

2008-016365

Klamath County, Oregon



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12/11/2008 08:15:10 AM

Fee: \$51.00

UNLESS A CHANGE IS REQUESTED,
ALL TAX STATEMENTS SHALL BE
SENT TO THE FOLLOWING ADDRESS:

Malcolm Beech Investments, LLC

Attn: Catherine Wood

11161 Table Rock Road

Central Point, OR 97502

AFTER RECORDING, RETURN TO

Foster Denman, LLP

Post Office Box 1667

Medford, OR 97501

TRUSTEE'S DEED

ARLEN B. WOOD, Trustee of THE WOOD FAMILY TRUST of December 21, 2006, Grantor, conveys to MALCOLM BEECH INVESTMENTS, LLC, an Oregon Limited Liability Company, Grantee, the real property located in Klamath County, Oregon, described on Exhibit "A" attached hereto and incorporated herein.

The true consideration for this conveyance is distribution of THE WOOD FAMILY TRUST of December 21, 2006.

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 1st day of Dec, 2008.

THE WOOD FAMILY TRUST of December 21, 2006

By: 

ARLEN B. WOOD, Trustee

STATE OF CALIFORNIA)

) ss.

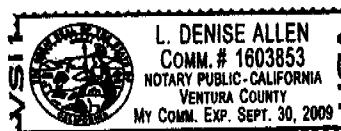
County of VENTURA)

On DECEMBER 1, 2008 before me, L. DENISE ALLEN, personally appeared ARLEN B. WOOD, Trustee of THE WOOD FAMILY TRUST of December 21, 2006, who proved to me on the basis of satisfactory evidence to be the person~~(s)~~ whose name~~(s)~~ is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity~~(ies)~~, and that by his/~~her/their~~ signature~~(s)~~ on the instrument the person~~(s)~~, or the entity upon behalf of which the person~~(s)~~ acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature L. Denise Allen (Seal)



Trustee's Deed

EXHIBIT "A"

Parcel 1:

The following described real property situate in Klamath County, Oregon:

Township 32 South, Range 7 1/2 East of the Willamette Meridian

Section 32: The South 550 feet of the SE 1/4; The South 550 feet of the SE1/4 of the SW 1/4.

Section 33: The South 550 feet of the SW 1/4; The South 550 feet of the SW1/4 of the SE 1/4 and All the SE 1/4 of the SE 1/4.

Section 34: All that portion of the SW 1/4 and the SW 1/4 of the SE 1/4 lying Westerly of the following described line: Beginning at a point on the South line of the SW 1/4 of the SE 1/4 of said Section 34, said point being 2578.0 feet North and 2239.1 feet West of the quarter corner common to Sections 2 and 3, Township 33 South, Range 7 1/2 East of the Willamette Meridian; thence along said line North 32°41' West, 189.5 feet; thence North 44°24' West, 413.0 feet more or less to a point on the West line of said SW 1/4 of the SE 1/4; said point also being 2232.7 feet South and 2693.3 feet East of the quarter corner common to Sections 33 and 34, Township 32 South, Range 7 1/2 East of the Willamette Meridian; thence North 40°16' West, 261.5 feet; thence North 44°21' West, 124.6 feet; thence North 57°07' West, 99.7 feet; thence North 47°58' West, 76.5 feet; thence North 40°56' West, 191.3 feet; thence North 36°35' West, 186.8 feet; thence North 33°07' West, 98.3 feet; thence North 26°13' West, 82.2 feet more or less to a point on the North boundary of the SE 1/4 of the SW 1/4, said point being 1388.2 feet South and 1970.0 feet East of the quarter corner common to Sections 33 and 34, said Township and Range; thence North 10°40' West, 102.1 feet; thence North 20°39' West, 227.6 feet; thence North 39°26' West 397.4 feet; thence North 47°59' West, 334.7 feet, more or less, to a point on the West boundary of the NE 1/4 of the SW 1/4, said point being 543.9 feet South and 1369.7 feet East of said quarter corner between Sections 33 and 34; thence North 37°07' West, 188.6 feet; thence North 33°09' West, 130.5 feet; thence North 26°13' West 324.7 feet more or less to a point on the North boundary of the NW 1/4 of the SW 1/4, said point also being 7.1 feet North and 1041.0 feet East of the quarter corner common to Sections 33 and 34, Township 32 South, Range 7 1/2 East of the Willamette Meridian.

