

NJC 85311

2010-007648

Klamath County, Oregon



00086305201000076480050055

06/24/2010 08:57:02 AM

Fee: \$57.00

Until a change is requested, all tax statements shall be sent to:

Dennis J. Zander and Lisa L. Zander
4308 Ezell Avenue
Klamath Falls, OR 97603

After recording return to:

James R. Uerlings
Attorney at Law
803 Main Street, Suite 201
Klamath Falls, OR 97601

STATUTORY BARGAIN AND SALE DEED

Klamath County School District, an Oregon school district, Grantor, conveys to Dennis J. Zander and Lisa L. Zander, as tenants by the entirety, Grantees, the real property described in "PARCEL B-PLA 1-10 SCHOOL DIST. TO ZANDERS," attached to this deed as Exhibit "A." Reference to this or any other legal description by exhibit number shall mean that the description of the real property is incorporated in this deed as though fully set forth herein.

This conveyance is made subject to the rights-of-way and easements reserved by the Grantor, as follows:

1. A perpetual easement over, under and across the described property for the purpose of construction, maintenance, replacement, and repair of any and all existing and/or future utilities that currently exist across said property, or as may be reasonably required by the Grantor in the future, including but not limited to, irrigation systems, gas lines, telephone lines, communication lines, TV cable lines, fiber optic lines, water and sewer lines, power lines, pumps and meters.
2. A perpetual easement over, under and across the described property to repair, maintain, replace, construct, and improve the asphalt and/or other surfaces of the tennis courts and/or other improvements that exist on the real property described in Exhibit "B" and extend over and onto the real property described in Exhibit "A," including the right to maintain, repair, replace, and improve existing pavement or other artificial surfaces extending onto the real property described in Exhibit "A," all for the purpose of maintaining, repairing or improving the improvements of the District, as exist on Exhibit "B."
3. ~~Grantor~~ ^{Grantor} will be responsible to reasonably repair any damage that it may cause to the real property described in Exhibit "A" by use of the rights-of-way and/or easements.
4. Grantor will attempt to provide advance notice to Grantees that it will be accessing the described property.
5. These reservations of right-of-way and easements shall run with and be appurtenant to and benefit the real property described on Exhibits B and C.

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

57amt

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.

The true consideration for this conveyance is exchange of interests in real property between the parties to this deed.

DATED: June 16, 2010

KLAMATH COUNTY SCHOOL DISTRICT

By: Greg Thede
GREG THEDE, SUPERINTENDENT

STATE OF OREGON
County of Klamath

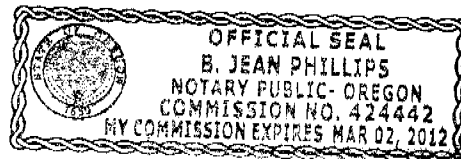
This instrument was acknowledged before me on June 16, 2010, by Greg Thede as Superintendent of Klamath County School District.

B. Jean Phillips
Notary Public for Oregon

Klamath County School District,
to
Dennis J. Zander and Lisa L. Zander,
as tenants by the entirety,

Grantor,

Grantees.



**PARCEL B- PLA 1-10
SCHOOL DIST. TO ZANDERS**

A 10 foot wide strip of land, situated in the NW1/4 of Section 11, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Beginning at a point on the south line of a 30 foot wide roadway, said point being S.00°26'16"W., 331.40 feet and S.89°21'44"E., 551.75 feet from the Section corner common to Sections 2, 3, 10, and 11 of said Township and Range; thence S.00°26'16"W., 337.03 feet, along the east line of that property described in deed volume M99, page 48413 of the Klamath County deed records, to a point on the south line of the northwest quarter of the northwest quarter of the northwest quarter (NW1/4 NW1/4 NW1/4) of said Section 11; thence S.88°56'40"E., 10.00 feet; thence N.00°26'16"E., parallel with said east line, a distance of 337.11 feet, to a point on the south line of said roadway; thence N.89°21'44"W., 10.00 feet to the Point of Beginning. Containing 3370.0 square feet, more or less.

