

MT-70772K

THIS SPACE RESER



**M06-08198**

Klamath County, Oregon

04/26/2006 02:31:48 PM

Pages 6 Fee: \$46.00

After recording return to:

Ray S. Prock Sr.

5712 N. Hickman Rd.

Denair, CA 95316

Until a change is requested all  
tax statements shall be sent to

The following address:

Ray S. Prock Sr.

5712 N. Hickman Rd.

Denair, CA 95316

Escrow No. MT70772-KR

Title No. 0070772

SWD

### STATUTORY WARRANTY DEED

**Louise Patterson, as to an undivided 1/3 interest, as to Parcels 1, 2, and 3; James C. Ross and Marilyn J. Ross, as tenants by the entirety, as to an undivided 2/3 interest, as to Parcels 1, 2, and 3; Winston H. Patterson, Louise Patterson, James C. Ross and Marilyn Ross, as General Partnership, as to Parcels 4, 10, 11, 12, 13; Louise Patterson as to Parcels 5, 6, 7, 8, 9, Grantor(s) hereby convey and warrant to Ray S. Prock Sr. and Linda S. Prock, 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:**

### 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 **\$1,175,000.00**.

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 20<sup>th</sup> day of April 2006

Louise Patterson

Louise Patterson

James C. Ross

James C. Ross

Marilyn J. Ross

Marilyn J. Ross

Winston H. Patterson, Louise Patterson, James C. Ross, and Marilyn Ross, a General Partnership

BY: Marilyn Ross  
Marilyn Ross, Surviving Partner

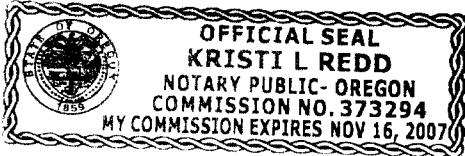
BY: Louise Patterson  
Louise Patterson, Surviving Partner

BY: James C. Ross  
James C. Ross, Surviving Partner

4600

State of Oregon  
County of KLAMATH

This instrument was acknowledged before me on April 20, 2006 by Louise Patterson, James C. Ross, Marilyn J. Ross, as individuals, and Winston H. Patterson, Louise Patterson, James C. Ross and Marilyn Ross, as Partners of a General Partnership.



Kristi L. Redd  
(Notary Public for Oregon)

My commission expires 11/16/2007

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

PARCEL 1:

SW1/4 NE1/4 and that part of the NW1/4, Section 4, Township 41 South, Range 8 East of the Willamette Meridian, lying Southwesterly of the Southern Pacific Railroad right of way described in Deed Book 22, page 549, Deed Records of Klamath County, Oregon.

PARCEL 2:

NE1/4, NE1/4 NW1/4 and the S1/2 NW1/4, Section 5, Township 41 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon.

EXCEPTING the old right of way of Southern Pacific Company described in Deed Book 22 at page 549, Deed Records of Klamath County, Oregon.

PARCEL 3:

E1/2 NE1/4, Section 6, Township 41 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon.

PARCEL 4:

A piece or parcel of land situate, lying and being in the northwest quarter of Section 16, and the Southwest quarter of Section 9, East of the Willamette Meridian, County of Klamath, State of Oregon, and also being a portion of that property from F.H. Downing to the California and Northeastern Railway Co. as recorded in Deed Book 22, page 549, dated June 7, 1907, and Deed Book 25, page 154, dated October 19, 1908, more particularly described as follows:

Beginning at a point which lies 1883.509 feet South 49° 55' 433" East of the section corner common to Sections 16, 17, 8, and 9 of Klamath County, and which point lies on the Westerly right-of-way line of the Southern Pacific Transportation Co., and is also a point on a curve which curve line has a radius of 1282.467 feet and is also 150.00 feet Westerly of the original centerline of the Southern Pacific Transportation Co.; thence North 9° 58' 45.1" West along the long chord of a curve to the left a distance of 699.278 feet which curve has arc length of 708.244 feet and a delta of 31° 38' 30"; thence North 31° 46' 40.8" West along the long chord of a taper curve 1/2, a distance of 425.987 feet; thence North 34° 48' 00" West, a distance of 508.90 feet; thence North 30° 36' 26" West across the long chord of a curve to the right a distance of 859.744 feet, and said curve line has a radius of 5879.596 feet, and arc length of 860.512 feet, and a delta of 8° 23' 08.024"; thence North 63° 35' 08" East, a distance of 100.00 feet to a point which lies 50.00 feet from the centerline of said company's railroad; thence along the long chord of a curve a distance of 149.399 feet, on a bearing of North 25° 40' 26" West; thence North 24° 56' 00" West, a distance of 931.056 feet to the intersection of said right-of-way line and the section line common to Sections 8 and 9; thence due North along said section line a distance of 237.212 feet to a point which lies on the Easterly right-of-way; thence South 24° 56' 00" East, a distance of 1146.151 feet to the beginning of a curve to the left which curve line has a radius of 5679.596 feet; thence along a chord, a distance of 146.815 feet on a bearing of South 25° 40' 26" East; thence North 63° 35' 08" East,

