence continuing along said South line North 89° 53' West a distance of 2180.6 feet to the Southwest corner of tract described in Deed from Rockne Lane Fiegi to Ben F. Smith, Inc., dated October 25, 1974, recorded November 4, 1974, in Volume M74, page 14245, Deed Records of Klamath County, Oregon; thence North 01° 07' East along the West line and West line extended of last mentioned tract a distance of 753.1 feet to the center of Lost River; thence Northeasterly along the centerline of Lost River a distance of 1125 feet, more or less, to the most Northerly point of tract described as Parcel #1 in Deed from Millet Ranch to Ben F. Smith, Inc., dated June 27, 1972, recorded July 7, 1972 in Volume M72 page 7365, Deed Records of Klamath County, Oregon; thence South 59° 19' East a distance of 953.0 feet to a point; thence South 33° 29' East a distance of 869.0 feet, more or less, to the point of beginning, LESS portion contained in the right of way of South Poe Valley Road.

ALSO LESS AND EXCEPTING any portion of the USBR F-8 Lateral.

AND EXCEPTING THEREFROM that portion thereof conveyed to Stephen W. Barrows to complete Property Line Adjustment 1-01 by Deed recorded April 11, 2006 in Volume M06, page 06997, described as follows:

A tract of land situated in the SW1/4 SW1/4 of Section 35, Township 39 South, Range 11 1/2 East Willamette Meridian, Klamath County, Oregon, described as follows:

Beginning at the intersection of an existing ditch and the West line of said Section 35, from which the Southwest corner of said Section 35 bears South 00° 10' 04" West 946.54 feet; thence North 23° 57' 51" East, along the existing ditch, 411.93 feet to a point on the North line of the said SW1/4 SW1/4; thence North 89° 49' 33" West, along the said North line, 166.21 feet to the South 1/16 corner of the West line of said Section 35; thence South 00° 10' 04" West 376.93 feet to the point of beginning, with bearings based on record of Survey 6803 on file at the office of the Klamath County Surveyor.

Tax Account No: 3911-V3500-00400-000
(Affects other property also)

Key No: 617229