

MTC 87640

mrc 876

2010-007644

Klamath County, Oregon



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06/24/2010 08:46:41 AM

Fee: \$72.00

WARRANTY DEED

Grantor: Klamath County School District
10501 Washburn Way
Klamath Falls, OR 97603

Grantee: Klamath Falls City School District
1336 Avalon Street
Klamath Falls, OR 97603

Consideration: \$0.00 & Other

Send property tax statements to:
Superintendent
Klamath Falls City School District
1336 Avalon Street
Klamath Falls, OR 97603

After recording, return to:
James R. Uerlings
Boivin, Uerlings & DiIaconi, P.C.
803 Main Street, Ste 201
Klamath Falls, OR 97601

KNOW ALL MEN BY THESE PRESENTS, That **Klamath County School District**, hereinafter called Grantor, for the consideration hereinafter stated, to grantor paid by **Klamath Falls City School District**, hereinafter called Grantee, does hereby grant, bargain, sell and convey unto Grantee and Grantee's heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of Klamath, State of Oregon, described as follows, to-wit:

Three parcels of real property located in Klamath County, Oregon; more particularly described on Exhibits A, B, and C, attached hereto and incorporated by this reference.

Subject to the encumbrances, liens, etc., as set forth on Exhibits D, E, and F, respectively, attached hereto and incorporated by this reference.

To Have and to Hold the same unto the said Grantee and Grantee's heirs, successors and assigns forever.

And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances and that grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$0.00 (other good and valuable consideration).

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

72amt

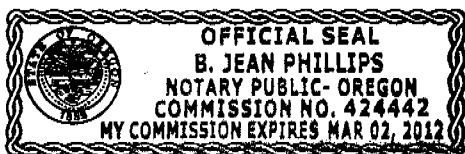
PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009.

In Witness Whereof, the Grantor has executed this instrument this 16 day of June, 2010; if a corporate Grantor, it has caused its name to be signed and its seal affixed by an officer or other person duly authorized to do so by order of its board of directors.

Gregory A. Theel
Superintendent, ~~Chairman of the Board~~
Klamath County School District

STATE OF OREGON)
) ss.
County of Klamath)

This instrument was acknowledged before me on June 16, 2010 by Gregory A. Theel, Superintendent, ~~Chairman of the Board~~ for Klamath County School District.



B. Jean Phillips
Notary Public for Oregon
My Commission Expires: 3-2-12

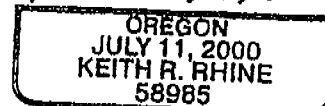
EXHIBIT A
DESCRIPTION FOR THE
FOOTHILLS BOULEVARD PROPERTY

A tract of land situated in the NW1/4 of the NE1/4 of Section 35, T38S, R9E WM, Klamath County, Oregon, more particularly described as follows:

Beginning at the Northwest corner of proposed Tract 1152-North Hills, said corner being S88°22'24"E, 1131.94 feet from the North one-quarter corner of said Section 35; thence along the westerly line of said proposed Tract 1152, S03°18'00"W 314.79 feet, S06°24'09" E 672.02 feet, S00°05'47"E, 225.00 feet to a point 100.00 feet Northerly measured at right angles to the South line of said NW1/4NE1/4, thence S89°54'13" W, parallel to said line, 715.00 feet; thence N78°47'00"W 101.95 feet; thence S89°54'13"W 169.00 feet; thence North 313.33 feet; thence N43°00'00"E 252.20 feet; thence N05°00'00"E 211.89 feet; thence N45°54'40"E 205.33 feet; thence N29°11'28"E 129.60 feet; thence N42°21'12"E 106.41 feet; thence N73°35'41"E 168.19 feet; thence N49°26'34"E 155.85 feet to the Southerly right of way line of the North West Pipe Line; thence S88°49'11"E, along said right of way line 174.24 feet to the point of beginning, containing 20.12 acres, with bearings based on said proposed Tract 1152, said tract of land subject to a 20 foot drainage easement along the Southerly line.