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(Parcel 4 continued)

a distance of 100.00 feet to a point parallel with last said curve point and which curve line now has a radius of 5579.596 feet; thence along a chord of 815.877 feet on a bearing of South 30° 36' 26" East; to the end of said curve; thence South 34° 48' 00" East, a distance of 508.90 feet; thence South 28° 21' 9.1" East, a distance of 295.152 feet; thence South 2° 26' 21.9" West, a distance of 963.169 feet to the point of beginning.

PARCEL 5:

Government Lots 2, 3 and 4, Section 4, Township 41 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon. EXCEPTING THEREFROM that portion of Government Lot 2 deeded to Southern Pacific Company in deed Book 350 at page 146, Deed Records of Klamath County, Oregon

PARCEL 6:

Government Lot 1 and the SW1/4 SE1/4 and the N1/2 S1/2 of Section 5, Township 41 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon.

PARCEL 7:

Government Lot 1, Section 8, Township 41 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon.

PARCEL 8:

Government Lots 1, 2 and 3, Section 9, Township 41 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon. EXCEPTING THEREFROM the right of way of US highway 97. Also excepting the right of way of Southern Pacific Railroad.

PARCEL 9:

That portion of Government Lot 3 lying East of the Easterly line of the Southern Pacific Rail Road right of way, Section 9, Township 41 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon. EXCEPTING THEREFROM that portion of the US Highway 97 right of way.

PARCEL 10:

That piece or parcel of land, situate lying and being in the NE1/4 of the NE1/4 of Section 8, Township 41 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, and also being a portion of that property conveyed to the California and Northeastern Railroad from F. H. Downing, recorded in Deed Book 22, page 549, dated June 7, 1907, Deed Records of Klamath County, Oregon, more particularly described as follows:

Beginning at a point on the centerline of a 100.00 foot right of way as built and which point is the beginning of a taper curve 1/2 and is at Engineer's Station "G" 2493+61.5; thence due North, a distance of 59.595 feet to a point northeasterly right of way line and which point is 50.00 feet at right angles to said centerline; thence parallel and 50.00 feet from said centerline through a taper curve 1/2 to the right of a long chord distance of 366.625 feet on a bearing of South 55° 27' 08" East, to a point opposite Engineer's Station "G" 2490+31.5, which station is the C.C. point of a 3° 00' curve to the right; thence remaining parallel with said curved track and along a long chord of 181.921 feet on a bearing of South

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(Parcel 10 continued)

49° 25' 20.3" East; thence due West a distance of 150.718 feet to a point on the southwesterly right of way line; thence North 51° 06' 45.94" a distance of 62.832 feet; thence North 55° 07' 45.9" West a distance of 293.162 feet; thence due North a distance of 59.595 feet to the point of beginning.

PARCEL 11:

A piece or parcel of land, situate, lying and being in the NW1/4 of the NE1/4 of Section 8, Township 41 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, and also being a portion of that property granted by the U.S. Government to the California and Northeastern Railway Company by Act of Congress, dated March 3, 1837, more particularly described as follows:

