

WTC 1396-10687

2011-012307

Klamath County, Oregon



00109616201100123070060061

11/02/2011 03:29:17 PM

Fee: \$62.00

RECORDING COVER SHEET

THIS COVER SHEET HAS BEEN PREPARED
BY THE PERSON REPRESENTING THE
ATTACHED INSTRUMENT FOR RECORDING.
ANY ERRORS IN THIS COVER SHEET DO NOT
AFFECT THE TRANSACTION(S) CONTAINED
IN THE INSTRUMENT ITSELF.

After Recording, Return To:

McGavin Revocable Trust
Sherril L. Ree, Trustee
55832 Wood Duck Drive
Bend, OR 97707

1. Name(s) of the Transaction(s):

Special Warranty Deed

2. Direct Party (Grantor):

Ray Jones aka R.B. Jones aka Ray B. Jones

3. Indirect Party (Grantee):

Wilbur C. Osterberg
Sharon C. Osterberg

4. True and Actual Consideration Paid:

\$80,000.00

5. Legal Description:

See attached

AMERITITLE has recorded this
instrument by request as an accommodation only,
and has not examined it for regularity and sufficiency
or as to its effect upon the title to any real property
that may be described therein.

6:2pm

NOTC 1396-10687
after recording
see page 2

SPECIAL WARRANTY DEED

CLYDA JONES individually and as surviving spouse of RAY JONES aka R.B. JONES aka RAY B. JONES, Grantors, convey and specially warrant to WILBUR C. OSTERBERG and SHARON C. OSTERBERG, husband and wife, Grantees, the following described real property free of encumbrances created or suffered by the grantors except as specifically set forth herein, legally described as follows, to-wit:

SEE EXHIBIT A, ATTACHED HERETO AND INCORPORATED
HEREIN BY REFERENCE AS IF FULLY SET FORTH

SUBJECT TO contracts and/or liens for irrigation and/or drainage, reservations, easements, restrictions and rights of way of record and those apparent on the land.

ALSO SUBJECT TO rights of the public in and to any portion of the herein described premises lying within the limits of streets, roads or highways.

ALSO SUBJECT TO: The schedule of exceptions set forth on Exhibit B, attached hereto and incorporated herein by reference as if fully set forth.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING AND ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

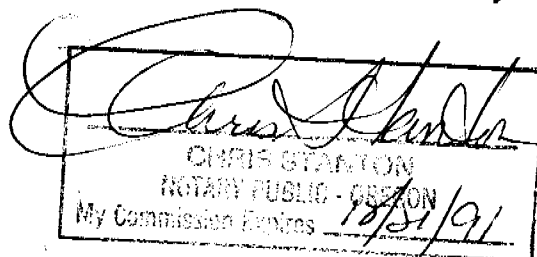
THE TRUE AND ACTUAL CONSIDERATION for this conveyance is \$80,000.00. However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration, being fulfillment of a certain Contract of Sale dated the 27th day of January, 1977, recorded the 10th day of February, 1977 at Volume M-77, page 2478, records of Klamath County, Oregon.

DATED this 19th day of November, 1991.

Clyda Jones
CLYDA JONES, Individually and as
surviving spouse of RAY JONES, aka
R.B. JONES, aka RAY B. JONES

STATE OF OREGON/County of Multnomah ss.

THIS INSTRUMENT was acknowledged before me this 19th day of
November 1991, by Clyda Jones.



NOTARY PUBLIC FOR OREGON
My Commission Expires: _____

57AMJ

GRANTORS NAME AND ADDRESS:✓

GRANTEES NAME AND ADDRESS:

AFTER RECORDING, RETURN TO:

— McGavin Revocable Trust _____
— Sherril L. Reed, Trustee _____
— 55832 Wood Duck Drive _____
— Bend, OR 97707 _____

Until a Change is Requested,
Tax Statements Should be Sent
To: Same as above

STATE OF OREGON)

County of Klamath) ss.

I certify that the within in-
strument was received for
record on the _____ day of
_____, 199____, at
_____ o'clock ____M., and
recorded in Book _____ on
Page _____ or as File Reel
Number _____, Record of
Deeds of said County.

WITNESS my hand and seal of
County affixed.

Recording Officer

By: _____

Deputy

EXHIBIT A

LEGAL DESCRIPTION

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Lots 5, ~~6~~, 7, 9, 10, 16, 17, 18, 19, 20, 21, 22, 23 and 24 in Block 38 of CRESCENT according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon. EXCEPTING THEREFROM those portions conveyed to the State of Oregon by and through its State Highway Commission by deed recorded March 5, 1943 in Deed Volume 153, Page 367; recorded April 30, 1943 in Deed Volume 155, page 31; recorded June 30, 1943 in Deed Volume 156, Page 339; recorded March 30, 1944 in Deed Volume 163, page 461 and recorded March 25, 1952 in Deed Volume 253, page 583, all records of Klamath County, Oregon.