Keith R. Rhine



RENEWAL DATE: 12/31/08

EXHIBIT B
DESCRIPTION FOR THE
SHADOW HILLS PROPERTY

A tract of land situated in the NW1/4 SW1/4 of Section 35, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a 5/8 inch iron pin marking the southwest corner of Lot 13, Block 3, vacated Shadow Hills No. 1; thence along the boundary of that certain parcel of land described in the special ordinance of the City of Klamath Falls, Oregon No. 5852, the following courses and distances; N00°02'42"E 229.10 feet to a 1/2 inch iron pin; thence N23°56'00"E 177.73 feet to a 1/2 inch iron pin; thence N21°10'33"E 100.38 feet to a 5/8 inch iron pin marking the beginning of a curve to the right; thence along the arc of a 230.00 foot radius curve to the right (Delta=24°13'59"; long chord=N78°11'00"W 96.55 feet), 97.28 feet to a 5/8 inch iron pin marking the end of curve; thence N66°04'00"W 15.76 feet to a 5/8 inch iron pin marking the beginning of a curve to the left thence along the arc of a 20.00 foot radius curve to the left (Delta=90°00'00"; long chord=S68°56'00"W 28.28 feet), 31.42 feet to a 5/8 inch iron pin marking the end of curve and the easterly right of way line of Summers Lane; thence N23°56'00"E along said right of way line, 232.83 feet to a 5/8 inch iron pin marking the beginning of curve to the left; thence along the arc of a 380.00 foot radius curve to the left (Delta=7°52'00"; long chord=N20°00'00"E 52.13 feet), 52.17 feet to the 5/8 inch iron pin marking the end of curve; thence N16°04'00"E 77.91 feet to a 5/8 inch iron pin; thence leaving said right of way line S73°54'00"E 150.00 feet to a 1/2 inch iron pin; thence N16°04'00"E 372.12 feet to a 1/2 inch iron pin; thence N89°17'44"E 335.43 feet to a 5/8 inch iron pin; thence S82°05'18"E 166.89 feet to a 5/8 inch iron pin; thence leaving the boundary of said vacated parcel S00°42'16"E 406.05 feet to a 5/8 inch iron pin; thence S54°18'48"E 286.77 feet to a 5/8 inch iron pin on the easterly boundary line of said vacated parcel; thence S30°14'00"W 645.52 feet to a 5/8 inch iron pin on the southerly line of said Lot 6; thence S89°42'01"W along the southern boundary of said vacated parcel 767.80 feet to the **Point of Beginning**, containing 21.02 acres or less, being a parcel of land situated in Lot 6; of Enterprise Tracts, a duly recorded subdivision in Klamath County, Oregon, and in a portion of vacated Shadow Hills #1, also in Klamath County, Oregon.

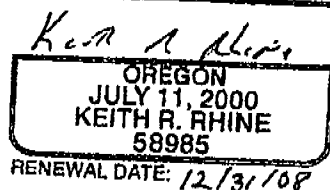


EXHIBIT C
DESCRIPTION FOR THE
ORINDALE ROAD PROPERTY

All of the S1/2NW1/4SE1/4 of Section 1, T39S, R8E WM, Klamath County, Oregon,
EXCEPT for that portion conveyed for County Road by Deed recorded July 1, 1960, in
Vol. 322, Page 357 of Klamath County, Oregon Deed Records;

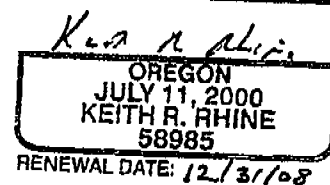


Exhibit D
(as to Real Property on Exhibit A)

8. City liens or assessments, if any, due to the City of Klamath Falls.
9. Rights of the public in and to any portion of the herein described premises lying within the limits of streets, roads or highways.
10. An easement created by instrument, subject to the terms and provisions thereof,
Recorded: September 18, 1961
Volume: 332, page 294, Microfilm Records of Klamath County, Oregon
In favor of: El Paso Natural Gas Company

