

NOT 90620-MS



THIS SPACE

2011-08686

Klamath County, Oregon



00105195201100086860030031

07/27/2011 03:12:36 PM

Fee: \$47.00

After recording return to:

Robert C. Day

12869 Highway 66

Klamath Falls, OR 97601

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

Robert C. Day

12869 Highway 66

Klamath Falls, OR 97601

Escrow No. MT90620-MS

Title No. 0090620

SPECIAL r.042611

SPECIAL WARRANTY DEED

Bank of New York Mellon Trust Company, National Association with Vanderbilt Mortgage and Finance, Inc. as duly authorized servicer with power to act of attorney-in-fact and agent for and on behalf of the Bank of New York Mellon Trust Company, National Association,

Grantor(s) hereby conveys and specially warrants to

Robert C. Day and Necoal Day, as tenants by the entirety,

Grantee(s) and grantee's heirs, successors and assigns the following described real property free of encumbrances created or suffered by the Grantor, except as specifically set forth herein, situated in the County of **KLAMATH** and State of Oregon, to wit:

SEE EXHIBIT A WHICH IS MADE A PART HEREOF BY THIS REFERENCE

The true and actual consideration for this conveyance is **\$115,000.00**.

Grantor is lawfully seized in fee simple on the above granted premises and SUBJECT TO: all those items of record, if any, as of the date of this deed and those shown below, if any:

2011-2012 Real Property Taxes a lien not yet due and payable.

and the grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons claiming by, through, or under the grantor except those claiming under the above described encumbrances.

2/7/11

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.

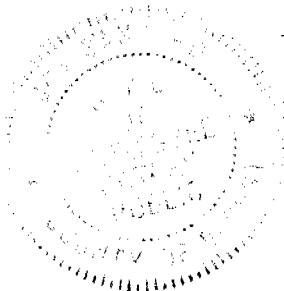
Dated this 26th day of July, 2011.

Bank of New York Mellon Trust Company, National Association with Vanderbilt Mortgage and Finance, Inc. as duly authorized servicer with power to act of attorney-in-fact and agent for and on behalf of the Bank of New York Mellon Trust Company, National Association,

BY: Joseph G. Johnson
Joseph G. Johnson, Authorized agent

State of Tennessee
County of Blount

This instrument was acknowledged before me on July 26, 2011 by Joseph G. Johnson, as Authorized agent Bank of New York Mellon Trust Company, National Association with Vanderbilt Mortgage and Finance, Inc. as duly authorized servicer with power to act of attorney-in-fact and agent for and on behalf of the Bank of New York Mellon Trust Company, National Ass.



Joe Sanford
(Notary Public for ~~Oregon~~ Tennessee)
My commission expires 10/27/14

EXHIBIT "A"
LEGAL DESCRIPTION

A parcel of land within that tract of real property recorded in Volume 259 at page 658 of Deed Records of Klamath County, Oregon, described therein as being situated in Sections 29 and 32, Township 39 South, Range 8 East of the Willamette Meridian said parcel of land being Parcel 2 of Partition #79-84, more particularly described as follows:

Beginning at the Northwest corner of the above mentioned tract of real property, which corner is recorded as being in an old established fence line distant 368 feet West, more or less, from the Northeast corner of the SE1/4 of the SW1/4 of Section 29, Township 39 South, Range 8 East of the Willamette Meridian; thence South 6 degrees 21' East along the West boundary of said tract of real property a distance of 3289.58 feet to the true point of beginning of this description; thence North 67 degrees 22' East, 658.62 feet; thence North 04 degrees 11' 20" West 324.00 feet; thence South 70 degrees 55' 45" West 660.53 feet; thence South 06 degrees 21' East 362.00 feet to the point of beginning containing 5.00 acres, more or less, and being in Section 32, Township 39 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon.

EXCEPTING from the above described parcel, all that portion lying South of a line parallel with the South boundary thereof and 181.00 feet distant from said South boundary as measured along the East boundary.