

MTC784110

2007-009583
Klamath County, Oregon



05/29/2007 11:37:52 AM Fee: \$41.00

AFTER RECORDING RETURN TO:
Fred Owen
5280 Crater Lake Ave. #102
Central Point, OR 97502

SPACE RESERVED
FOR
RECORDER'S USE

Until a change is requested all tax statements shall be sent to the following address:
Same as above
Escrow No.: 50-437773-JL
Order No.: 437773

WARRANTY DEED – STATUTORY FORM
(INDIVIDUAL or CORPORATION)

Wyoming Court MHC, an Oregon limited partnership

Grantor, conveys and warrants to

Mountain View Mobile Plaza, LLC, an Oregon limited liability company as to an undivided 54.7% interest and Fred T. Owen, Jr. as to an undivided 45.3% interest

Grantee, the following described real property free of encumbrances except as specifically set forth herein:
SEE LEGAL DESCRIPTION ATTACHED HERETO

Before signing or accepting this instrument, the person transferring fee title should inquire about the person's rights, if any, under ORS 197.352. 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, 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 ORS 197.352.

ENCUMBRANCES: See attached Exhibit B

The true consideration for this conveyance is \$2,600,000.00 which is paid by and to a qualified intermediary pursuant to a Section IRC 1031 exchange.

Dated 5-23-07; if a corporate grantor, it has caused its name to be signed by order of its board of directors.

Wyoming Court MHC
BY:
Brian L. Fitterer, Managing General Partner

STATE OF _____
County of _____

See attached
5/23/07

This instrument was acknowledged before me this _____ day of _____, 2007, by Brian L. Fitterer, ~~as Managing General Partner of Wyoming Court MHC, an Oregon limited partnership.~~

Notary Public for
My Commission Expires:

(SEAL)

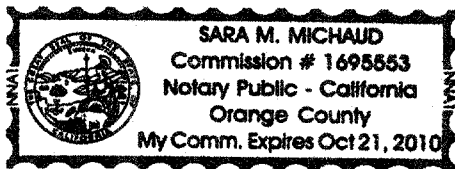
CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California }
County of Orange } ss.

On May 23, 2007 before me, Sara M. Michaud, Notary Public
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared Brian L. Fitterer
Name(s) of Signer(s)

- ☒ Personally known to me
☐ Proved to me on the basis of satisfactory evidence



to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Sara M. Michaud
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Warranty Deed – Statutory Form

Document Date: --- Number of Pages: 1

Signer(s) Other Than Named Above: none

Capacity(ies) Claimed by Signer

Signer's Name: Brian L. Fitterer

- ☐ Individual
☐ Corporate Officer—Title(s): _____
☐ Partner--☐ Limited ☐ General
☐ Attorney-in-Fact
☐ Trustee
☐ Guardian or Conservator
☒ Other: Managing General Partner of Wyoming Court MHC, an Oregon limited partnership

Signer Is Representing: _____

RIGHT THUMBPRINT
OF SIGNER
TOP OF THUMB HERE

EXHIBIT "A"
LEGAL DESCRIPTION

Parcel 2 of MINOR LAND PARTITION 44-91 situated in the W 1/2 NE 1/4 Section 13, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, and filed in the Klamath County Clerk's Office.

EXCEPTING THEREFROM that portion of the following described tract of land lying within the SW1/4 of the NE1/4:

A tract of land situated in the S1/2 of the NE1/4 of Section 13, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at the most Southwesterly corner of Parcel 2 of "Minor Land Partition 44-91," from which the 1/4 corner common to Section 12 and said Section 13 bears North 27° 31' 04" West 1722.42 feet; thence along the boundary of said Parcel 2, North 35° 00' 09" East 213.04 feet, North 89° 42' 49" West 240.00 feet and North 42° 54' 50" West 34.30 feet to a point on the North line of the easement as described in deed Volume 291, page 438 of the Klamath County Deed Records; thence South 89° 42' 49" East, along said North line 670.27 feet to a point on the East line of the W1/2 of the NE1/4 of said Section 13; thence North 00° 18' 23" East 4.51 feet to the NE 1/16 corner of said Section 13; thence South 89° 56' 54" East, along the North line of the SE1/4 of the NE1/4 of said Section 13, 356.08 feet to a point on the Northerly line of that tract of land described in Deed Volume 308, page 618; thence South 72° 58' 03" West, along said Northerly line, 516.80 feet; thence along the boundary of said Parcel 2, North 75° 46' 50" West 128.10 feet and South 72° 58' 03" West 279.15 feet to the point of beginning.

EXHIBIT B

Rights of the public in and to any portion of the herein described premises lying within the limits of streets, roads or highways.

The premises herein described are within and subject to the statutory powers, including the power of assessment, of Enterprise Irrigation 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.

Right of way as contained in Deed recorded in Volume 22, page 119, Deed Records of Klamath County, Oregon, to wit:

"Also free right of way for laterals over the East half of said Section 13 together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and also all our estate, right, title and interest in and to the same, including dower and claim of dower."

Grant of Right of Way, subject to the terms and provisions thereof;

Dated: March 3, 1932
Recorded: March 3, 1932
Volume: 97, page 155, Deed Records of Klamath County, Oregon
In favor of: The California Oregon Power Company
For: Transmission and distribution of electricity

An easement created by instrument, subject to the terms and provisions thereof,

Dated: April 18, 1987
Recorded: May 2, 1987
Volume: 291, page 438, Deed Records of Klamath County, Oregon
In favor of: The California Oregon Power Company
For: A 50 foot wide right of way for poles and wire lines and other facilities for the transmission and distribution of electricity, specifically for the overhang of wires and for a down guy and down guy anchor only

An easement created by instrument, subject to the terms and provisions thereof,

Dated: February 12, 1980
Recorded: February 15, 1980
Volume: M80, page 3066, Microfilm Records of Klamath County, Oregon
In favor of: County Green Association, Inc.
For: Ingress and Egress by Way of the Southerly extension of Saylor Street and Bellm Drive

Agreement for Easement, subject to the terms and provisions thereof;

Dated: September 20, 1991
Recorded: October 2, 1991
Volume: M91, page 20064, Microfilm Records of Klamath County, Oregon
By and Between: Henley Land Company, Inc., an Oregon corporation, and Glenn G. Justus and Joanna L. Justus, husband and wife, and Dorothy Werline
For: Access and utilities

Subject to sewer and drainage easements as disclosed by Minor Land Partition No. 44-91 as filed in the office of the Klamath County Clerk.

An easement created by instrument, subject to the terms and provisions thereof,

Dated: July 8, 2004

Recorded: July 20, 2004

Volume: M04, page 47220, Microfilm Records of Klamath County, Oregon

In favor of: Qwest Corporation

For: Telecommunications facilities

Memorandum of Lease (Landlord Waiver), subject to the terms and provisions thereof;

Dated: October 26, 2004

Recorded: December 6, 2004

Volume: M04, page 83345, Microfilm Records of Klamath County, Oregon

Grantor: Wyoming CT MHC, L.P.

Grantee: First Mutual Bank

Reservations or exceptions in patents or in Acts authorizing the issuance thereof.

Any encroachments, unrecorded easements, violations of covenants, conditions and restrictions, and any other matters which would be disclosed by a correct survey.