

MT87697-LW

2010-007507

Klamath County, Oregon



THIS SPACE I



00086139201000075070070079

06/21/2010 12:54:12 PM

Fee: \$67.00

After recording return to:
WORLDMARK, THE CLUB, A CALIFORNIA
CORPORATION
9805 WILLOWS ROAD
REDMOND, WA 98052

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

WORLDMARK, THE CLUB, A CALIFORNIA
CORPORATION
9805 WILLOWS ROAD
REDMOND, WA 98052

Escrow No. MT87697-LW

Title No. 0087697

SWD-EM r.012910

STATUTORY WARRANTY DEED

FRANK GALLAGHER, Grantor(s) hereby convey and warrant to **WORLDMARK, THE CLUB, A CALIFORNIA CORPORATION**, 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" THAT IS MADE A PART HEREOF BY THIS REFERENCE

The above-described property is free of encumbrances except those matters show in **Exhibit "B"** that is made a part hereof by this reference.

The true and actual consideration for this conveyance is **\$1,000,000.00**.

67AA-4T

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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. 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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009.

Dated this 18th day of June, 2010


FRANK GALLAGHER

STATE OF CALIFORNIA

COUNTY OF Marin^{ss}

On June 18, 2010 before me, C. Coleman, notary public personally appeared FRANK GALLAGHER personally known to me (or 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 executed the same in authorized capacity(ies), and that by signatures(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature 

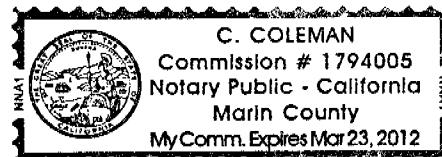


EXHIBIT "A"
LEGAL DESCRIPTION

Parcel A:

Parcel 1 of Land Partition Plat 49-09, a replat of Lot 94 RUNNING Y RESORT, PHASE 1, located in the SW1/4 of Section 9, Township 38 South, Range 8 East of the Willamette Meridian, filed April 19, 2010 in Volume 2010-004635, Microfilm Records of Klamath County, Oregon Klamath County.

Parcel B:

An undivided 9% interest in:

Parcel 2 of Land Partition No. 33-07 being a replat of Parcel 1 of Land Partition 53-06, located in the S1/2 of Section 9, Township 38 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon.

EXHIBIT "B"

7. The premises herein described are within and subject to the statutory powers, including the power of assessment and easements of Klamath Lake Timber Fire Patrol.
8. The premises herein described are within and subject to the statutory powers, including the power of assessment, of Running Y Utility Company.
9. The premises herein described are within and subject to the statutory powers, including the power of assessment, of Wocus Irrigation District.
10. Easement and release of damages, subject to the terms and provisions thereof, given by Geary Investment Company, an Oregon corporation, et al., to The California Oregon Power Company, a California corporation, dated December 11, 1923, recorded October 4, 1924, in Volume 64, page 489, Deed Records of Klamath County, Oregon, relative to raising and/or lowering the waters of Upper Klamath Lake between the elevations of 4137 and 4143.3 feet above sea level.
11. Rights of way for transmission line, subject to the terms and provisions thereof, given by George E. Stevenson and Myler C. Stevenson, husband and wife, to The California Oregon Power Company, a California corporation, dated October 1, 1925, recorded February 18, 1926, in Volume 69 page 299, Deed Records of Klamath County, Oregon.
12. Easements and releases of claims for damages, subject to the terms and provisions thereof, relative to raising and/or lowering the waters of Upper Klamath Lake between the levels of 4137 and 4143.3 feet above sea level, given to The California Oregon Power Company, a California corporation, by instruments recorded April 5, 1932, in Volume 97 page 211, 213, 215, 217, 219, 221, 223, 225, and 227, Deed Records of Klamath County, Oregon.
13. Right of way for transmission line, subject to the terms and provisions thereof, given by George E. Stevenson and Myler C. Stevenson, his wife, to The California Oregon Power Company, a California corporation, dated November 10, 1938 and recorded December 26, 1939 in Volume 126 page 192, Deed Records of Klamath County, Oregon.
14. Joint obligations with other lands in and to the premises set out as Parcel 2 of Tract B, subject to the terms and provisions thereof, as disclosed in deed from George E. Stevenson and Myler Stevenson, husband and wife, to The California Oregon Power Company, a California corporation, dated April 1, 1940, recorded April 1, 1940, in Volume 128 page 207, Deed Records of Klamath County, Oregon.