Township 33 South, Range 7 1/2 East of the Willamette Meridian

Section 3: Government Lots 2, 3, 4, 5, 6, 7, 8, 11, 12, 13, 14, 15, 16, 17 and 18,

EXCEPTING THEREFROM all that portion of Lots 2, 7, 8 and 11, lying Easterly of the following described line:

Beginning at a point on the South boundary of said Lot 8, said point being 43.9 feet South and 1004.3 feet West of the quarter corner common to Sections 2 and 3, said Township and Range; thence North 20°48' West 120.0 feet; thence North 25°30' West 191.4 feet; thence North 5°04' West, 129.0 feet; thence North 1°19' East, 134.7 feet; thence North 9°38' West, 163.2 feet; thence North 18°16' West, 223.0 feet; thence North 28°06' West 256.7 feet; thence North 36°37' West, 233.0 feet; thence North 38°08' West, 207.5 feet; thence North 44°36' West, 200.8 feet; thence North 26°20' West, 186.0 feet; thence North 49°19' West, 173.6 feet; thence North 23°06' West, 173.8 feet; thence North 14°49' West, 360.6 feet; thence North 27°37' West, 217.7 feet, more or less to a point on the North boundary of said Lot 2, Section 3, Township 33 South, Range 7 1/2 East of the Willamette Meridian.

AND FURTHER EXCEPTING THEREFROM all that portion of Lots 17 and 18 of said Section 3, more particularly described as follows: Beginning at the Southeast corner of Lot 19, being the corner common to Lots 17, 19, 24 and 25; thence North along the East line of Lot 19 and its Northerly

extension thereof to the center thread of the Wood River; thence Easterly and Southerly upstream along said center thread to the East line of Lot 18; thence South along said East line to the Southeast corner of Lot 18; thence West along the South line of Lot 18 and the most Southerly line of Lot 17 to the point of beginning.

Section 4: Government Lots 1 through 19, both inclusive and Government Lots 22 and 23.

Section 5: Government Lot 3; SE 1/4 of the NW 1/4; all that portion of the SW 1/4 lying Northerly of the State Highway; The SE 1/4.

Section 9: Government Lot 7,

EXCEPTING THEREFROM any portion of said Lot 7 described in Deed recorded May 5, 1932 in Deed Volume 97 at Page 412, Klamath County Deed Records, more particularly described as follows:

Beginning at the Southeast corner of Lot 7; thence North along the East line thereof, 574 feet; thence West 524 feet to the County Road; thence Southeasterly along the Easterly line of said County Road to the Southerly line of Lot 7; thence East along said Southerly line to the point of beginning,

ALSO EXCEPTING THEREFROM any portion of the above described tract lying Westerly of the Easterly right of way of the State Highway.

All that portion of Government Lot 12 described as follows: Beginning at the Southeast corner of said Lot 12; thence North 0°20' East, along the Easterly line thereof, 594.88 feet to the centerline of the Wood River Ditch; thence South 35°44' West along said centerline, 648.78 feet to the Easterly right of way of the Crater Lake Highway; thence South 18°26' East, along said right of way, 85.80 feet to the Southerly line of Lot 12; thence along said Southerly line North 89°42' East, 348.48 feet to the point of beginning.

Government Lot 13;

EXCEPTING THEREFROM any portion of said Lot 13 described as follows: Beginning at the Northwest corner of said Lot 13; thence South 0°20' West along the West line thereof, 729.30 feet to the centerline of the Wood River Ditch; thence North 37°37' East, along said centerline, 914.76 feet to the North line of Lot 13; thence South 89°46' West along said North line, 559.68 feet to the point of beginning.