Beginning at a point on the Southern Pacific Transportation Company's southerly right of way line, and which point lies 4,252.904 feet on a bearing of North 15° 34' 25.517" West from the section corner common to Sections 8, 9, 16 and 17, and which point lies on a taper curve 1/2 to the left, then across a chord on a bearing of North 57° 02' 0.8" West, a distance of 64.858 feet to point opposite the end of curve Engineer's Station "G" 2493+61.5; thence parallel and 100.00 feet from the original centerline, a distance of 220.00 feet on a bearing of North 57° 02' West to a point opposite Engineer's Station "H" 2495+81.5, which point is the beginning of a taper curve 1/2 to the right; thence along the long chord of said taper a distance of 465.205 feet on a bearing of North 53° 53' 12.1" West, to the C.C. point of the main curve to the right, which curve subtends a radius of 1,532.467 feet, an arc distance of 962.334 feet, and a delta of 35° 58' 46.913"; thence across a chord of said curve a distance of 946.60 feet on a bearing of North 30° 02' 36.4" West, to a point on the section line common to Sections 5 and 8; thence along said section line due East, a distance of 205.214 feet to a point on the easterly right of way line and 100 feet perpendicular and parallel with the original centerline, which point also lies on a curve to the left which curve has a radius of 1,332.467 feet, and a length of 793.88 feet and a delta of 34° 08' 11.971"; thence along a chord of said curve a distance of 782.19 feet on a bearing of South 30° 57' 53.9" East, to a point 100.00 from and opposite Engineer's Station "H" 2500+31.5; thence South 53° 59' 4.5 East, a distance of 433.831 feet along the long chord of taper 1/2 to the left; thence 155.142 feet on a bearing of South 57° 01' 59.6" East; thence due South 238.382 feet to the point of beginning.

PARCEL 12:

A piece or parcel of land, situate, lying and being in the NE1/4 of the SE1/4 and also being in the SE1/4 of the NE1/4 of Section 8, Township 41 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, and which parcel is also a portion of that property conveyed to the California Northeastern Railroad by Act of Congress dated March 3, 1837, more particularly described as follows:

Beginning at a point which lies on the Southern Pacific Transportation Company's Westerly property line 1,901.008 feet North of the section corner common to Sections 8, 9, 16 and 17; thence North 24° 56' West, a distance of 1,289.896 feet parallel and 100 feet from the original centerline of a point opposite Engineer's Station "G: 2479+61.5 the beginning of a taper curve to the left; thence along the long chord of said taper on a bearing of North 26° 38' 17" West, a distance of 321.256 feet, to the beginning of a 3° curve to the left, which curve has a radius of 1,809.916 feet, arc length of 701.276 feet and a delta of 22° 12' 0"; thence along a long chord of said 3° curve, a distance of 696.897 feet on a

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(exception 12 continued)

bearing of North 40° 59' West; thence North 89° 59' 54.6" East, a distance of 302.335 feet, to the East right of way line to a point 100 feet Easterly from the original centerline, and said point also lies on a curve to the right, said curve having a radius of 2,009.916 feet, an arc length of 539.707 feet, and a delta 15° 23' 06.6"; thence along the long chord of said curve on a bearing of South 37° 34' 33.3" East, a distance of 538.065 feet to the C.C. point of a taper curve 1/2 to the right; thence along the long chord of said taper curve a distance of 338.528 feet on a bearing of South 26° 40' 38.5" East, to the end of said taper curve; thence South 24° 56' East a distance of 859.689 feet to a point on the Section line common to Sections 8 and 9; thence along said Section line due South, a distance of 474.424 feet to the point of beginning.

PARCEL 13:

A strip of land 100 feet wide, lying 50 feet on each side of the surveyed "H" center line of California Northeastern Railway Company's proposed railroad as located and marked by stakes set in the ground at distances of 50 feet more or less, and extending from the South line of the East 1/2 of Section 5, Township 41, South, Range 8 East of the Willamette Meridian, Klamath County, Oregon; thence Northerly and Easterly over and across the East 1/2 of said Section 5 to the North line of said Section 5, a distance of 5600 feet more or less.

LEGAL DESCRIPTION ACCOUNT NUMBERS:

Account No.:	4108-00500-00100-000	Key No.:	86365
Account No.:	4108-00500-00100-000	Key No.:	597063
Account No.:	4108-00500-00201-000	Key No.:	597045
Account No.:	4108-00500-00201-000	Key No.:	830195
Account No.:	4108-00600-00100-000	Key No.:	86542
Account No.:	4108-00900-00601-000	Key No.:	830159
Account No.:	4108-01600-00301-000	Key No.:	830168
Account No.:	4108-00400-00500-000	Key No.:	86347
Account No.:	4108-00500-00400-000	Key No.:	86383
Account No.:	4108-00800-00200-000	Key No.:	86702
Account No.:	4108-00900-00400-000	Key No.:	86720
Account No.:	4108-00900-00700-000	Key No.:	87042
Account No.:	4108-00800-00401-000	Key No.:	87024
Account No.:	4108-00400-00400-000	Key No.:	86356