EXHIBIT R

1. Taxes for the fiscal year 1988-1989, delinquent.

Original Amount: \$468.79 plus interest

Account No: 2409 030CA 05900

Key No: 153871

Code: 103

Original Amount: \$954.87 plus interest

Account No: 2409 030CA 06000

Key No: 153880

Code: 103

2. Taxes for the fiscal year 1989-1990, delinquent.

Original Amount: \$377.45 plus interest

Account No: 2409 030CA 05900

Key No: 153871

Code: 103

Original Amount: \$927.82 plus interest

Account No: 2409 030CA 06000

Key No: 153880

Code: 103

3. Taxes for the fiscal year 1990-1991, delinquent.

Original Amount: \$330.92 plus interest

Account No: 2409 030CA 05900

Key No: 153871

Code: 103

Original Amount: \$813.43 plus interest

Account No: 2409 030CA 06000

Key No: 153880

Code: 103

4. Taxes for the fiscal year 1991-1992, a lien not yet due and payable.

Account No: 2409 030CA 05900

Key No: 153871

Code: 103

Account No: 2409 030CA 06000

Key No: 153880

Code: 103

Account No: 2409 030CA 06900

Key No: 154077

Code: 103

Account No: 2409 030CA 06700

Key No: 154040

Code: 103

Account No: 2409 030CA 06600

Key No: 154031

Code: 103

Account No: 2409 030CA 06200

Key No: 153906

Code: 103

Account No: 2409 030CA 06100

Key No: 153899

Code: 103

5. Reservations and restrictions contained in Deed from the State of Oregon, by and through its State Highway Commission to Ray B. Jones and Clyda Jones, recorded March 25, 1952 in Deed Volume 253 page 583, records of Klamath County, Oregon, as follows:

"Provided, however, there is reserved to the grantor, and waived and relinquished by the grantees, all rights of access between the above described real property and the right of way of the relocated public highway abutting on the Northwestern side of said parcel, which public highway, for the purpose of identification, is designated as the Dalles-Callifornia Highway, being State Highway No. 4. This reservation and exception shall run with the land and shall not be subject to modification, cancellation or destruction by adverse user of estoppel, no matter how long continued. Nothing in this conveyance contained shall be construed as conveying any estate, rights, title or interest in and to the public highway right of way or any rights of reversion therein or thereto."

(Affects Lots 15 and 17)

6. Right of Way for pipeline, subject to the terms and provisions thereof, given by Patrick E. Greenan to Cascade Natural Gas Corporation, dated June 21, 1963, recorded August 7, 1963 in Deed Volume 347, page 185, records of Klamath County, Oregon.
(Affects Lots 23 & 24)

7. Right of Way for pipeline, subject to the terms and provisions thereof, given by Ray B. Jones and Clyda Jones, husband and wife to Cascade Natural Gas Corporation, dated July 5, 1963, recorded August 7, 1963 in Deed Volume 347 page 256, records of Klamath County, Oregon.

(Affects Lots 15 and 17 excepting therefrom the Northwesternly 20', and Lots 16, 18, 19, 20 and 21)

EXHIBIT B

8. Right of way, subject to the terms and provisions thereof, given to secure an indebtedness with interest thereon and such future advances as may be provided therein;

Dated: July 6, 1963

Recorded: August 7, 1963

Volume: 347, page 268, Deed Records of Klamath County, Oregon

Grantors: E. A. Waterman and Bernice Waterman, husband and wife

Grantee: Cascade Natural Gas Corporation

For: Three (3) feet in width

Affects: Property description: Lots 18 thru 19 in Block 39, Crescent Oregon

9. Real Estate Contract, subject to the terms and provisions thereof,
Dated: January 27, 1977

Recorded: February 10, 1977

Volume: M77, page 2478, Microfilm Records of Klamath County, Oregon

Vendor: Ray Jones, also known as R. B. Jones, also known as Ray B.

Jones and Clyda Jones, an estate in fee simple as tenants by the entirety

Vendee: John A. McGlothern and Letha F. McGlothern, husband and wife
and Woodrow C. McGlothern and Edythe V. McGlothern, husband and wife

(Cover additional property)

The Vendee's interest in said Real Contract was assigned by assignment of contract and deed,

Dated: July 13, 1981

Recorded: July 16, 1981

Volume: M81, page 12769, Microfilm Records of Klamath County, Oregon

From: John A. McGlothern and Letha F. McGlothern

To: Woodrow C. McGlothern and Letha F. McGlothern

Assignment and Assumption, subject to the terms and provisions thereof,

Dated: October 8, 1984

Recorded: October 12, 1984 at 3:24 p.m.

Volume: M84, page 17766, Microfilm Records of Klamath County, Oregon

From: Woodrow C. McGlothern and Edythe V. McGlothern, husband and wife

To: Wilbur C. Osterberg and Sharon C. Osterberg, husband and wife

The Amendment to Contract, subject to the terms and provisions thereof,

Dated: January 27, 1977

Recorded: November 2, 1984 at 3:54 p.m.

Volume: M84, page 18772, Microfilm Records of Klamath County, Oregon

To: Woodrow C. McGlothern and Edythe V. McGlothern

Special Warranty Deed, subject to the terms and provisions thereof,

Dated: October 8, 1984

Recorded: March 24, 1989

Volume: M89, page 4984, Microfilm Records of Klamath County, Oregon

Grantor: Woodrow C. McGlothern and Edythe V. McGlothern

Grantee: Wilbur C. Osterberg and Sharon C. Osterberg

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

Dated: July 10, 1991

Recorded: July 10, 1991

Volume: M91, page 13344, Microfilm Records of Klamath County, Oregon

By and Between: Woodrow C. and Edythe V. McGlothern and the State of Oregon through its Department of Environmental Quality

For: A sewage disposal system

(Affects Lots 11, 12, 13 and 14)

11. Financing Statements, if any, filed with the Secretary of State.