Section 10: Government Lots 20 and 21 and all that portion of the Government Lot 22 lying Westerly of the Westerly right of way of the State Highway.

Section 15: Government Lots 2, 9, 10, 14, 15, 16, 17 and 18,

EXCEPTING THEREFROM any portion of the above described lots lying Easterly of the Westerly right of way of the State Highway.

The E1/2 W1/2 SW1/4 SE1/4; The E1/2 SW1/4 SE1/4

Section 16: Government Lot 5.

Section 22: The E1/2 W1/2 W1/2 NE1/4; The E1/2 W1/2 NE1/4;

EXCEPTING THEREFROM that parcel of land described in Warranty Deed recorded June 13, 1960 in Deed Volume 322 at Page 55, Klamath County Deed Records; being the East 510 feet of that portion of the E 1/2 of the W 1/2 of the NE 1/4 of said Section lying Southerly of the State Highway.

AND FURTHER EXCEPTING that portion lying Southerly of the Highway as described in Deed to William A. Bartlett, et ux, recorded in Volume M80 page 24360, Records of Klamath County, Oregon.

EXCEPTING THEREFROM any portion of all the above described parcels of land lying within the right of way of State Highway #62, State Highway #232 and County Road #624 (Dixon Road).

EXCEPTING THEREFROM that portion deeded to Department of Transportation, Highway Division, recorded July 18, 1991, in Volume M91 Page 14078, Deed Records of Klamath County, Oregon.

NOTE: Where the context of the above description requires, the lottings refer to those shown on Government Land Office Special Plat of the Fort Klamath abandoned Military and Hay Reservations in Township 33 South, Range 7 1/2 East of the Willamette Meridian approved by the Surveyor General's office May 22, 1901.

Parcel 2:

Government Lots 1 and 2 and the S 1/2 of the NE 1/4 of Section 5, Township 33 South, Range 7 1/2 East of the Willamette Meridian, Klamath County, Oregon.

Parcel 3:

The following described real property situate in Klamath County, Oregon;

Lots 10, 11 and 12 and that portion of Lot 13 in Section 9, Township 33 South, Range 7 1/2 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at the Northwest corner of Lot 13 of Section 9, Township 33 South, Range 7 1/2 East of the Willamette Meridian; thence South 0° 20' West along the West line of said Lot 13, 729.30 feet to the center line of the Wood River Ditch; thence North 37° 37' East along said centerline, 914.76 feet, to the North line of said Lot 13; thence South 89° 46' West along the North line of Lot 13 559.68 feet to the point of beginning.

EXCEPT that portion described as follows: Beginning at the Southeast corner of Lot 12, Section 9, Township 33 South, Range 7 1/2 East of the Willamette Meridian, Klamath County, Oregon; thence North 0° 20' East, along the East line of said Lot 12, 605.88 feet to the center line of the Wood River Ditch; thence South 35° 44' West, along said centerline, 648.78 feet, to the Easterly right of way line of the Crater Lake Highway; thence South 18° 26' East along said right of way line 85.80 feet, to the south line of said Lot 12; thence North 89° 42' East, 348.48 feet, to the point of beginning.

According to that Survey of May 22, 1902, recorded in the office of the Klamath County Engineer.

EXCEPTING THEREFROM that portion conveyed to the State of Oregon by and through the Oregon State Highway Division, by deed recorded March 18, 1991 in Volume M91, Page 4796, Microfilm Records of Klamath County, Oregon, more particularly described as follows:

A parcel of land lying in Lots 11 and 12, Section 9 Township 33 South, Range 7 1/2 East of the Willamette Meridian, Klamath County, Oregon, and being a portion of that property described in that deed to Glenn T. and Rena A. Williams, recorded in Volume M86, Page 6647, Microfilm Records of Klamath County, Oregon; the said parcel being that portion of said property included in a strip of land 40

feet in width, lying on the Easterly side of the center line of the Crater Lake Highway as said highway has been relocated, which center line is described as follows:

Beginning at Engineer's center line Station 234+17.35, said Station being 4324.02 feet North and 3062.12 feet West of the Southeast corner of Section 9, Township 33 South, Range 7 1/2 East of the Willamette Meridian, Klamath County, Oregon; thence South 17° 09' 01" East 2579.71 feet; thence on a 22,918.31 foot radius curve left (the long chord of which bears South 17° 17' 16" East 110.04) 110.05 feet; thence South 17° 25' 31" East 4814.77 feet to Engineer's center line Station 309+21.88.

