

UTC 82495-KR

THIS SPACE RE

2008-014844

Klamath County, Oregon



11/03/2008 01:55:01 PM

Fee: \$41.00

After recording return to:

Kelly Creek Development, LLC

Attention: Felip E. Holbrook

1567 SW Chandler Ave., Suite 101

Bend, OR 97702

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

Kelly Creek Development, LLC

Attention: Felip E. Holbrook

1567 SW Chandler Ave., Suite 101

Bend, OR 97702

Escrow No. MT82495-KR

Title No. 0082495

SWD

STATUTORY WARRANTY DEED

Janice K. Wright, Grantor(s) hereby convey and warrant to Kelly Creek Development, LLC, an Oregon limited liability company, 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

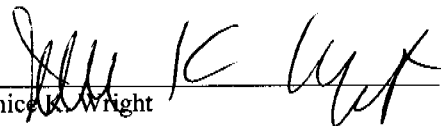
The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any:

Trust Deed recorded on February 5, 1996 in Volume M96, page 3440, Microfilm of Records of Klamath County, Oregon in favor of Northwest Farm Credit Services, ACA, a corporation organized under the Farm Credit Act of 1971, as amended, as Beneficiary who subsequently assigned their beneficiary interest to Northwest Farm Credit Services FLCA in assignment recorded on July 19, 2000, in Volume M00, page 26398, Microfilm Records of Klamath County, Oregon. The above named Grantee DOES NOT agree to assume nor pay this Trust Deed recorded in ~~Volume~~ / Volume M96, page 3440 described above and the Grantor agrees to hold Grantee harmless therefrom.

The true and actual consideration for this conveyance is \$2,635,450.00.

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.

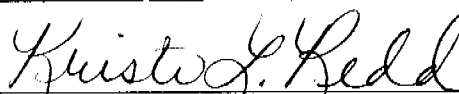
Dated this 29th day of October, 2008


Janice K. Wright

State of Oregon
County of KLAMATH

This instrument was acknowledged before me on October 29, 2008 by Janice K. Wright.




(Notary Public for Oregon)

My commission expires 11/16/2011

41amt

EXHIBIT "A"
LEGAL DESCRIPTION

PARCEL 1:

Township 39 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon.

Section 25: SW1/4 of the SW1/4 of the SE 1/4

Section 36: W1/2 of the NW1/4 of the NE1/4 and the W1/2 of the SW1/4 of the NE1/4

ALSO, that portion of the W1/2 of the NW1/4 of the SE1/4 lying North of West Langell Valley Road.

PARCEL 2:

Township 39 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon.

Section 22: SE1/4 SW1/4, W1/2 SE1/4 and SE1/4 SE1/4

EXCEPTING THEREFROM that portion of the NW1/4 SE1/4, and the S1/2 SE1/4 of Section 22, lying North and Easterly of West Langell Valley Road, and being located in Township 39 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon.

Section 25: SE1/4 SW1/4, S1/2 SE1/4 and that portion of the SW1/4 SW1/4 lying Southwesterly of the Westerly boundary of the Langell Valley Market Road.

EXCEPTING THEREFROM the SW1/4 of the SW1/4 of the SE1/4.

Section 26: All that portion of the NW1/4 of the NW1/4 lying Westerly from a straight line drawn from a point on the North line of said Section 26, which point is 441.0 feet East of the section corner common to Sections 22, 23, 26 and 27 and to a point on the South line of said NW1/4 of the NW1/4, which point is 252.0 feet East of the Southwest corner of the said NW1/4 of the NW1/4 of said Section 26;

ALSO all that portion of S1/2 of the NW1/4 of Section 26 lying Southwesterly from a line whose course is as follows: Beginning at a point on the South line of the NW1/4 of the NW1/4 of Section 26, which point is 252.0 feet East of the Southwest corner of said NW1/4 of the NW1/4; thence South 86° East 406.0 feet; thence South 34° East, 811.0 feet; thence South 64° East, 407.0 feet; thence South 56° East, 810.0 feet, more or less, to a point on the South line of the SE1/4 of the NW1/4 of Section 26;

ALSO all that portion of the SE1/4 of Section 26, lying Southwesterly of the Westerly boundary of the Langell Valley Market Road;

ALSO SW1/4.

Section 27: S1/2 of the NE1/4, NE1/4 of the SE1/4, that portion of the NE1/4 of the NE1/4 lying South of the Langell Valley Market Road.

Section 35: N1/2 of the NE1/4.

Legal Description Continued

(Legal Continued)

Section 36: SE1/4, NE1/4, NW1/4 and Government Lots 1 and 4,

EXCEPTING THEREFROM the W1/2 of the NW1/4 of the NE1/4 and the W1/2 of the SW1/4 of the NE1/4 and that portion of the W1/2 of the NW1/4 of the SE1/4 lying North of West Langell Valley Road.

Township 39 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon.

Section 30: Government Lot 4.

Section 31: SW1/4 of the SE1/4, SE1/4 of the SE1/4, NE1/4 of the NW1/4, NE1/4,

EXCEPT 7 acres, more or less, described as follows:

Beginning at the Northeast section corner of Section 31; thence West 360 feet; thence South 822 feet; thence East 360 feet; thence North 822 feet to the point of beginning.

Section 31: N1/2 SE1/4, Government Lot 4,

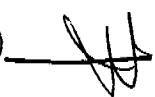
EXCEPTING 5.85 acres, more or less, lying North of the West Langell Valley Market Road.

Township 40 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon.

Section 1: Government Lots 1, 2, 5, 6 and 7; SE1/4 of the SW1/4, SW1/4 of the NE1/4, W1/2 of the SE1/4.

Township 40 South, Range 13 East of the Willamette Meridian, Klamath County, Oregon.

Section 6: That portion of the N1/2 of the NE1/4 lying North of the Bonanza-Langell Valley Highway.

(X) 

(X) 

(X) L.M.M.

X _____

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ALSO all that portion of the SE1/4 of Section 26, lying Southwesterly of the Westerly boundary of the Langell Valley Market Road;

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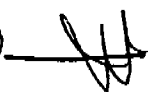
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(X) 

(X) 

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X 