



THIS SPACE RESE

2007-012417

Klamath County, Oregon



00026795200700124170020026

07/12/2007 03:19:44 PM

Fee: \$26.00

MT79703-KR

After recording return to:

Robert J. Bogatay

PO Box 493

Klamath Falls, OR 97601

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

Robert J. Bogatay

PO Box 493

Klamath Falls, OR 97601

Escrow No. MT79703-KR

Title No. 0079703

SWD

STATUTORY WARRANTY DEED

5 Star OR, LLC, a California Limited Liability Company, Grantor(s) hereby convey and warrant to **Robert J. Bogatay**, 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:

2007-2008 Real Property Taxes a lien not yet due and payable.

The true and actual consideration for this conveyance is **PURSUANT TO AN IRC 1031 TAX DEFERRED EXCHANGE ON BEHALF OF GRANTOR/GRANTEE.**

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 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 ORS 197.352.

Dated this 9th day of July, 2007.

5 Star OR, LLC, a California Limited Liability Company

BY: [Signature]
Terry L. McDonald, Manager

State of Oregon
County of KLAMATH

This instrument was acknowledged before me on July 9, 2007 by Terry L. McDonald, as Manager for 5 Star OR, LLC, a California Limited Liability Company.



[Signature]
(Notary Public for Oregon)

My commission expires 11/16/2007

EXHIBIT "A"
LEGAL DESCRIPTION

PARCEL 1:

Block 4 of HODGES ADDITION to the City of Merrill, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

SAVING AND EXCEPTING THEREFROM the Southerly 112.50 feet thereof.

ALSO EXCEPTING THEREFROM a tract of land situated in the SW1/4 SE1/4 of Section 2, Township 41 South, Range 10 East of the Willamette Meridian, including a portion of Block 4, HODGES ADDITION TO MERRILL, in Klamath County, Oregon being more particularly described as follows:

Beginning at the Southeast corner of said Section 2; thence West along the South line of said Section 2, 1319.80 feet; thence North 02° 09' 02" West 1315.72 feet; thence North 89° 57' 50" West 327.50 feet to the Northeast corner of said Block 4 of Hodges Addition; thence South 00° 30' 20" East along the Westerly right of way line of Grant Street 60.00 feet to the true point of beginning of this description; thence continuing South 00° 30' 20" East along said right of way line 112.57 feet to a 1/2 inch iron pin; thence North 89° 54' 40" West 85.00 feet; thence North 00° 30' 20" West 112.49 feet; thence South 89° 57' 50" East 85.00 feet to the true point of beginning.

PARCEL 2:

Tract 18 of MERRILL TRACTS, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

SAVING AND EXCEPTING therefrom the Southerly 442.50 feet thereof.

ALSO EXCEPTING THEREFROM a tract of land situated in the SW1/4 SE1/4 of Section 2, Township 41 South, Range 10 East of the Willamette Meridian, including a portion of Block 4, HODGES ADDITION TO MERRILL, in Klamath County, Oregon being more particularly described as follows:

Beginning at the Southeast corner of said Section 2; thence West along the South line of said Section 2, 1319.80 feet; thence North 02° 09' 02" West 1315.72 feet; thence North 89° 57' 50" West 327.50 feet to the Northeast corner of said Block 4 of Hodges Addition; thence South 00° 30' 20" East along the Westerly right of way line of Grant Street 60.00 feet to the true point of beginning of this description; thence continuing South 00° 30' 20" East along said right of way line 112.57 feet to a 1/2 inch iron pin; thence North 89° 54' 40" West 85.00 feet; thence North 00° 30' 20" West 112.49 feet; thence South 89° 57' 50" East 85.00 feet to the true point of beginning.

PARCEL 3:

That portion of the NW1/4 SE1/4 of Section 2, Township 41 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, lying between the Easterly right of way line of the K.I.D. Drain as recorded in Deed Volume 43, page 239, Deed Records of Klamath County, Oregon, and the Westerly right of way line of the Great Northern Railway Co. right of way recorded October 13, 1932 in Deed Volume 99, page 109, Deed Records of Klamath County, Oregon.