

MT 83527-KR

2008-014019

Klamath County, Oregon

THIS SPACE RES



10/10/2008 03:19:38 PM

Fee: \$26.00

After recording return to:

Art Davina

5231 Bristol Avenue

Klamath Falls, OR 97603

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

Art Davina

5231 Bristol Avenue

Klamath Falls, OR 97603

Escrow No. MT83527-KR

Title No. 0083527

SWD

STATUTORY WARRANTY DEED

Richard R. Kelley and Kathy A. Osborne, who acquired title as Kathy A. Kelley, as tenants by the entirety, Grantor(s) hereby convey and warrant to Art Davina and Mary Davina, 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:

2008-2009 Real Property Taxes a lien not yet due and payable.

The true and actual consideration for this conveyance is **\$391,500.00**.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007. 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 THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, 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 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007.

Dated this 8th day of October, 2008.

Richard R. Kelley
Richard R. Kelley

By: Kathy A. Osborne His Attorney in Fact
Kathy A. Osborne, His Attorney in Fact

Kathy A. Osborne
Kathy A. Osborne

State of Oregon
County of Marion

This instrument was acknowledged before me on October 8, 2008 by Kathy A. Osborne, Individually and as Attorney in Fact for Richard R. Kelley.

(Signature)
(Notary Public for Oregon)

My commission expires 2-17-11



26amt

EXHIBIT "A"
LEGAL DESCRIPTION

A parcel of land situate in Government Lot 1, Section 28, Township 40 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Beginning at a 5/8 inch iron pin on the North line of said Lot 1 from which the quarter section corner common to Sections 21 and 28 bears South 89° 51' 05" East 489.01 feet; thence South 00° 05' 50" West parallel with the East line of said Lot 1, 48.38 feet to a 5/8 inch iron pin; thence North 89° 54' 10" West 79.48 feet to a 5/8 inch iron pin; thence South 00° 05' 50" West parallel with the East line of said Lot 1, 72.17 feet to a 5/8 inch iron pin; thence South 89° 54' 10" East 79.48 feet to a 5/8 inch iron pin; thence South 00° 05' 50" West parallel with the East line of said Lot 1, 623.89 feet to a point on the North line of a parcel of land described in Volume M89, page 13285, Microfilm Records of Klamath County, Oregon; thence North 89° 47' 15" West on said North line, 11.05 feet to the Northwest corner of said parcel; thence South 00° 04' 55" West on the West line of said parcel, 140.02 feet to a point on the South line of a parcel of land described in Volume M00, page 44971, Microfilm Records of Klamath County, Oregon; thence North 89° 40' 50" West on said South line, 388.98 feet to a 5/8 inch iron pin at the Southwest corner thereof; thence North 00° 05' 50" East on the West line of last said parcel, 883.28 feet to a 5/8 inch iron pin on the North line of said Lot 1; thence South 89° 51' 05" East on last said North line, 400.00 feet to the point of beginning.

Together with the following described parcel:

Commencing at a point on the North line of said Section 28 from which the North 1/4 corner of said Section bears South 89°51'05" East 889.01 feet; thence South 00°05'50" West 158.29 feet to the true point of beginning; thence South 48°55'38" West 64.52 feet; thence South 00°05'50" West 155.00 feet; thence South 48°55'30" East 64.33 feet; thence North 00°05'50" East 239.64 feet to the point of beginning.

Excepting therefrom the following described parcel:

Beginning at a point on the North line of said Section 28, from which the North 1/4 corner of said section bears South 89°51'05" East 889.01 feet; thence South 00°05'50" West 158.29 feet; thence North 48°55'38" East 102.23 feet; thence North 00°05'50" East 90.92 feet to said North line of Section 28; thence along said North line North 89°51'05" West 77.00 feet to the point of beginning.

TOGETHER WITH a non-exclusive easement for ingress and egress, being 30 feet in width and being more particularly described in Volume M02, page 22186 and re-recorded in Volume M02, page 69231, Microfilm Records of Klamath County, Oregon.