

2009-002643

Klamath County, Oregon



00061237200900026430040044

THIS SPACE

02/20/2009 03:34:04 PM

Fee: \$36.00



After recording return to:  
Patrick Brady  
P. O. Box 657  
Sisters, OR 97759

Until a change is requested all tax statements  
shall be sent to the following address:  
Patrick Brady  
P. O. Box 657  
Sisters, OR 97759

File No.: 7021-1352700 (DMC)  
Date: February 11, 2009

### STATUTORY WARRANTY DEED

**Lyle L. Janz, Jr. and Marilyn M. Janz, Trustees under Trust Agreement dated September 05, 1991, with Lyle L. Janz, Jr., and Marilyn M. Janz, Trustors, Grantor, conveys and warrants to Patrick Brady, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:**

See Legal Description attached hereto as Exhibit A and by this reference incorporated herein.

**Subject to:**

1. 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.

The true consideration for this conveyance is **\$130,000.00**. (Here comply with requirements of ORS 93.030)

F36

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, OF 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, OF CHAPTER 424, OREGON LAWS 2007.

Dated this 13<sup>th</sup> day of Feb, 2009.

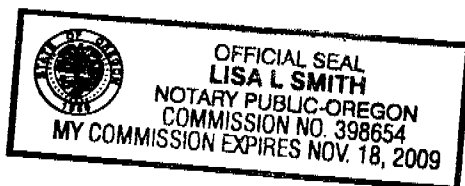
Lyle L. Janz, Jr. and Marilyn M. Janz,  
Trustees under Trust Agreement dated  
September 5, 1991, with Lyle L. Janz, Jr. and  
Marilyn M. Janz, Trustors

Lyle L. Janz, Jr. - Trustee  
Lyle L. Janz, Jr., Trustee  
Marilyn M. Janz - Trustee  
Marilyn M. Janz, Trustee

STATE OF Oregon )

County of Clackamas ) ss.

This instrument was acknowledged before me on this 13<sup>th</sup> day of Feb, 2009  
by Lyle L. Janz, Jr and Marilyn M. Janz as Trustees of Lyle L. Janz, Jr. and Marilyn M. Janz, Trustees  
under Trust Agreement dated September 5, 1991, with Lyle L. Janz, Jr. and Marilyn M. Janz, Trustors, on  
behalf of the Trust.



Notary Public for Oregon  
My commission expires: 11/18/09

**EXHIBIT A**

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

**PARCEL 1: (ALTAMONT DRIVE)**

**A PORTION OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 39 SOUTH, RANGE 9 EAST OF THE WILLAMETTE MERIDIAN, IN THE COUNTY OF KLAMATH, STATE OF OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 235.4 FEET SOUTH AND 30 FEET WEST OF CENTER OF SECTION 3, TOWNSHIP 39 SOUTH, RANGE 9 EAST OF THE WILLAMETTE MERIDIAN, WHICH POINT IS LOCATED ON SOUTH SIDE OF THE RIGHT OF WAY OF THE OREGON CALIFORNIA AND EASTERN RAILROAD; THENCE SOUTH 191 FEET TO THE NORTHEAST CORNER OF FIRST ADDITION TO ALTAMONT ACRES; THENCE NORTH 89° 27' WEST ALONG NORTH BOUNDARY OF SAID FIRST ADDITION TO ALTAMONT ACRES; 98.6 FEET THENCE NORTH 231.91' TO SOUTHERLY BOUNDARY OF RIGHT OF WAY OF OREGON CALIFORNIA AND EASTERN RAILROAD; THENCE SOUTHEASTERLY ALONG SAID SOUTH BOUNDARY OF THE OREGON CALIFORNIA AND EASTERN RAILROAD 107.03 FEET TO THE POINT OF BEGINNING, EXCEPTING THEREFROM THAT PORTION GRANTED TO KLAMATH COUNTY, FOR THE WIDENING OF CROSBY AVENUE, BY INSTRUMENT RECORDED JUNE 25, 1965 IN VOLUME 362, PAGE 462, RECORDS OF KLAMATH COUNTY, OREGON.**

**FURTHER EXCEPTING THAT PORTION DEEDED TO KLAMATH COUNTY, FOR WIDENING OF CROSBY AVENUE, RECORDED DECEMBER 20, 2006 IN 2006-25077, RECORDS OF KLAMATH COUNTY OREGON.**

**PARCEL 2: (SOUTH SIXTH STREET)**

BEGINNING AT A POINT 48.5 FEET SOUTH OF THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 39 SOUTH, RANGE 9 EAST OF THE WILLAMETTE MERIDIAN; THENCE SOUTH 646.5 FEET TO THE RIGHT OF WAY OF THE OREGON CALIFORNIA AND EASTERN RAILWAY COMPANY; THENCE NORTHWESTERLY ALONG SAID RIGHT OF WAY 162 FEET; THENCE NORTHERLY 576.3 FEET TO THE SOUTH SIDE OF THE DALLES-CALIFORNIA HIGHWAY; THENCE EASTERLY 150 FEET TO THE PLACE OF BEGINNING. SAVING AND EXCEPTING FROM SAID PREMISES THE PORTIONS CONVEYED TO THE STATE OF OREGON FOR HIGHWAY PURPOSES. ALSO SAVING AND EXCEPTING THE FOLLOWING DESCRIBED PARCEL: A TRACT OF LAND SITUATED IN THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 39 SOUTH, RANGE 9 EAST OF THE WILLAMETTE MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE EAST ONE-FOURTH CORNER OF SAID SECTION 3; THENCE SOUTH 89° 52' WEST 1,275.74 FEET; THENCE SOUTH 00° 21' 47" EAST 54.10 FEET TO A ONE-HALF INCH PIPE ON THE SOUTHERLY RIGHT OF WAY LINE OF THE DALLES-CALIFORNIA HIGHWAY MARKING THE NORTHEAST CORNER OF THAT PARCEL OF LAND DESCRIBED IN VOLUME 251, PAGE 162, DEED RECORDS OF KLAMATH COUNTY, OREGON; THENCE CONTINUING SOUTH 00° 21' 47" EAST ALONG THE EAST LINE OF SAID PARCEL DESCRIBED IN SAID VOLUME 251, PAGE 162, DEED RECORDS OF KLAMATH COUNTY, OREGON, 233.00 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING SOUTH 00° 21' 47" EAST ALONG SAID LINE 395.64 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF THE OREGON-CALIFORNIA AND EASTERN RAILWAY COMPANY; THENCE NORTH 67° 41' WEST ALONG SAID RIGHT OF WAY LINE 156.57 FEET (162 FEET BY RECORD); THENCE NORTH 00° 55' 30" WEST ALONG THE WEST LINE OF SAID PARCEL DESCRIBED IN VOLUME 251, PAGE 162, DEED RECORDS OF KLAMATH COUNTY, OREGON, 334.24 FEET; THENCE NORTH 89° 14' EAST 147.71 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION.

NOTE: THIS LEGAL DESCRIPTION WAS CREATED PRIOR TO JANUARY 1, 2008.