DESCRIPTION FOR THE
MAZAMA HIGH SCHOOL PROPERTY

A tract of land situated in the SW1/4 of Section 2, and the NW1/4 of Section 11, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at the intersection of the easterly line of Summers Lane with the south line of said Section 2, Township 39 South, Range 9 East; thence northerly along said easterly line of Summers Lane a distance of 30.00 feet; thence easterly parallel with the south line of said Section 2 a distance of 208 feet; thence northerly parallel with the easterly line of Summers Lane a distance of 920 feet; thence westerly parallel with the south line of said Section 2 a distance of 84 feet to the southeast corner of that property described as Parcel 2 in Deed Volume M01 at page 37232; thence northerly parallel with the easterly line of Summers Lane a distance of 100 feet; thence westerly parallel with the south line of said Section 2 a distance of 124 feet more or less, to the easterly line of Summers Lane; thence northerly along said easterly line of Summers Lane to its intersection with the southwesterly line of the O. C. & E. Railroad right of way (100' wide); thence southeasterly along said southwesterly line of said O.C. & E. right of way to its intersection with the southwesterly line of the U. S. R. S. "A" Canal right of way (150' wide); thence southeasterly along said southwesterly line of said U. S. R. S. "A" Canal right of way to its intersection with the centerline of the U. S. R. S. "1-C-9" Drain as described in Deed Volume 270 at page 294, Klamath County deed records; thence southwesterly and westerly along the centerline of said "1-C-9" Drain to its intersection with the easterly line of Summers Lane; thence northerly along said easterly line of Summers Lane to the south line of the NW1/4NW1/4 NW1/4 of said Section 11, Township 39 South, Range 9 East; thence easterly along said south line of the NW1/4NW1/4 NW1/4 of said Section 11, to the southwest corner of that property described as Parcel 2 in Deed Volume 269 at Page 646, Klamath County deed records; thence northerly along the west line of said Parcel 2 to a point on the south line of the N1/2 NW1/4 NW1/4 NW1/4, of said Section 11, said point also being on the south line of a 30.00 foot wide road known as Ezell Avenue; thence easterly along said south line to the southeast corner of said N1/2 NW1/4 NW1/4 NW1/4, of said Section 11; thence northerly along the said east line of the N1/2 NW1/4 NW1/4 NW1/4 of said Section 11, a distance of 30.00 feet to a point on the north line of Ezell Avenue; thence westerly along the north line of said Ezell Avenue, said line being parallel with and 30.00 feet northerly of the south line of the N1/2 NW1/4 NW1/4 NW1/4, of said Section 11, to the easterly line of Summers Lane; thence northerly along the said easterly line of Summers Lane to the **Point of Beginning**.

Excepting therefrom that portion of the U. S. R. S. "1-C-9" Drain lying within the above described property. Also excepting that portion conveyed to Klamath County in Volume M02 at page 70534, microfilm Records of Klamath County, Oregon.

EXHIBIT B Page 1 of 1

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Keith R. Rhine
OREGON
JULY 11, 2000
KEITH R. RHINE
58985
RENEWAL DATE: 12/31/08

**PARCEL A - PLA 1-10
ZANDERS TO SCHOOL DIST.**

The South 30 feet of the N1/2 NW1/4 NW1/4 of Section 11, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, as described in Deed volume 2009-004597 of the Klamath County deed records.

EXCEPTING THEREFROM: Beginning at a point on the south line of the above described 30.00 foot strip of land, said point being S.00°26'16"W., 331.40 feet and S.89°21'44"E., 561.75 feet from the Section corner common to Sections 2, 3, 10, and 11 of said Township and Range; thence N.00°26'16"E., 25.39 feet; thence N.59°37'18"W., 9.29 feet to a point on a line, said line being 30.00 feet north of and parallel with the south line of the N1/2 NW1/4 NW1/4 NW1/4; thence N.89°21'44"W., along said parallel line, 523.70 feet more or less to the east right of way line of Summers Lane; thence, along said east right of way line, S.00°26'16"W., 30.00 feet, to the south line of the N1/2 NW1/4 NW1/4 NW1/4 of said Section 11; thence S.89°21'44"E., 531.75 feet more or less to the point of beginning. Basis of Bearings is Grid North, based on the Oregon State Plane Coordinate System of 1983, South Zone.