

2009-010244

Klamath County, Oregon



00070215200900102440020024

07/29/2009 09:19:06 AM

Fee: \$26.00

After recording, return to:

Justin E. Throne  
280 Main Street  
Klamath Falls, OR 97601

Until further notice, send tax statements to:

Sam Henzel  
20201 Highway 97 S  
Klamath Falls, OR 97603

## BARGAIN AND SALE DEED

SAM HENZEL and THURSTON K. HENZEL, individually and as remaining partners of a dissolved partnership named SUNSET ENTERPRISES, Grantor, convey to HENZEL BROS., an Oregon general partnership, Grantee, the following described real property located in Klamath County, State of Oregon, free of encumbrances created or suffered by the grantor except as specifically set forth herein:

- Parcel 1 of Land Partition 69-91 situated in Government Lots 1, 2, and 3, the NE $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ , and the SE $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 2, Township 41 South, Range 10 E.W.M. and filed for record May 12, 1992, records of Klamath County.  
SUBJECT TO reservations and restrictions of record, easements and rights of way of record and those apparent on the land, contracts and/or liens for irrigation and/or drainage.
- See Exhibit A.

The true and actual consideration for this conveyance is \$1.00 and other valuable consideration.

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.

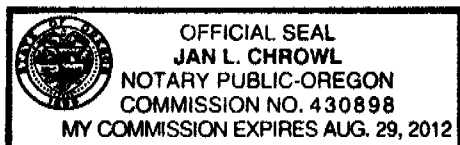
Dated this 13 day of July, 2009.

Samuel A. Henzel

Thurston K. Henzel

STATE OF OREGON, County of Klamath ) ss.

The foregoing instrument was acknowledged before me this 13th day of July, 2009, by Sam Henzel and Thurston Henzel, who personally appeared.



Jan L. Chrowl  
Notary Public for Oregon  
My Commission expires: 8-29-12

Exhibit "A"

Beginning at an iron pin on the North right-of-way line of the County road which lies West along the section line a distance of 1,078.1 feet and North  $0^{\circ}10'$  West a distance of 30 feet from the iron monument which marks the Southeast corner of the  $SW\frac{1}{4}SE\frac{1}{4}$  of Section 2, Township 41 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, and running thence: North  $0^{\circ}10'$  West a distance of 285.85 feet to an iron pin which lies on the center line of a private irrigation ditch; thence North  $63^{\circ}32'$  West along the center line of the private irrigation ditch a distance of 231.7 feet to an iron pin; thence continuing North  $59^{\circ}17'$  West along the center line of the private irrigation ditch a distance of 106.9 feet to an iron pin; thence South  $0^{\circ}10'$  East parallel to the easterly line a distance of 446.68 feet to an iron pin on the northerly right-of-way line of the County road 30 feet northerly at right angles from its center; thence East along the northerly right-of-way line of the County road a distance of 298.86 feet, more or less, in the  $SW\frac{1}{4}SE\frac{1}{4}$  and the  $SE\frac{1}{4}SW\frac{1}{4}$  of Section 2, Township 41 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, SAVING AND EXCEPTING THE FOLLOWING DESCRIBED PARCEL:

Beginning at a  $\frac{1}{2}$ -inch iron pin which is 30.0 feet North and 1,198.86 feet West and parallel to East-West Section line and on northerly right-of-way of County road from an encased monument which marks the Southeast corner of the  $SW\frac{1}{4}SE\frac{1}{4}$  of Section 2; thence North  $0^{\circ}10'$  West 75.0 feet to an  $\frac{1}{2}$ -inch iron pin; thence West and parallel to northerly right-of-way of County road 175.0 feet to iron pin; thence South  $0^{\circ}10'$  East 75.0 feet to a  $\frac{3}{4}$ -inch pipe (found); thence East 175.0 feet along northerly right-of-way of County road to point of beginning.

ALSO EXCEPTING THE FOLLOWING DESCRIBED PROPERTY:

The following described real property lying in the  $SW\frac{1}{4}SE\frac{1}{4}$  Section 2, Township 41 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon; being a portion of that real property described in Deed Volume M93, Page 28233 of the official records of said county; more particularly described as follows:

Beginning at a  $\frac{5}{8}$ -inch iron pin on the West line of that property described in said Deed, which is 187.00 feet North and 1,373.86 feet West parallel to the East-West Section line and northerly right-of-way of county road (Falvey Road) from an encased monument which marks the southeast corner of said  $SW\frac{1}{4}SE\frac{1}{4}$  of Section 2; thence East parallel to said northerly right-of-way, 175 feet to a  $\frac{5}{8}$ -inch iron pin; thence South  $0^{\circ}9'44''$  East parallel to said West line thereof, 112.00 feet to the Northeast corner of that property described in Deed M71, Page 11233, of the official records of said county; thence West along the North line thereof 175.0 feet to the northwest corner thereof; thence North  $0^{\circ}9'44''$  West along the West line of that property described in first said deed, 112.0 feet to the point of beginning.