

AFTER RECORDING, RETURN TO:  
Robert and Dorothy Gardner, Trustees  
PO Box 379  
Malin, OR 97632

Until requested otherwise, send all  
tax statements to:  
Robert and Dorothy Gardner, Trustees  
PO Box 379  
Malin, OR 97632

2009-009367

Klamath County, Oregon



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07/08/2009 03:39:11 PM

Fee: \$21.00

## WARRANTY DEED

**Robert D. Gardner and Dorothy J. Gardner**, "Grantors," hereby conveys, grants, sells and warrants, to **Robert D. Gardner and Dorothy J. Gardner**, as Trustees of the **Robert Doran Gardner and Dorothy Johnine Moore Gardner Joint Revocable Living Trust** under agreement dated July 7, 2009, or to such Successor Trustee(s) of such trust(s) created under such instrument(s) as may hereafter be appointed, "Grantee," the following real property, situated in **Klamath County**, State of Oregon, free of encumbrances except for matters of public record:

### Parcel 1:

A parcel of land located in approximately the Southeast corner of the SW 1/4 of the NW 1/4 of Section 3, Township 41 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon, further described as follows:

Commencing at the center of the intersection of the Malin Loop Road and the Malin Dump Road and extending thence North along the center line of said Malin Dump road 150 feet, more or less, to the North bank of "Malin High Line Canal", the true point of beginning; extending thence North along the center line of said Malin Dump Road, which is also the East line of the said SW 1/4 NW 1/4, a distance of 290 feet; thence West at right angles a distance of 205 feet; then South parallel to the East line of said SW 1/4 NW 1/4, 175 feet, more or less, to the North bank of said Malin High Line Canal; thence Easterly along the North bank of said canal to the true point of beginning.

### Parcel 2:

In Township 41 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon.

All that portion of the South half of the SW 1/4 NW 1/4 of Section 3 and the South half of the SE 1/4 NE 1/4 of Section 4 lying North of the "Malin High Line Canal", EXCEPTING THEREFROM a parcel of land, more or less, heretofore sold to R.T. Parker and Ethel G. Parker, husband and wife, by contact dated December 1, 1961, recorded August 9, 1962 in Deed Volume 339 at page 321, and re-recorded November 8, 1963 in Deed Volume 349 at page 201 of Deed of Records of Klamath County, Oregon.

THE LIABILITY AND OBLIGATIONS OF THE GRANTORS TO GRANTEEES AND GRANTEEES' HEIRS AND ASSIGNS UNDER THE WARRANTIES AND COVENANTS CONTAINED HEREIN OR PROVIDED BY LAW SHALL BE LIMITED TO THE EXTENT OF COVERAGE THAT WOULD BE AVAILABLE TO GRANTORS UNDER A [STANDARD POLICY OF TITLE INSURANCE CONTAINING EXCEPTIONS FOR MATTERS OF PUBLIC RECORD EXTENDED]. IT IS THE INTENTION OF THE GRANTOR TO PRESERVE ANY EXISTING TITLE INSURANCE COVERAGE. THE LIMITATIONS CONTAINED HEREIN EXPRESSLY DO NOT RELIEVE GRANTORS OF ANY LIABILITY OR OBLIGATIONS UNDER THIS INSTRUMENT, BUT MERELY DEFINE THE SCOPE, NATURE, AND AMOUNT OF SUCH LIABILITY OR OBLIGATIONS.

The true consideration for this conveyance is \$0 per trust agreement.

THIS INSTRUMENT WILL 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 APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

Dated this 7 day of July, 2009.

Robert D. Gardner  
ROBERT D. GARDNER

Dorothy J. Gardner  
DOROTHY J. GARDNER

STATE OF OREGON                    )  
  ) ss.  
County of KLAMATH                )

The foregoing instrument was acknowledged before me this 7 day of July, 2009 by Robert D. Gardner and Dorothy J. Gardner.

Dawn Ostrowski  
Notary Public for Oregon

