

2006-022158

Klamath County, Oregon



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11/06/2006 08:34:20 AM

Fee: \$26.00

Grantor's Name and Address

ROBERT A. MILLARD AND
PAMELA L. WEBB, TRUSTEES
MILLARD LOVING TRUST
DATED APRIL 30, 1990
7937 REEDER ROAD
KLAMATH FALLS, OREGON 97603

Grantee's Name and Address

ROBERT A. MILLARD AND
PAMELA L. WEBB, TRUSTEES
MILLARD FAMILY TRUST
DATED SEPTEMBER 24, 2005
7937 REEDER ROAD
KLAMATH FALLS, OREGON 97603
After recording, return to:
JAMES H. SMITH, ATTORNEY AT LAW
711 BENNETT AVENUE
MEDFORD, OREGON 97504

Until requested otherwise, send all tax statements to:

ROBERT A. MILLARD
PAMELA L. WEBB
7937 REEDER ROAD
KLAMATH FALLS, OREGON 97603

WARRANTY DEED

KNOW ALL BY THESE PRESENTS that ROBERT A. MILLARD AND PAMELA L. WEBB, TRUSTEES, OR THEIR SUCCESSORS IN TRUST, UNDER THE MILLARD LOVING TRUST DATED APRIL 30, 1990, AND ANY AMENDMENTS THERETO, hereinafter called grantor, for the consideration hereinafter stated, to grantor paid by ROBERT A. MILLARD AND PAMELA L. WEBB, TRUSTEES, OR THEIR SUCCESSORS IN TRUST, UNDER THE MILLARD FAMILY TRUST DATED SEPTEMBER 24, 2005, hereinafter called grantee, do hereby grant, bargain, sell and convey unto grantee and grantee's heirs, successors and assigns, *an undivided 50% interest in* that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in Klamath County, State of Oregon, described as follows, to-wit:

SEE ATTACHED EXHIBIT "A"

The liability and obligations of the Grantor to Grantee and Grantee's heirs and assigns under the warranties and covenants contained herein or provided by law shall be limited to the extent of coverage that would be available to Grantor under any policy of title insurance issued to the Grantor at the time Grantor acquired the property. The limitations contained herein expressly do not relieve Grantor of any liability or obligation under this instrument, but merely define the scope, nature and amount of such liability or obligations.

To Have and to Hold the same unto grantee and grantee's heirs, successors and assigns forever.

And grantor hereby covenants to and with grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances except: NONE, and that grantor will warrant and forever defend the premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 0.00. However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration.

In construing this deed, where the context so requires, the singular includes the plural, and all grammatical changes shall be made so that this deed shall apply equally to corporations and to individuals.

IN WITNESS WHEREOF, the grantor has executed this instrument this 15th day of Sept, 2006 if grantor is a corporation, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so by order of its board of directors.

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)).

Robert A. Millard
ROBERT A. MILLARD, Trustee

Pamela L. Webb
PAMELA L. WEBB, Trustee

State of Oregon)

: ss.

County of Klamath)

Before me this 15th day of Sept, 2006, personally appeared ROBERT A. MILLARD and PAMELA L. WEBB, Trustees, and acknowledged the foregoing instrument to be their voluntary act and deed.

Ann Cook Hampton

Notary Public of Oregon

My Commission expires: 5-16-08

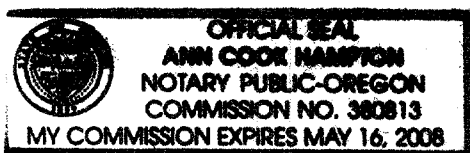


EXHIBIT "A"

PARCEL ONE: (Tax Lot 3000)

That part of Lot 19 of PONDOSA, described as follows: Beginning at the intersection of the Northwest corner of Lot 19 with the Southerly boundary line of the Klamath Falls-Ashland Highway; thence South along the West line of said Lot 19 to the Southwest corner thereof; thence East along the South boundary of said lot a distance of 1975 feet, more or less, to a point that is $32^{\circ} 20'$ East of the most Easterly corner of Lot 14 of PONDOSA; thence North $32^{\circ} 20'$ West to a point on the Southerly boundary of Harkens Drive; thence South $57^{\circ} 40'$ West and North $34^{\circ} 20'$ West along the Southerly boundary of Harkens Drive to its intersection with the Southerly boundary of the Klamath Falls-Ashland Highway; thence South $57^{\circ} 40'$ West along the Southerly boundary of said highway, a distance of 200 feet to the point of beginning; AND,

Lots 1 and 2, vacated, and a part of Lot 19, PONDOSA, described as follows: Beginning at the intersection of the Northwest corner of Lot 19 with the Southerly boundary line of the Klamath Falls-Ashland Highway; thence South along the West line of said Lot 19 to the Southwest corner thereof; thence East along the South boundary of said lot a distance of 1975 feet, more or less, to a point that is $32^{\circ} 20'$ East of the most Easterly corner of Lot 14 of PONDOSA, and the true point of beginning; thence North $32^{\circ} 20'$ West to a point on the Southerly boundary of Harkens Drive; thence North $57^{\circ} 40'$ East to a point on the Westerly line of Lot 1, vacated, thence North $32^{\circ} 20'$ East, a distance of 490 feet, more or less, to a point on the Southerly boundary of the Klamath Falls-Ashland Highway; thence Northeasterly along the Southerly boundary of the Klamath Falls-Ashland Highway to the Northeast corner of Lot 1, vacated; thence South, a distance of 2391.8 feet to the Southeast corner of said Lot 19; thence West; a distance of 958.2 feet, more or less, to the point of beginning.

EXCEPTING, THEREFROM:

Parcels 1, 2, and 3 of Land Partition 54-94.

ALSO EXCEPTING,

A portion of Lot 19, PONDOSA, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, more particularly described as follows:

Beginning at a 5/8 inch iron pin on the South line of the NE1/4 of said Section 1, said point being North 89 degrees 56'00" East 385.40 feet from the center 1/4 corner of said Section 1; thence North 00 degrees 01'00" East 864.39 feet to the Westerly right of way of Harkens Drive, said point being the beginning of a curve to the left (radius point bears North 57 degrees 40'00" East, 80.00 feet, central angle = 90 degrees); thence along the arc of said curve 125.66 feet to the end of said curve; thence North 57 degrees 40'00" East along the Southeasterly right of way line of said Harkens Drive 426.32 feet; thence South 00 degrees 01'00" West 1067.05 feet to the South line of the SW1/4 NE1/4 of said Section 1; thence South 89 degrees 56' 00" West 470.55 feet to the point of beginning, with the bearings based on the said PONDOSA Subdivision.

ALSO EXCEPTING,

A portion of Lot 19 of PONDOSA Subdivision, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, more particularly described as follows:

Beginning at the Southwest corner of Lot 19; thence North $89^{\circ} 56'$ East along the South line of said Lot 19, 385.40 feet; thence North $00^{\circ} 10'$ East, 864.39 feet to the Southerly line of Harkens Drive; thence North $32^{\circ} 20'$ West, 410 feet to the Southerly line of the Klamath Falls-Ashland Highway; thence South $57^{\circ} 40'$ West along said Highway 200 feet to the West line of said Lot 19; thence South $00^{\circ} 08' 12''$ East, 1104.30 feet (South $00^{\circ} 07'$ West, 1109 feet by plat) to the point of beginning.

PARCEL TWO: (Tax Lot 3001)

Parcel 3 of Land Partition 54-94, Klamath County, Oregon

PARCEL THREE: (Tax Lot 3002)

Parcel 1 of Land Partition 54-94, Klamath County, Oregon