.... MC90704-W

2012-008096 Klamath County, Oregon



07/24/2012 03:16:00 PM

Fee: \$112.00

AFTER RECORDING RETURN TO:

UNTIL A CHANGE IS REQUESTED, ALL TAX STATEMENTS SHALL BE SENT TO:

Greg Fullem Schwabe, Williamson & Wyatt, P.C. 1211 S.W. Fifth Avenue, Suite 2000 Portland, Oregon 97204 Columbia Plywood Corporation South Weed Klamath Falls, Oregon 97601

STATUTORY WARRANTY DEED

(Property Line Adjustment Deed)

REAMES GOLF & COUNTRY CLUB, an Oregon nonprofit corporation, as grantor ("Grantor"), is the owner of certain real property located in the NE ¼ of Section 18, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, created as Parcel 1 of "Land Partition 33-10" (the "Partition"), recorded in the Official Records of Klamath County, Oregon (the "Records"), and more particularly described in Exhibit "A" attached hereto (the "Grantor Parcel").

COLUMBIA PLYWOOD CORPORATION, a North Carolina corporation, as Grantee ("Grantee"), is the owner of certain real property located in the NE ¼ of Section 18, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, conveyed to Grantee by (i) a Quitclaim Deed recorded at Vol. No. M69, Page No. 8018, in the Records, and (ii) a Quitclaim Deed recorded at Vol. No. M97, Page No. 37732, in the Records (collectively, the "Grantee Deed"), and more particularly described in Exhibit "B" attached hereto (the "Grantee Parcel").

Grantor and Grantee desire to adjust the common property line between the Grantor Parcel and the Grantee Parcel so that the new adjusted common property line shall be as more particularly described in Exhibit "C" attached hereto (the "Adjusted Boundary Line"). The property line adjustment has been approved by the Klamath County Planning Department (the "Department") pursuant to that certain Property Line Adjustment Final Order, File No. PLA 16-11, issued by the Department on March 20, 2012. In order to effectuate the approved property line adjustment, Grantor hereby conveys and warrants to Grantee the real property described in Exhibit "D" attached hereto (the "Conveyed Property"), and Grantor and Grantee hereby agree that (i) the Adjusted Boundary Line shall hereafter be the common boundary line between their respective parcels described herein, (ii) the Grantor Parcel shall hereafter be comprised of the

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real property described in <u>Exhibit "E"</u> attached hereto (the "New Grantor Parcel"), and (iii) the Grantee Parcel shall hereafter be comprised of the real property described in <u>Exhibit "F"</u> attached hereto (the "New Grantee Parcel").

This conveyance is made by Grantor and accepted by Grantee subject to those liens, encumbrances and other exceptions to title set forth in Exhibit "G" attached hereto.

The true consideration for this conveyance is \$58,000.

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, 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 ACOUIRING 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, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Dated this 24 day of June, 2012.

GRANTOR:

REAMES GOLF & COUNTRY CLUB, an Oregon

nonprofit corporation

Paul Crawford President

George Merhoff, Jr., Treasurer

[Signatures continued on follow page]

GRANTEE:

COLUMBIA PLYWOOD CORPORATION, a North Carolina corporation

By: Mark Slezak, Assistant Vice President

Exhibits

A - Grantor Parcel

B - Grantee Parcel

C - Adjusted Boundary Line

D - Conveyed Property

E - New Grantor Parcel

F - New Grantee Parcel

G - Permitted Exceptions

[Acknowledgments contained on following page]

Crawford, President of REAMES GOLF & Corporation, on behalf of the corporation. OFFICIAL SEAL LISA LEGGET-WEATHERBY NOTARY PUBLIC- OREGON	efore me this <u>M</u> day of June, 2012, by Paul COUNTRY CLUB, an Oregon nonprofit NOTARY PUBLIC FOR OREGON My Commission Expires: <u>MAD 2015</u>
Merhoff, Jr., Treasurer of REAMES GOLF & corporation, on behalf of the corporation. OFFICIAL SEAL LISA LEGGET-WEATHERRY	efore me this <u>34</u> day of June, 2012, by George & COUNTRY CLUB, an Oregon nonprofit Ava Ulutury NOTARY PUBLIC FOR OREGON
STATE OF OREGON County of	

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EXHIBIT A

(Grantor Parcel)

A tract of land situated in SE1/4 SE1/4 of Section 7, the W1/2 W1/2 of Section 8 and the NE1/4 NE1/4 of Section 18, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Parcel 1 of "Land Partition 33-10".

