

MT0912152-MS

2011-013966

Klamath County, Oregon



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12/19/2011 03:15:29 PM

Fee: \$52.00



(Reserved for Recording Purposes)

**BARGAIN AND SALE DEED**  
**(CASH SALE)**

ODVA Account Number	Tax Account Number
0003038791	587289

IN CONSIDERATION of a Purchase Agreement dated November 7, 2011, Counteroffer dated November 3, 2011 and November 7, 2011, and Counteroffer dated December 7, 2011 in the Face Value of \$188,000, the STATE OF OREGON, by and through the Director of Veterans' Affairs, Grantor, does hereby grant, bargain, sell, and convey unto Timothy R. Deming and Shelly Deming, tenants by the entirety, Grantee(s), all of the Grantor's right, title and interest to the following-described real property at 10711 Spring Lake Road, Klamath Falls, Oregon 97603 in Klamath County, State of Oregon, to wit:

\*Oregon Department of Veterans' Affairs

AFTER RECORDING RETURN TO:

TIMOTHY R DEMING  
SHELLY DEMING  
10711 SPRING LAKE RD  
KLAMATH FALLS OR 97603

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

TIMOTHY R DEMING  
SHELLY DEMING  
10711 SPRING LAKE RD  
KLAMATH FALLS OR 97603

## LEGAL DESCRIPTION

That portion of the SE1/4 SE1/4 of Section 34, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, described as follows:

Beginning at a point in the South line of said Section 34, 640 feet West of the Southeast corner of said Section; thence North 20° 40' West 31.5 feet; thence North 2° 50' East 754 feet; thence North 50° 49' West 175 feet; thence 88° 47' West 285.8 feet; thence North 38° 35' West 394.2 feet; thence West 38 feet to a point in the West boundary of said SE1/4 NE1/4 of said Section, at a point 1195 feet North of the Southwest corner of the SE1/4 SE1/4 of said Section; thence South 1195 feet; thence East 680 feet to the point of beginning.

EXCEPTING THEREFROM one acre in the Southeast corner of said tract heretofore deeded to the Klamath Irrigation District.

AND EXCEPTING THEREFROM that portion thereof conveyed to Gustav Alfred Jacobson by Warranty Deed dated March 7, 1968, recorded March 21, 1969 in Volume M69, page 2060, Microfilm Records of Klamath County, Oregon.

AND EXCEPTING THEREFROM that portion thereof conveyed to Klamath Irrigation District, a corporation, by Warranty Deed dated March 7, 1969, recorded March 25, 1969 in Volume M69, page 2156, Microfilm Records of Klamath County, Oregon.

AND FUTHER EXCEPTING THEREFROM those portions thereof lying within the boundaries of Midland Road and Spring Lake Road.

## AND FURTHER SUBJECT TO:

1. Any taxes for 2012-2013 when due or payable.
2. Any Right of Redemption as provided by law.
3. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
4. Facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
5. Easements or claims of easement, not shown by the public records; reservations or exceptions in patents or in Acts authorizing the issuance thereof, water rights, claims or title to water.
6. Any encroachment (of existing improvements located on the subject land onto adjoining land or of existing improvements located on adjoining land onto the subject land), encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the subject land.
7. Any lien, or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the public records.
8. Unpatented mining claims whether or not shown by the public records.
9. The assessment roll and the tax roll disclose that the premises herein described have been specially assessed as Farm Use Land. If the land becomes disqualified for the special assessment under the statute, an additional tax may be levied; in addition thereto a penalty may be levied if notice of disqualification is not timely given.
10. The premises herein described are within and subject to the statutory powers, including the power of assessment and easements of Klamath Irrigation District.
11. Rights of the public in and to any portion of the herein described premises lying within the limits of streets, roads or highways.
12. Easement for the USBR 3-A Drain as disclosed by the Assessor's map.

13. An easement created by instrument, subject to the terms and provisions thereof,  
Dated: April 12, 1917  
Recorded: April 16, 1917  
Volume: 46, page 628, Deed Records of Klamath County, Oregon  
In favor of: The United States  
For: Drain ditch  
Affects: 20 feet along a portion of the East lot line
14. An easement created by instrument, subject to the terms and provisions thereof,  
Dated: September 24, 2917  
Recorded: October 17, 1917  
Volume: 47, page 363, Deed Records of Klamath County, Oregon  
In favor of: The United States  
For: Drain ditch  
Affects: 20 feet and 40 feet along portions of the East and North lot lines  
Quitclaim of a portion of the above described easement was recorded September 30, 2005 in Volume M05, page 65474, Microfilm Records of Klamath County, Oregon.
15. An easement created by instrument, subject to the terms and provisions thereof,  
Dated: December 18, 1941  
Recorded: January 2, 1942  
Volume: 143, page 569, Deed Records of Klamath County, Oregon  
In favor of: The California Oregon Power Company, a California corporation  
For: Pole line anchor guy  
Affects: SE1/4 SE1/4 of Section 34, Township 39 South, Range 9 East
16. Reservations or exceptions in patents or in Acts authorizing the issuance thereof.
17. Any encroachments, unrecorded easements, violations of covenants, conditions and restrictions, and any other matters which would be disclosed by a correct survey.
18. Rights of parties in possession, or claiming to be in possession, other than above vestecs.
19. Any statutory liens for labor or material, including liens for contributions due to the State of Oregon for unemployment compensation and for workmen's compensation, which have now gained or hereafter may gain priority over the lien of the insured mortgage, which liens do not now appear of record.

"BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER CHAPTER 1 OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)). 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 APPROVED USES, 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 CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004))."

IN WITNESS WHEREOF, the State of Oregon, acting by and through the Director of Veterans' Affairs (Grantor), has caused these presents to be executed December 9, 2011, at Salem, Oregon. The foregoing recital of consideration is true as I verily believe.

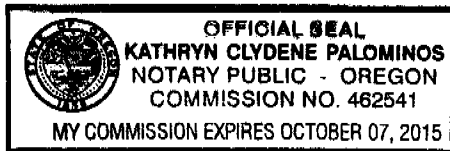
DIRECTOR OF VETERANS' AFFAIRS - Grantor

By: *Tom Mann*  
Tom Mann, Administrator, VSD

STATE OF OREGON     )  
                                  ) ss.  
County of Marion     )

On December 9, 2011,

this instrument was acknowledged before me by the above-named Tom Mann, Administrator, VSD, who personally appeared, and, being first duly sworn, did say that he is authorized to sign the foregoing document on behalf of the Oregon Department of Veterans' Affairs by authority of its Director.



Before me *Kathryn Clydene Palominos*  
Notary Public for Oregon