15. Easement and release of damages relative to raising and/or lowering the waters of Upper Klamath Lake between the levels of 4137 and 4143.3 feet above sea level, subject to the terms and provisions thereof, given by Donald Blackwell Hunt, also known as Donald B. Hunt, and Esther Cecilia Hunt, his wife, to California Oregon Power Company, a California corporation, and The California Oregon Power Company, a California corporation, dated February 26, 1943, recorded August 31, 1943, in Volume 158 page 183, Deed Records of Klamath County, Oregon, as modified by agreement between The California Oregon Power Company, a California corporation, and Donald Blackwell Hunt, also known as Donald B. Hunt, and Esther Cecilia Hunt, his wife, dated June 30, 1948, recorded August 6, 1948, in Volume 223 page 400, Deed Records of Klamath County, Oregon.
16. An easement created by instrument, subject to the terms and provisions thereof,
Dated: May 15, 1955
Recorded: May 28, 1956
Volume: 283, page 411, Deed Records of Klamath County, Oregon
In favor of: The California Oregon Power Co.
For: Transmission and distribution of electricity
17. Letter dealing with water contracts, subject to the terms and provisions thereof, dated April 1, 1980, recorded December 2, 1980, in Volume M80 page 23384, Microfilm Records of Klamath County, Oregon.
18. Covenants, conditions and restrictions as shown on recorded plat of Running Y Resort, Phase 1. Reference is made to said plat for full particulars.
19. Access easements as dedicated or delineated on the recorded plat of Running Y Resort, Phase 1.
20. Golf easement as dedicated or delineated on the recorded plat of Running Y Resort, Phase 1.
21. Utility and drainage easement as dedicated or delineated on the recorded plat of Running Y Resort, Phase 1.
22. Levies and assessments of the Running Y Ranch Resort Owner's Association as provided for in the Covenants, Conditions and Restrictions.

23. Covenants, conditions, restrictions and easements, but omitting restrictions, if any, based on race, color, religion or national origin, imposed by instrument, including the terms and provisions thereof,

Recorded: August 2, 1996

Volume: M96, page 23548, Microfilm Records of Klamath County, Oregon

Declaration of Annexation Commercial Lot to Running Y Ranch Resort, subject to the terms and provisions thereof,

Dated: October 10, 2005

Recorded: October 14, 2005

Volume: M05, page 66609, Microfilm Records of Klamath County, Oregon

Declaration of Annexation Commercial Lot to Running Y Ranch Resort, subject to the terms and provisions thereof,

Dated: August 28, 2007

Recorded: August 31, 2007

Volume: 2007-015432, Microfilm Records of Klamath County, Oregon

Declaration of Annexation Commercial Lot to Running Y Ranch Resort, subject to the terms and provisions thereof,

Dated: September 7, 2007

Recorded: September 11, 2007

Volume: 2007-015943, Microfilm Records of Klamath County, Oregon

24. An easement created by instrument, subject to the terms and provisions thereof,

Dated: November 27, 2006

Recorded: December 14, 2006

Volume: 2006-024741, Microfilm Records of Klamath County, Oregon

For: Telecommunication facilities

(Affects Parcel B)

25. Memorandum of Building and Rooftop Lease Agreement, subject to the terms and provision thereof Dated: January 5, 2007.

Recorded: January 22, 2007

Volume: 2007-001064, Microfilm Records of Klamath County, Oregon

Lessor: Running Y Resort, Inc.

Lessee: Verizon Wireless

(Affects Parcel B)

26. An easement created by instrument, subject to the terms and provisions thereof,

Dated: February 1, 2007

Recorded: February 1, 2007

Volume: 2007-001788, Microfilm Records of Klamath County, Oregon

In favor of: PacifiCorp

For: Electric power distribution and communication lines

(Affects Parcel B)

27. An easement created by instrument, subject to the terms and provisions thereof,
Dated: October 3, 2007
Recorded: October 10, 2007
Volume: 2007-017529, Microfilm Records of Klamath County, Oregon
In favor of: PacifiCorp
For: An electric right of way
(Affects Parcel B)