

2008-016331

Klamath County, Oregon



00057346200800163310040047

12/10/2008 11:27:31 AM

Fee: \$36.00



After recording return to:  
South Lake Properties LLC  
18112 NE 205th Circle  
Battle Ground, WA 98504

Until a change is requested all tax statements  
shall be sent to the following address:  
South Lake Properties LLC  
18112 NE 205th Circle  
Battle Ground, WA 98504

File No.: NCS-375499-OR1 (tc)  
Date: December 04, 2008

THIS SPAC

1309163

### STATUTORY SPECIAL WARRANTY DEED

~ **Fair Acres, LLC, an Oregon limited liability company**, Grantor, conveys and specially warrants to  
~ **South Lake Properties LLC, an Oregon limited liability company**, Grantee, the following described  
real property free of liens and encumbrances created or suffered by the Grantor, except as specifically set  
forth herein:

**LEGAL DESCRIPTION:** Real property in the County of Klamath, State of Oregon, described as follows:

**For legal description, see Exhibit "A" attached hereto;**

**This property is free from liens and encumbrances, EXCEPT: Permitted Exceptions as  
reflected on the attached Exhibit "B";**

The true consideration for this conveyance is **\$424,000.00**. (Here comply with requirements of ORS 93.030)

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File No.: **NCS-375499-OR1 (tc)**  
Date: **12/04/2008**

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**Exhibit "A"**

Real property in the County of Klamath, State of Oregon, described as follows:

**PARCEL 1:**

TRACT 68 OF FAIR ACRES SUBDIVISION NO. 1 IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 38 SOUTH, RANGE 9 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN WHICH LIES WEST ALONG THE SOUTH LINE OF SECTION 35, TOWNSHIP 38 SOUTH, RANGE 9 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON, WHICH LINE IS ALSO THE CENTER LINE OF SHASTA WAY, A DISTANCE OF 30 FEET AND NORTH 0° 11' EAST A DISTANCE OF 293.2 FEET FROM THE IRON PIN WHICH MARKS THE SOUTHEAST CORNER OF SAID SECTION 35 AND RUNNING THENCE; CONTINUING NORTH 0° 11' EAST PARALLEL TO THE EAST LINE OF SAID SECTION 35 AND 30 FEET WESTERLY THEREFROM, A DISTANCE OF 131.6 FEET TO AN IRON PIN; THENCE WEST PARALLEL TO THE SOUTH LINE OF SAID SECTION 35, A DISTANCE OF 301.0 FEET TO AN IRON PIN WHICH IS ON THE WEST LINE OF TRACT 68, FAIR ACRES SUBDIVISION; THENCE SOUTH 0° 11' WEST ALONG THE WEST LINE OF SAID TRACT 68 AND PARALLEL TO THE EAST LINE OF SAID SECTION 35 A DISTANCE OF 131.6 FEET TO AN IRON PIN; THENCE EAST PARALLEL TO THE SOUTH LINE OF SAID SECTION 35, A DISTANCE OF 301.0, MORE OR LESS, TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM A TRACT OF LAND IN TRACT 68 OF FAIR ACRES SUBDIVISION NO. 1 IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 38 SOUTH, RANGE 9 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN WHICH LIES WEST ALONG THE SOUTH LINE OF SECTION 35, TOWNSHIP 38 SOUTH, RANGE 9 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON, WHICH LINE IS ALSO THE CENTERLINE OF SHASTA WAY, A DISTANCE OF 30 FEET AND NORTH 0° 11' EAST A DISTANCE OF 293.2 FEET FROM THE IRON PIN WHICH MARKS THE SOUTHEAST CORNER OF SAID SECTION 35 AND RUNNING THENCE; CONTINUING NORTH 0° 11' EAST PARALLEL TO THE EAST LINE OF SAID SECTION 35 AND 30 FEET WESTERLY THEREFROM A DISTANCE OF 131.6 FEET TO AN IRON PIN; THENCE WEST PARALLEL TO THE SOUTH LINE OF SAID SECTION 35, A DISTANCE OF 170 FEET; THENCE SOUTH PARALLEL TO THE EAST LINE OF SECTION 35; A DISTANCE OF 131.6 FEET TO A POINT ON THE SOUTH LINE OF VOLUME M83 PAGE 8360, DEED RECORDS OF KLAMATH COUNTY, OREGON; THENCE EAST PARALLEL TO THE SOUTH LINE OF SAID SECTION 35, A DISTANCE OF 170 FEET, MORE OR LESS TO THE POINT OF BEGINNING.

TOGETHER WITH AN EASEMENT FOR DRIVEWAY AS GRANTED BY INSTRUMENT RECORDED AUGUST 02, 1988 IN VOLUME M88 PAGE 12361, DEED RECORDS OF KLAMATH COUNTY, OREGON.

**PARCEL 2:**

THE EAST HALF OF TRACT 67, EXCEPTING THEREFROM THE SOUTH 263.2 FEET, FAIR ACRES SUBDIVISION NO. 1 ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

NOTE: This legal description was created prior to January 01, 2008

Tax Parcel Number: R450684 and R450782

## **Exhibit "B"**

### **Permitted Exceptions**

Liens and assessments of Klamath Project and Klamath Irrigation District, and regulations, contracts, easements, water and irrigation rights in connection therewith.

Rules, regulations and assessments of South Suburban Sanitary District.

Covenants, conditions and restrictions contained in Deed.

Executed by: Walter T. Smith, a single man and Frank A. Smith and Edith Smith

Recorded: September 22, 1927

Recording Information: Volume 77 Page 455, Deed Records of Klamath County, Oregon

As Follows: "The right at any time to construct, build and erect ditches, telephone lines, telegraph lines and electric power lines in and upon said premises, and to keep and maintain the same; said right to be for the benefit of the lands and premises adjoining the above described land."

Easement, including terms and provisions contained therein:

Recording Information: May 26, 1983 in Volume M83 Page 8264, Deed Records of Klamath County, Oregon

In Favor of: Pacific Power & Light Company, a corporation, its successors and assigns

For: electric transmission and distribution line of one or more wires and all necessary or desirable appurtenances

The county tax roll discloses a mobile home on the herein described premises which is not included in title insurance coverage. Subject to requirements and provisions of O.R.S. 311.280 pertaining to mobile home taxes becoming liens on real property.