

2008-013668

Klamath County, Oregon



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10/03/2008 09:13:17 AM

Fee: \$26.00

Recording requested by

TH

After recording return to:

Justin E. Throne, Esq.

250 Main Street

Klamath Falls, OR 97601

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

TRAIN MOUNTAIN RAILROAD MUSEUM
36941 Chiloquin Road
Chiloquin OR 97624

DEED

(Gift by Trust)

PATRICIA A. WARD, Trustee of the WILLIAM ARNOLD FARMER TRUST under trust instrument dated July 19, 2006, Grantor, conveys to **TRAIN MOUNTAIN RAILROAD MUSEUM, a State of Oregon Non-Profit Corporation**, Grantee, in fee simple determinable, that real property situated in the County of **Klamath**, State of Oregon, described as:

The S 1/2 SE 1/4 SE 1/4 of Section 32, Township 34 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon.

TOGETHER WITH a non-exclusive easement for ingress and egress over and across the Westerly 30 feet of Government Lots 4 and 5 in Section 4, Township 35 South, Range 7 East of the Willamette Meridian, as described in "General Easement Agreement" recorded January 18, 2005 in Volume M-05 at Page 3542, Records of Klamath County, Oregon.

AND TOGETHER WITH a non-exclusive easement for ingress and egress 30 feet in width, over and across a portion of the Northwest quarter of Section 9 and a portion of the West half of Section 4, all in Township 35 South, Range 7 East of the Willamette Meridian, as described in "General Easement Agreement" recorded January 18, 2005, in Volume M-05 at Page 3547, Records of Klamath County, Oregon.

CODE 138 MAP 3407-03200 TL 0100 KEY #197165

So long as the real property is used for the purpose of building, maintaining, or operating a

miniature railroad, or for purposes consistent with those uses, which is herein defined to include, each and all; grading, construction and maintenance of rights of way, track, switches, bridges, access roads and paths, drainage structures, signs, signals, or any other appurtenances necessary or useful for the operation of a miniature railroad; and may further include construction, maintenance, and use of common areas, stations, yards, fencing, parking areas, water systems, landscaping, electrical systems, sewage facilities, picnic facilities, or any other facilities constructed to facilitate the use or maintenance of a miniature railroad in compliance with the founding documents of Grantee **TRAIN MOUNTAIN RAILROAD MUSEUM** as they exist at the time of this conveyance.

Should Grantee or its successors, assigns, employees, or representatives use, occupy, alienate or subdivide the real property in any way inconsistent with the uses set forth herein, then the gift shall immediately revert to the Trustee of the WILLIAM ARNOLD FARMER TRUST under trust instrument dated July 19, 2006.

Subject to any and all covenants, conditions, restrictions, and/or easements, if any, affecting title which may appear in the public record, including those shown on any recorded plat or survey.

This conveyance is made by the Trustee of an inter-vivos trust for the purpose of making a gift to a non-profit corporation. The true and actual consideration for this transfer is **\$0**.

THIS INSTRUMENT WILL 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.

Dated 5-7, 2008.

Patricia A. Ward
PATRICIA A. WARD
Trustee of the WILLIAM ARNOLD
FARMER TRUST dated July 19, 2006.

STATE OF TEXAS, County of Hall) ss.

On May 7, 2008, personally appeared the above-named **PATRICIA A. WARD** and acknowledged the foregoing instrument to be her voluntary act and deed.

Before me: Celia Simpson-Bragg
Notary Public for the State of Texas
My commission expires: 10-31-2009

Official seal

