

2012-005547

Klamath County, Oregon



00118597201200055470040041

05/22/2012 10:40:12 AM

Fee: \$52.00

GRANTOR NAME AND ADDRESS:

Paul H. Hoefler, Personal Representative
of the Estate of Joseph Richard Hoefler
407 Bliss Road
Bonanza, OR 97623

GRANTEE NAME AND ADDRESS:

Hoefler Brothers, LLC
407 Bliss Road
Bonanza, OR 97623

AFTER RECORDING RETURN TO:

Neal G. Buchanan, Attorney
435 Oak Avenue
Klamath Falls OR. 97601

UNTIL A CHANGE IS REQUESTED

SEND TAX STATEMENTS TO:

Grantee

PERSONAL REPRESENTATIVE'S DEED

THIS INDENTURE made this 22 day of May, 2012, by and between Paul H. Hoefler, Personal Representative of the Estate of Joseph Richard Hoefler, Klamath County Circuit Court Case No. 0902065CV hereinafter called the First Party and Hoefler Brothers, LLC hereinafter called the Second Party

WITNESSETH:

For value received and the consideration hereinafter stated, the receipt whereof hereby being acknowledged, the First Party has granted, bargained, sold and conveyed and by these presents does grant, bargain, sell and convey unto the said Second Party and assigns all the estate, right and interest of the said deceased at the time of decedent's death, and all the right, title and interest that the said estate of said deceased by operation of law or otherwise may have thereafter acquired in that certain real property situate in the County of Klamath, State of Oregon, legally described as follows, to wit:

SEE EXHIBIT A

TO HAVE AND TO HOLD the same unto the said Second Party and Second Party's assigns forever.

"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 and sections 2 to 7, CHAPTER 8, OREGON LAWS 2010. 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

Personal Representative's Deed

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Returned to County

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 AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS, 2010."

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$-0-, however, the true and actual consideration includes other property or value given or promised which is the whole consideration, being in compliance with a certain ESTATE SETTLEMENT AGREEMENT dated effective the 5th day of May, 2011 providing for distribution of all interest in the above described property owned by that certain co-partnership known as HOEFLER BROTHER to Grantee.

IN WITNESS WHEREOF, the said First Party has executed this instrument the 22 day of May, 2012.

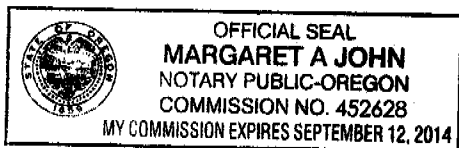
Paul H. Hoefler
Personal Representative of the
Estate of Joseph Richard Hoefler

STATE OF OREGON)

) ss.

County of Klamath)

This instrument was acknowledged before me on May 22, 2012, by Paul H. Hoefler as Personal Representative of the estate of Joseph Richard Hoefler, deceased.



Margaret John

NOTARY PUBLIC FOR OREGON

My Commission Expires: 9-12-14

EXHIBIT A

PARCEL I:

All that portion of the SW $\frac{1}{4}$ of Sec. 23 lying Southeasterly of the right of way of the Klamath Falls-Lakeview Highway;

A tract of land located in SE $\frac{1}{4}$ of Sec. 23, more particularly described as follows:

Beginning at an iron pin set on the East-West section line common to Sections 23 and 26, said point being North 88°33' West a distance of 1052.0 feet from an iron pin set on the West boundary of the county road right of way, said pin being 30 feet West of the center-line of said road, and the Section corner common to Sections 23, 24, 25 and 26, Township 38 South, Range 11 $\frac{1}{2}$ E.W.M.; thence North 41 degrees 13' West a distance of 821.0 feet; thence North 35 degrees 18' West a distance of 877.6 feet to the intersection with the East-West fence line; thence North 87 degrees 48' West a distance of 416.5 feet along said fence line to the fence corner; thence South 3 degrees 47' West a distance of 1303.3 feet to the quarter section corner common to Sections 23 and 26, Township 38 South, Range 11 $\frac{1}{2}$ E.W.M.; thence South 88 degrees 33' East a distance of 1558.0 feet, more or less, along the Section line common to Sections 23 and 26 to the point of beginning.