EXHIBIT B

(Grantee Parcel)

PARCEL NO. 1: All that part of Lot 1 of Section 18, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Commencing at the intersection of the center line of the railway of the Great Northern Railway Company as now located and constructed with the Southerly boundary of said Lot 1 at a point distance 220.7 feet Easterly from the southwest corner of said Lot 1; thence Northeasterly, along the said center line, 330.2 feet; thence Northwesterly, perpendicularly to the said center line, 9 feet to the true point of beginning; thence continue Northwesterly, along the last described course, 52 feet, more or less, to an intersection with the Northeasterly boundary of the right of way of the Klamath Falls – Weed Highway as described in a grant of easement dated November 22, 1935, from the Great Northern Railway Company to Klamath County, Oregon; thence Northwesterly, along the said Northeasterly boundary of said Lot 1; thence Northerly, along the said Westerly boundary of said Lot 1, to the Northwest corner of said Lot; thence Easterly, along the Northerly boundary of said Lot, 751.3 feet, more or less, to a point distance 9 feet Northwesterly at right angles from the center line of the railway; thence Southwesterly, parallel to the said center line and 9 feet Northwesterly therefrom, to the true point of beginning.

<u>PARCEL NO. 2</u>: All that part of Lot 1 of Section 18, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Beginning at the Northwest corner of said Lot 1, thence South 89°27' East, along the North line of said Lot, 736.7 feet; thence South 24°00' East 51.08 feet, more or less, to a point 26.5 feet distant Southeasterly measured at right angles, from the center line of the right of way of the Great Northern Railway Company, as now located and constructed, being the true point of beginning of this description; thence continuing South 24°00' East 424 feet, more or less, to the low water mark on the Northwesterly bank of the Klamath River; Thence Southwesterly, along the said River Bank to the South line of said Lot 1; thence North 89°19' West, along said South line, 129.5 feet, more or less, to a point 26.5 feet distant Southeasterly measured at right angles from the center line of said railway, as now located and constructed; thence Northeasterly, parallel with the center line and 26.5 feet distant therefrom, to the true point of beginning.

<u>PARCEL NO. 3</u>: All that portion of Section 18, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, described as follows:

Beginning at the corner common to Sections 7, 8, 17 and 18 of said Township and Range, thence South 0°54'30" West, 679.9 feet; thence South 41°31' West, 875.9 feet; thence South 24° East, 43.96 feet to the true point of beginning of this description; thence South 24° East, 431.13 feet; thence North 63°55' East, 92.5 feet; thence North 27°14' West, 458.8 feet to a point; thence South 41°31' West, 73.1 feet to the true point of beginning.

Together with,

A strip of land situated in Government Lot 1 of Section 18, Township 39 South, Range 9 East, W.M., Klamath County, Oregon, described as follows, to-wit:

Commencing at the Northwest corner of said Government Lot 1; thence South 89°27' East, along the North line of said Government Lot 1, a distance of 736.7 feet; thence South 24°00' East, along a line hereinafter referred to as "Line A", a distance of 51.08 feet, more or less, to a point 26.5 feet distant Southeasterly, measured radially from the centerline of The Burlington Northern and Santa Fe Railway Company's Lead Track as now located and constructed, and the True Point of Beginning; thence Southwesterly, along a line drawn concentric and parallel with said Lead Track centerline, a distance of 1,160 feet, more or less, to the intersection with a line drawn parallel with and 50.0 feet Northeasterly, as measured at right angles from the centerline of U.S. Highway 97 (Dalles-California Highway); thence Northwesterly, along the last described parallel line, 30 feet, more or less, to a point being 8.5 feet Southeasterly, as measured at right angles from said Lead Track centerline; thence Northeasterly, along a line drawn concentric and parallel with said Lead Track centerline, a distance of 1,185 feet, more or less, to the intersection with the North line of said Government Lot 1; thence South 89°27' East, along the North line of said Government Lot 1, to the intersection with a line drawn parallel with and distant 20.0 feet Southeasterly, as measured at right angles from said Lead Tract centerline; thence Southwesterly, along the last described parallel line, 50 feet, more or less, to the intersection with said "Line A"; thence South 24°00' East, 7 feet, more or less, to the True Point of Beginning.