Bearings are based upon the Oregon Co-ordinate System of 1983, South Zone.

Parcel 4:

Township 33 South, Range 7 1/2 East of the Willamette Meridian:

Section 15: Government Lots 3, 11, 12, and 13.

Section 16: Government Lots 6 and a portion of 7 more particularly described as follows: Beginning at the quarter section corner between Sections 15 and 16, said Township and Range; thence South along Section line 10.33 chains to an iron pin; thence West 10 chains to the West boundary of the Military Hay Reservation as approved by Wm. H. Odell May 19, 1873, thence North 16°18' West along said boundary to the line between said Lots 6 and 7; thence East 13.05 chains to the point of beginning, containing 11.9 acres more or less. NOTE: the preceding property description is in accordance with that survey of May 22, 1902, recorded in the office of the Klamath County Surveyor.

EXCEPTING from the above-described property that portion conveyed by Walter L. Meshke to State of Oregon, by and through its Department of Transportation, highway Division, dated March 7, 1991, recorded April 19, 1991, in Vol. M-91, Page 7203, Microfilm Records of Klamath County, Oregon.

Parcel 5:

Township 33 South, Range 7 1/2 East of the Willamette Meridian:

Section 9: Government Lots 5, 6, 8, 9, and a portion of Lot 7 more particularly described as follows: Beginning at the Southwest corner of Lot 6; thence North along the West line of said Lot 6, 574 feet, thence West 524 feet to the County Road; thence Southeasterly along the Easterly line of said County Road, to the Southwesterly corner of Lot 7; thence East along the South line of said Lot 7 to the place of beginning. NOTE: the preceding property description is in accordance with that survey of May 22, 1902, recorded in the office of the Klamath County Surveyor.

Parcel 6:

All that real property situated in the County of Klamath, State of Oregon, described as follows:

A tract of land situated in the S 1/2 of Section 36, Township 33 South, Range 6 East of the Willamette Meridian, Klamath County, Oregon, described as follows:

Beginning at the Southwest corner of Section 36; thence North along the Section line 2649 feet to a point on the center line of the East-West road, which point is also the quarter corner common to Sections 35 and 36; thence East along the mid-section line of said Section 4452 feet to a point on the center line of the road which lies 846.5 feet West of the point on the drain bridge, which marks the East quarter corner of said Section; thence Southerly turning an angle 84°47' to the right 1053 feet along the Westerly side of the irrigation ditch to an iron pin which is opposite to a turn in the ditch; thence continuing Southerly turning at an angle of 9°18' to the left 275.4 feet to an iron pin which lies 689 feet West of a point on the Easterly line of said Section, that is 1331 feet North of the Southeast corner of said Section; thence Westerly parallel to and 1331 feet North of the South section line of said Section 183.5 feet to an iron pin, which is 872.5 feet West of the East line of said Section; thence South parallel to and 872.5 feet Westerly from the East section line of said Section 1331 feet to a point on the South line of said Section, which point is 922 feet East of the brass cap marking Lots 2 and 3, Section 1, Township 34 South, Range 6 East of the Willamette Meridian, Klamath County, Oregon, and also 860.5 feet West of the brass cap marked Section 36 (this cap is stated to be 12 feet West of its correct location); thence West along the South line of said Section 36, 4422 feet, more or less to the point of beginning.

Parcel 7:

Lot 4 and that part of Lots 2 and 3 lying West of the channel of 7 Mile Creek in Section 1, Township 34 South, Range 6 East of the Willamette Meridian, Klamath County, Oregon.