Assignment of Right of Way and Easements, subject to the terms and provisions thereof;
Recorded: October 14, 1998
Volume: M98, page 37657, Microfilm Records of Klamath County, Oregon
11. Limited access provisions contained in Deed to Klamath County, a political subdivision of the State of Oregon, which provided that no right of easement or right of access to, from or across the road other than expressly therein provided for shall attach to the abutting property.
Recorded: July 21, 1981
Volume: M71, page 12985, Microfilm Records of Klamath County, Oregon
12. An easement created by instrument, subject to the terms and provisions thereof,
Recorded: October 5, 1973
Volume: M73, page 13497, Microfilm Records of Klamath County, Oregon
In favor of: Southern Oregon Broadcasting Company
13. Annexation Agreement, subject to the terms and provisions thereof;
Recorded: January 5, 1979
Volume: M79, page 456, Microfilm Records of Klamath County, Oregon
Rerecorded: January 30, 1979
Volume: M79, page 2453, Microfilm Records of Klamath County, Oregon
Amended by instrument recorded March 7, 1979 in Volume M79, page 5113, Microfilm Records of Klamath County, Oregon.
Amended by instrument recorded March 7, 1979 in Volume M79, page 5115, Microfilm Records of Klamath County, Oregon.
14. An easement created by instrument, subject to the terms and provisions thereof,
Recorded: December 16, 1999
Volume: M99, page 49382, Microfilm Records of Klamath County, Oregon
In favor of: City of Klamath Falls
15. An easement created by Bargain and Sale Deed, subject to the terms and provisions thereof,
Recorded: March 24, 1980
Volume: M80, page 5490, Microfilm Records of Klamath County, Oregon
For: 20 foot drainage easement
16. An easement created by License, subject to the terms and provisions thereof,
Recorded: August 24, 2009
Volume: 2009-11359, Microfilm Records of Klamath County, Oregon
For: placement and maintenance of a firebreak, 3 trees and a rock pile

Exhibit E
(as to Real Property on Exhibit B)

8. City liens, if any due and payable to the City of Klamath Falls.
9. The premises herein described are within and subject to the statutory powers, including the power of assessment and easements of Enterprise Irrigation District.
10. Rights of the public in and to any portion of the herein described premises lying within the limits of streets, roads or highways.
11. Grant of Right of Way created by instrument, subject to the terms and provisions thereof;
Recorded: October 26, 1953
Volume: 263, page 533, Deed Records of Klamath County, Oregon
In favor of: The California-Oregon Power Company
12. Grant of Right of Way created by instrument, subject to the terms and provisions thereof;
Recorded: December 21, 1962
Volume: 342, page 155, Deed Records of Klamath County, Oregon
In favor of: Pacific Power & Light Company
13. Right of Way Easement, subject to the terms and provisions thereof;
Recorded: February 18, 1972
Volume: M72, page 1810, Microfilm Records of Klamath County, Oregon
In favor of: Enterprise Irrigation District
14. Easement for existing public utilities in vacated street area and the conditions imposed hereby.
Reserved by vacating order Ordinance No: 5852
Recorded: May 22, 1972
Volume: M72, page 5439, Microfilm Records of Klamath County, Oregon

Exhibit F
(as to Real Property on Exhibit C)

8. Rights of the public in and to any portion of the herein described premises lying within the limits of streets, roads or highways.
9. An easement created by instrument, subject to the terms and provisions thereof,
 - Dated: January 10, 1944
 - Recorded: February 2, 1944
 - Volume: 162, page 59, Deed Records of Klamath County, Oregon
 - In favor of: R.P. Breitenstein and Mamie Breitenstein
 - For: Road purposes
 - Affects: Over the South 30 feet
10. Agreement including the terms and provisions thereof,
 - Dated: July 19, 1973
 - Recorded: August 2, 1973
 - Volume: M73, page 1973, Microfilm Records of Klamath County, Oregon
 - By and between: Phil F. Barry and Mary G. Barry, husband and wife and Klamath County School District, a County School District
 - For: Access provisions over the Northerly 30 feet of the S1/2 NW1/4 SE1/4