Also,

A parcel of land situated in said Government Lot 1 of Section 18, Township 39 South, Range 9 East, W.M., Klamath County, Oregon, described as follows, to-wit:

Commencing at the intersection of said Lead Track centerline with the South line of said Government Lot 1 at a point distant 220.7 feet Easterly from the Southwest corner of said Government Lot 1; thence Northeasterly, along said Lead Track centerline, 330.2 feet; thence Northwesterly, radially to said Lead Track centerline, 9.0 feet to the most Southerly corner of that certain tract of land described in deed from Great Northern Railway Company to Klamath Door Co. dated November 17, 1950, and the True Point of Beginning; thence continuing Northwesterly, radially to said Lead Track centerline, 41.0 feet; thence Southwesterly, parallel with said Lead Track centerline to the intersection with a line drawn parallel with and distant 50.0 feet Northeasterly, as measured at right angles from the centerline of U.S. Highway 97 (Dalles-California Highway); thence Southeasterly, along the last described parallel line, 60 feet, more or less, to a point being 9.0 feet Northwesterly, as measured radially from said Lead Track centerline; thence Northeasterly, along a line drawn concentric with said Lead Track centerline, 70 feet, more or less, to the True Point of Beginning.

EXHIBIT C

(Adjusted Boundary Line)

An adjusted boundary line by "Property Line Adjustment 16-11", being in Parcel 1 of "Land Partition 33-10", situated in the NE1/4 NE1/4 of Section 18, 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 Parcel 1 of "Land Partition 33-10", from which the southwest corner of said Parcel 1 bears N89°11'12"W 271.10 feet; Thence N61°34'04"E 761.78 feet and S28°25'56"E 96.54 feet to its terminus on the northwesterly right of way line of the Burlington Northern Railroad Spur, with bearings based on "Land Partition 33-10" on file at the office of the Klamath County Clerk.

EXHIBIT D

(Conveyed Property - "Property Line Adjustment 16-11")

A tract of land being a portion of Parcel 1 of "Land Partition 33-10", situated in the NE1/4 NE1/4 of Section 18, 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 said Parcel 1, from which the southwest corner of said Parcel 1 bears N89°11'12"W 271.10 feet; Thence N61°34'04"E 761.78 feet; Thence S28°25'56"E 96.54 feet to a point on the northwesterly right of way line of the Burlington Northern Railroad Spur; Thence S41°47'33"W, along the said northwesterly right of way line, 381.40 feet to its intersection with the south line of said Parcel 1; Thence N89°11'12"W, along the said south line, 461.73 feet to the point of beginning, containing 2.37 acres, more or less, with bearings based on "Land Partition 33-10" on file at the office of the Klamath County Clerk.

EXHIBIT E

(New Grantor Parcel)

A tract of land situated in SE1/4 SE1/4 of Section 7, the W1/2 W1/2 of Section 8 and the NE1/4 NE1/4 of Section 18, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Parcel 1 of "Land Partition 33-10".

Excepting therefrom the following area by "Property Line Adjustment 16-11",

A tract of land being a portion of Parcel 1 of "Land Partition 33-10", situated in the NE1/4 NE1/4 of Section 18, 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 said Parcel 1, from which the southwest corner of said Parcel 1 bears N89°11'12"W 271.10 feet; Thence N61°34'04"E 761.78 feet; Thence S28°25'56"E 96.54 feet to a point on the northwesterly right of way line of the Burlington Northern Railroad Spur; Thence S41°47'33"W, along the said northwesterly right of way line, 381.40 feet to its intersection with the south line of said Parcel 1; Thence N89°11'12"W, along the said south line, 461.73 feet to the point of beginning, containing 2.37 acres, more or less, with bearings based on "Land Partition 33-10" on file at the office of the Klamath County Clerk.