The East half of Section 26, excepting the following described portion thereof: A tract of land located in the NE $\frac{1}{4}$ of Section 26, Township 38 South, Range 11 $\frac{1}{2}$ E.W.M., more particularly described as follows: Beginning at an iron pin set on the West boundary of the County road right of way, said point being 30 feet West of the centerline of said road and the Section corner common to Sections 23, 24, 25 and 26, Township 38 South, Range 11 $\frac{1}{2}$ E.W.M.; thence South along the West boundary of the County Road a distance of 1553.0 feet to a fence corner; thence North 81 degrees 50' West along said fence a distance of 102.3 feet; thence North 24 degrees 23' West a distance of 1095.0 feet; thence North 41 degrees 13' West a distance of 751.7 feet to an iron pin set on the East-West section line common to Sections 23 and 26, Township 38 South, Range 11 $\frac{1}{2}$ E.W.M.; thence South 88 degrees 33' East a distance of 1052.0 feet, more or less, along said Section line, to the point of beginning, containing 17.3 acres, more or less.

All that portion of the NW $\frac{1}{4}$ of Section 26, lying Southeasterly of the right of way of the Klamath Falls-Lakeview Highway.

The NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 26.

The NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 35.

ALL in Township 38 South, Range 11 $\frac{1}{2}$ E.W.M.

SAVING AND EXCEPTING therefrom right of way conveyed to R. H. Hovey and rights of ways for roadways.

PARCEL II: NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 25, Township 38 South, Range 11 $\frac{1}{2}$ E.W.M.; portion of SW $\frac{1}{4}$ SW $\frac{1}{4}$ lying North of Highway, NE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 36, Township 38 South, Range 11 $\frac{1}{2}$ E.W.M.

PARCEL III: Lot 3, less 38.7 acres described in deed Vol. 232, page 340; Lot 4, less 8.5 acres described in deed Vol. 151 at page 480, less property described in deed Vol. 232, page 340; the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ SW $\frac{1}{4}$ all in Section 31, Township 38 South, Range 11 E.W.M., said property also being described as: All that portion of the SW $\frac{1}{4}$ of Section 31, lying Easterly of the Buck Creek Channel and Northeasterly of the right of way of the Dairy-Bonanza Highway, all in Township 38 South, Range 11 E.W.M., less portion conveyed to the State of Oregon by instrument recorded in Vol. 107, page 288, of Klamath County, Oregon Deed records.

PARCEL IV: The SE $\frac{1}{4}$ of Section 25, Township 38 South, Range 11 $\frac{1}{2}$ E.W.M., except the following portion thereof: Commencing at the Southwest corner of the SE $\frac{1}{4}$; running thence East along the South line of said Section 74 rods; thence North on a line parallel with the line of said SE $\frac{1}{4}$ 86 $\frac{1}{2}$ rods; thence West on a line parallel to the South line of the SE $\frac{1}{4}$ 74 rods to the West line of said SE $\frac{1}{4}$; thence South on the West line of

The E $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 25, Township 38 South, Range 11 $\frac{1}{2}$ E.W.M.

The W $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 25, Township 38 South, Range 11 $\frac{1}{2}$ E.W.M.

The E $\frac{1}{2}$ SE $\frac{1}{4}$ and the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 34, Township 38 South, Range 11 $\frac{1}{2}$ E.W.M.

Also the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 36, Township 38 South, Range 11 $\frac{1}{2}$ E.W.M.

Also the North one-half of Lots 1 and 2 in Section 3, Township 39 South, Range 11 $\frac{1}{2}$ E.W.M., saving and excepting all that portion of the North half of said Lot 2 lying Westerly of the County Road as located across said Lot 2 on April 6, 1957.

Also that portion of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 35, lying Northeasterly of the Dairy-Bonanza Highway.

LESS AND EXCEPTING from the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 25, the following described parcel: Beginning at the Northeast corner of said NE $\frac{1}{4}$ NW $\frac{1}{4}$; thence South along the center Section line 400 feet; thence Northwesterly to a point on the North line of said NE $\frac{1}{4}$ NW $\frac{1}{4}$ which is West 140 feet from the Northeast corner thereof; thence East 140 feet to the point of beginning.

PARCEL V:

All that portion of the West half of the Southeast quarter of Section 25, Township 38 South, Range 11 $\frac{1}{2}$ E.W.M., described as follows, to-wit: Commencing at the Southwest corner of the Southeast quarter of said Section 25; thence East along the South line of said Section, 74 rods; thence North on a line parallel with the West line of said Southeast quarter 86 $\frac{1}{2}$ rods; thence West on a line parallel with the South line of said Southeast quarter 74 rods to the West line of said quarter; thence South on said West line of said quarter 36 $\frac{1}{2}$ rods to the point of beginning