

NTC 80997-KR

THIS SPACE I

2010-001713

Klamath County, Oregon



02/01/2010 11:24:46 AM

Fee: \$42.00

After recording return to:

John Michael Penhall

9026 Hwy 39

Klamath Falls, OR 97603

Until a change is requested all tax statements shall be sent to the following address:

John Michael Penhall

9026 Hwy 39

Klamath Falls, OR 97603

Escrow No. MT86997-KR

Title No. 0086997

SWD

STATUTORY WARRANTY DEED

Wesley D. Kellom and Julia A. Kellom, Trustees of The Wesley D. and Julia A. Kellom Living Trust, dated may 23, 1991, Grantor(s) hereby convey and warrant to John Michael Penhall and Teresa K. Penhall, as tenants by the entirety, Grantee(s) the following described real property in the County of KLAMATH and State of Oregon free of encumbrances except as specifically set forth herein:

SEE EXHIBIT "A"

The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any:

The true and actual consideration for this conveyance is **\$350,000.00**.

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 28th day of January, 2010.

The Wesley D. and Julia A. Kellom Living Trust, dated may 23, 1991

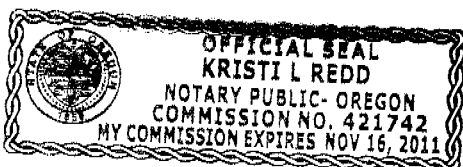
BY: Wesley D. Kellom, Trustee
Wesley D. Kellom, Trustee

BY: Julia A. Kellom, Trustee
Julia A. Kellom, Trustee

State of Oregon

County of KLAMATH

This instrument was acknowledged before me on January 28, 2010 by Wesley D. Kellom and Julia A. Kellom, Trustees of The Wesley D. and Julia A. Kellom Living Trust, dated may 23, 1991.



Kristi L. Redd
(Notary Public for Oregon)

My commission expires 11/16/2011

42AMT

EXHIBIT "A"
LEGAL DESCRIPTION

All that portion of the SE1/4 of Section 25, Township 39 South, Range 9, East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at the Northeast corner of the SE1/4 SE1/4 of said Section 25; thence South 89° 57' West 270.3 feet; thence South 72° 41' West along a line parallel with and 12 feet distant at right angles Southeasterly from the center line of that certain drain ditch, the easement for which was granted by Sophia S. Henley to the Gordon Marsh Construction Co., by conveyance dated April 29, 1931 and recorded in Deed Volume 106, page 32, records of Klamath County, Oregon, a distance of 196.7 feet; thence South 83° 19' West, 216.8 feet; thence leaving said drainage ditch North 52° 23' West, 517.7 feet; thence South 29° 25' West, 39.3 feet, more or less, to a point in the North right of way line of the U. S. No. 1 Drain of the U.S.R.S.; thence following said North right of way line Westerly to a point in the Westerly boundary of said SE1/4 of said Section 25 at a point 1157.6 feet, more or less, North of the South quarter corner of said Section 25; thence South 1157.6 feet, more or less, to the South quarter corner of said Section 25; thence Easterly along the South line of said Section 25, 1925 feet, more or less, to the Westerly right of way line of the South Branch Canal or the U.S.R.S. as shown in deed recorded in Book 29 at page 509 of Klamath County Deed Records; thence Northeasterly along said Westerly right of way line to its intersection with the Easterly line of Section 25; thence North along the Easterly line of said Section a distance of 431 feet, more or less, to the point of beginning.

EXCEPTING HOWEVER, the following described portion thereof heretofore conveyed to R. L. Fleming and Myrtle Fleming, husband and wife, by deed recorded in Book 146 at page 382 of Klamath County Deed Records: Beginning at the Northeast corner of the SE1/4 SE1/4 of said Section 25; thence South 89° 57' West, 260 feet; thence South 128 feet; thence North 89° 57' East to the Easterly line of said Section 25; thence North along said Section line 128 feet to the point of beginning.

ALSO EXCEPTING THEREFROM the following described portions thereof: That portion thereof conveyed to the United States of America by deed recorded on page 509 of Volume 29, Deed Records of Klamath County, Oregon, and on page 6 of Volume 88 said record of Deeds. That portion thereof conveyed to Klamath County, Oregon, by deed recorded on page 629 of Volume 75 of Deeds, Records of Klamath County, Oregon. That portion thereof conveyed to United States of America by instrument recorded on page 308 of Volume 229, Deed Records of Klamath County, Oregon.

ALSO EXCEPTING that portion lying Northerly of the North right of way line of the No. 1 Drain.