EXHIBIT F

(New Grantee Parcel)

<u>PARCEL NO. 1</u>: All that part of Lot 1 of Section 18, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Commencing at the intersection of the center line of the railway of the Great Northern Railway Company as now located and constructed with the Southerly boundary of said Lot 1 at a point distance 220.7 feet Easterly from the southwest corner of said Lot 1; thence Northeasterly, along the said center line, 330.2 feet; thence Northwesterly, perpendicularly to the said center line, 9 feet to the true point of beginning; thence continue Northwesterly, along the last described course, 52 feet, more or less, to an intersection with the Northeasterly boundary of the right of way of the Klamath Falls – Weed Highway as described in a grant of easement dated November 22, 1935, from the Great Northern Railway Company to Klamath County, Oregon; thence Northwesterly, along the said Northeasterly boundary of said Lot 1; thence Northerly, along the said Westerly boundary of said Lot 1, to the Northwest corner of said Lot; thence Easterly, along the Northerly boundary of said Lot, 751.3 feet, more or less, to a point distance 9 feet Northwesterly at right angles from the center line of the railway; thence Southwesterly, parallel to the said center line and 9 feet Northwesterly therefrom, to the true point of beginning.

PARCEL NO. 2: All that part of Lot 1 of Section 18, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Beginning at the Northwest corner of said Lot 1, thence South 89°27' East, along the North line of said Lot, 736.7 feet; thence South 24°00' East 51.08 feet, more or less, to a point 26.5 feet distant Southeasterly measured at right angles, from the center line of the right of way of the Great Northern Railway Company, as now located and constructed, being the true point of beginning of this description; thence continuing South 24°00' East 424 feet, more or less, to the low water mark on the Northwesterly bank of the Klamath River; Thence Southwesterly, along the said River Bank to the South line of said Lot 1; thence North 89°19' West, along said South line, 129.5 feet, more or less, to a point 26.5 feet distant Southeasterly measured at right angles from the center line of said railway, as now located and constructed; thence Northeasterly, parallel with the center line and 26.5 feet distant therefrom, to the true point of beginning.

<u>PARCEL NO. 3</u>: All that portion of Section 18, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, described as follows:

Beginning at the corner common to Sections 7, 8, 17 and 18 of said Township and Range, thence South 0°54'30" West, 679.9 feet; thence South 41°31' West, 875.9 feet; thence South 24° East, 43.96 feet to the true point of beginning of this description; thence South 24° East, 431.13 feet; thence North 63°55' East, 92.5 feet; thence North 27°14' West, 458.8 feet to a point; thence South 41°31' West, 73.1 feet to the true point of beginning.

Together with,

A strip of land situated in Government Lot 1 of Section 18, Township 39 South, Range 9 East, W.M., Klamath County, Oregon, described as follows, to-wit:

Commencing at the Northwest corner of said Government Lot 1; thence South 89°27' East. along the North line of said Government Lot 1, a distance of 736.7 feet; thence South 24°00' East, along a line hereinafter referred to as "Line A", a distance of 51.08 feet, more or less, to a point 26.5 feet distant Southeasterly, measured radially from the centerline of The Burlington Northern and Santa Fe Railway Company's Lead Track as now located and constructed, and the True Point of Beginning; thence Southwesterly, along a line drawn concentric and parallel with said Lead Track centerline, a distance of 1,160 feet, more or less, to the intersection with a line drawn parallel with and 50.0 feet Northeasterly, as measured at right angles from the centerline of U.S. Highway 97 (Dalles-California Highway); thence Northwesterly, along the last described parallel line, 30 feet, more or less, to a point being 8.5 feet Southeasterly, as measured at right angles from said Lead Track centerline; thence Northeasterly, along a line drawn concentric and parallel with said Lead Track centerline, a distance of 1,185 feet, more or less, to the intersection with the North line of said Government Lot 1; thence South 89°27' East, along the North line of said Government Lot 1, to the intersection with a line drawn parallel with and distant 20.0 feet Southeasterly, as measured at right angles from said Lead Tract centerline; thence Southwesterly, along the last described parallel line, 50 feet, more or less, to the intersection with said "Line A"; thence South 24°00' East, 7 feet, more or less, to the True Point of Beginning.