Parcel 8:

All that real property situated in the County of Klamath, State of Oregon, described as:

All that portion of the NW1/4 NE1/4 of Section 32, Township 33 South Range 7 1/2 East of the Willamette Meridian, Klamath County, Oregon, that lies Southerly of Seven Mile Road (County Road Number 1349).

The SW 1/4 of Section 31, Township 33 South, Range 7 1/2 East of the Willamette Meridian, Klamath County, Oregon.

The SE 1/4 of Section 31, Township 33 South, Range 7 1/2 East of the Willamette Meridian, Klamath County, Oregon, and a tract of land being a portion of the SW 1/4 of Section 32, described as follows:

Beginning at a point 360 feet East of the Northwest corner of the SW 1/4 of Section 32; thence South 2640 feet to the Township line; thence West 360 feet to the section line between Sections 31 and 32; thence North along said section line 2640 feet to the Northwest corner of the SW 1/4 of Section 32; thence East to the point of beginning.

EXCEPTING therefrom the West 60 feet of the SE 1/4 of Section 31, for road purposes, conveyed by Volume 149 at Page 484, Deed Records of Klamath County, Oregon.

ALSO EXCEPTING therefrom that portion conveyed to Klamath County for road purposes in Deed Volume 295 at Page 148, Deed Records of Klamath County, Oregon.

AND

All that property situated in the County of Klamath, State of Oregon, described as:

Exhibit "A" (Page 5 of 6)

The W1/2 of the SE1/4, the E1/2 of the SW1/4, the W1/2 of the SW1/4, Section 32, Township 33 South, Range 7 1/2 East of the Willamette Meridian, except a strip of land 360 feet wide East and West off the West side thereof, and the following described portion of the SW1/4 of the NE1/4 and the SE1/4 of the NW1/4, to wit:

Beginning at an iron pipe marking the Northeast corner of the SW1/4 of the NE1/4 of Section 32; thence North 89°41' West 689 feet to the center of County Road; thence following the centerline of said road South 56°14' West 2368.6 feet, more or less, to the Southwest corner of the SE1/4 of the NW1/4; thence South 89°47' East 2656 feet to a pumice stone at the Southeast corner of the SW1/4 of the NE1/4; thence North 0°19' West 1328 feet to the place of beginning, all in Section 32, Township 33 South, Range 7 1/2 East of the Willamette Meridian, Klamath County, Oregon, South of County Road.

AND ALSO the E1/2 of the E1/2 of Section 32 and all of Section 33, Township 33 South, Range 7 1/2 East of the Willamette Meridian, Klamath County, Oregon, ALSO beginning at the quarter section corner of the North line of Section 4, Township 34 South, Range 7 1/2 East of the Willamette Meridian, Klamath County, Oregon; thence South along the East line of Lots 1 and 4 of said Section 1989.5 feet; thence North 62 degrees 37' West 4328.3 feet to the North line of Section 5; thence East along the North line of Sections 5 and 4, 3862 feet; more or less to the place of beginning, and being a portion of Lots 1,2,3 and 4 of Section 4, and Lot 1 of Section 5, Township 34 south, Range 7 1/2 East of the Willamette Meridian, Klamath County, Oregon.

EXCEPTING therefrom that portion conveyed to Klamath County for road purposes in Deed recorded August 20, 1954 in Deed Volume 268 at Page 566, Deed Records of Klamath County, Oregon.

Parcel 9:

The Easterly one-fourth of Section 29 (also described as the E1/2 of the E1/2) of Section 29, Township 33 South, Range 7 1/2 East of the Willamette Meridian.

Parcel 10:

The following described real property is situate in Klamath County, Oregon, being more particularly described as follows:

The SE 1/4 of the SW 1/4 and the SW 1/4 of the SE 1/4 of Section 29, and the NW 1/4 of the NE 1/4 and the NE 1/4 of the NW 1/4 of Section 32, all in Township 33 South, Range 7 1/2 East of the Willamette Meridian. EXCEPTING THEREFROM all that portion of the NW 1/4 of the NE 1/4 of Section 32 that lies Southerly of Seven Mile Road (County Road Number 1349).