Also,

A parcel of land situated in said Government Lot 1 of Section 18, Township 39 South, Range 9 East, W.M., Klamath County, Oregon, described as follows, to-wit:

Commencing at the intersection of said Lead Track centerline with the South line of said Government Lot 1 at a point distant 220.7 feet Easterly from the Southwest corner of said Government Lot 1; thence Northeasterly, along said Lead Track centerline, 330.2 feet; thence Northwesterly, radially to said Lead Track centerline, 9.0 feet to the most Southerly corner of that certain tract of land described in deed from Great Northern Railway Company to Klamath Door Co. dated November 17, 1950, and the True Point of Beginning; thence continuing Northwesterly, radially to said Lead Track centerline, 41.0 feet; thence Southwesterly, parallel with said Lead Track centerline, to the intersection with a line drawn parallel with and distant 50.0 feet Northeasterly, as measured at right angles from the centerline of U.S. Highway 97 (Dalles-California Highway); thence Southeasterly, along the last described parallel line, 60 feet, more or less, to a point being 9.0 feet Northwesterly, as measured radially from said Lead Track centerline; thence Northeasterly, along a line drawn concentric with said Lead Track centerline, 70 feet, more or less, to the True Point of Beginning.

Together with the following area by "Property Line Adjustment 16-11",

A tract of land being a portion of Parcel 1 of "Land Partition 33-10", situated in the NE1/4 NE1/4 of Section 18, 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 said Parcel 1, from which the southwest corner of said Parcel 1 bears N89°11'12"W 271.10 feet; Thence N61°34'04"E 761.78 feet; Thence S28°25'56"E 96.54 feet to a point on the northwesterly right of way line of the Burlington Northern Railroad Spur; Thence S41°47'33"W, along the said northwesterly right of way line, 381.40 feet to its intersection with the south line of said Parcel 1; Thence N89°11'12"W, along the said south line, 461.73 feet to the point of beginning, containing 2.37 acres, more or less, with bearings based on "Land Partition 33-10" on file at the office of the Klamath County Clerk.

EXHIBIT G

(Permitted Exceptions)

- 1. Rights of the public in and to any portion of the herein described premises lying within the limits of streets, roads or highways.
- 2. Riparian Rights as to Lot 1, Section 17, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, granted by Henry Whiteline, et ux, to the United States of America in instrument dated July 7, 1905, recorded September 16, 1905, in Volume 18 at page 346, Deed Records of Klamath County, Oregon.
- 3. Easement and release of damages, subject to the terms and provisions thereof, from Great Northern Railway Company, a Minnesota corporation, to the California Oregon Power Company, a corporation, and California Oregon Power Company, a corporation, dated April 8, 1931, recorded December 19, 1931, in Volume 96, page 429, Deed Records of Klamath County, Oregon, relative to the regulations and control of the elevations of the surface waters of Lake Ewauna and the Klamath River between the elevations of 4085.0 and 4036.5 feet above sea level.

4. Agreement, subject to the terms and provisions thereof;

Dated:

July 1, 1935

Recorded:

August 21, 1935

Volume:

105, page 131, Deed Records of Klamath County, Oregon

First Party:

Pacific Power & Light Company

Second Party:

Reames Golf and Country Club

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

Dated:

December 17, 1964

Recorded:

February 26, 1965

Volume:

359, page 517, Deed Records of Klamath County, Oregon

In favor of:

Pacific Power & Light Company

For:

Electric transmission and distribution lines

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

Dated:

October 31, 1989

Recorded:

December 5, 1989

Volume:

M89, page 23479, Microfilm Records of Klamath County, Oregon

In favor of:

Pacific Power & Light Company

For:

Electric underground distribution line

7. Memorandum of Annexation Agreement, subject to the terms and provisions thereof;

Dated:

May 2, 2000

Recorded:

June 15, 2000

Volume:

M00, page 21686, Microfilm Records of Klamath County, Oregon.

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

Dated:

April 25, 2006

Recorded:

June 16, 2006

Volume:

M06-12324, Microfilm Records of Klamath County, Oregon

In favor of:

Avista Corporation

For:

Underground gas lines

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

Dated:

November 3, 2006

Recorded:

August 18, 2006

Volume:

2006-016646, Microfilm Records of Klamath County, Oregon

In favor of:

PacifiCorp, an Oregon corporation

For:

Electric power distribution and communication lines

10. Ordinance No. 09-07, annexing certain territories to the City of Klamath Falls, subject to the terms and provisions thereof;

Recorded:

August 11, 2009

Volume:

2009-010780, Microfilm Records of Klamath County, Oregon