

WTC 9/11/18-SH

2012-008409

Klamath County, Oregon



00122049201200084090100106

08/01/2012 11:32:13 AM

Fee: \$82.00

When recorded, return to:
Weyerhaeuser NR Company
Real Estate Services – 1L30
P.O. Box 9777
Federal Way, WA 98063-9777

Send Tax Statements to:
Lon D. Brooks and Mary E. Brooks
Trustees of The Brooks Revocable Trust
6262 East Liberty Road
Galt, CA 95632

Map / Tax Lot Nos.	R-3614-03500-00200-000	R-3614-03500-00300-000
	R-3714-00200-00200-000	R-3714-00200-00500-000
	R-3614-03400-01000-000	R-3714-003AA-00100-000
	R-3714-003AA-004700-000	

The true consideration for this conveyance stated in terms of dollars is \$8,960.00.

BARGAIN AND SALE DEED

The Grantor, **WEYERHAEUSER NR COMPANY**, a Washington corporation, whose address for the purpose of this instrument is P.O. Box 977, Federal Way, WA 98063-9777, conveys to **LON D. BROOKS and MARY E. BROOKS, TRUSTEES OF THE BROOKS REVOCABLE TRUST**, whose address is 6262 E. Liberty Rd. Galt, CA 95632, Grantee, all of its right, title or interest in and to the following described real property ("Property"), together with all improvements thereon, subject to all covenants herein contained and all covenants, restrictions, reservations, easements, encumbrances, and all matters of public record and / or evident on the ground.

Grantee or anyone claiming by, through or under Grantee, hereby fully and irrevocably releases Grantor, and its agents and representatives, from any and all claims that it may now have or hereafter acquire against Grantor or its agents or representatives for any cost, loss, liability,

82 AM

damage, expense, action or cause of action, whether foreseen or unforeseen, arising from or related to any defects, errors or omissions on or in the Property, the presence of environmentally hazardous, toxic or dangerous substances, or any other conditions (whether patent, latent or otherwise) affecting the Property. Grantee further acknowledges and agrees that this release shall be given full force and effect according to each of its expressed terms and provisions, including, but not limited to, those relating to unknown and suspected claims, damages and causes of action. As a material covenant and condition of this Agreement, Grantee agrees that in the event of any such defects, errors or omissions, the presence of environmentally hazardous, toxic or dangerous substances, or any other conditions affecting the Property, Grantee shall look solely to Grantor's predecessors in interest for any redress or relief, except for claims against Grantor based upon any obligations and liabilities of Grantor expressly provided in this deed.

The above provisions are specifically bargained for and represent a material part of Grantor's consideration for this conveyance.

Parcel 1: (Tax Parcel No. R-3614-03500-00200-000)

IN KLAMATH COUNTY, OREGON

TOWNSHIP 37 SOUTH, RANGE 14 EAST OF THE WILLAMETTE MERIDIAN:

SECTION 2: **Beginning** at the section corner common to Sections 35 and 36, Township 36 South, Range 14 East, W.M., and Sections 1 and 2, Township 37 South, Range 14 East, W.M.;

thence West, along the northerly line of said Section 2, a distance of 1980 feet;

thence South 133 feet'

thence East, parallel with the northerly line of said Section 2, a distance of 1620 feet;

thence South 560 feet;

thence East, parallel with the northerly line of said Section 2, a distance of 360 feet to the East line of said Section 2;

thence North, along the easterly line of said Section 2, a distance of 693 feet to the **place of beginning**;

LESS AND EXCEPT that portion thereof conveyed to Basil Hall, et ux. and described in the Warranty Deed dated October 1, 1963 as follows:

Beginning at a point on the North line of Section 2, which is South 89°56' West a distance of 185.32 feet from the Northeast corner of said Section 2;

thence South 89°56' West, along said North line, for a distance of 1,514.68 feet;

thence South for a distance of 24.00 feet;

thence North 89°56' East for a distance of 1,514.68 feet;

thence North for a distance of 24.00 feet to the point of beginning; and, also

LESS AND EXCEPT that portion of the NE¼NE¼ conveyed to Ruth E. Hall and described in Warranty Deed dated March 23, 1976, as follows:

The North 24 feet of the West 155.32 feet of the East 185.32 feet.

Parcel 2: (Tax Parcel No. R-3714-00200-00500-000)

IN KLAMATH COUNTY, OREGON

TOWNSHIP 37 SOUTH, RANGE 14 EAST OF THE WILLAMETTE MERIDIAN:

SECTION 2: A parcel of land situated in the NW¼NE¼ being more particularly described as follows:

Beginning at the section corner common to Sections 35 and 36, Township 36 South, Range 14 East, W.M., and Sections 1 and 2, Township 37 South, Range 14 East, W.M.;

thence West, along the North line of Section 2, Township 37 South, Range 14 East, W.M., a distance of 1,980 feet to the Northwest corner of that tract of land described in Volume 243 at page 444, Deed records of Klamath County, Oregon, and the **true point of beginning**;

thence South, along the West line of the aforesaid tract of land described in Volume 243 at page 444, Deed records of Klamath County, Oregon, a distance of 42.53 feet;

thence North 81°42' West a distance of 292.33 feet to a point on the North line of said Section 2;

thence East, along the North line of said Section 2 (this line also being the South line of that tract of land described in Volume M-76 at page 4281, Deed records of Klamath County, Oregon), a distance of 289.23 feet to the true point of beginning.

Parcel 3: (Tax Parcel No. R-3614-03500-00300-000)

IN KLAMATH COUNTY, OREGON

TOWNSHIP 36 SOUTH, RANGE 14 EAST OF THE WILLAMETTE MERIDIAN:

SECTION 35: That portion of the SE¼SW¼ and the SW¼SE¼, more particularly described as follows:

Beginning at the Southwest corner of said Section 35;

thence easterly, along the South line of said Section to a point which is 3,327 feet distant westerly of the Southeast corner of said Section and the **true point of beginning**;

thence at a right angle in a northerly direction for a distance of 33 feet to a point;

thence easterly, parallel with the South line of said Section for a distance of 1,121 feet to a point;

thence South 81°42' East for a distance of 228.6 feet to a point on the South line of said Section;

thence westerly, along said South line, 1,347 feet, more or less, to the **true point of beginning**;

Parcel 4: (Tax Parcel No. R-3614-03500-00200-000)

IN KLAMATH COUNTY, OREGON

TOWNSHIP 36 SOUTH, RANGE 14 EAST OF THE WILLAMETTE MERIDIAN:

SECTION 35: **Beginning** at a point on the West section line of said Section 35 distant northerly 33 feet from the Southwest corner thereof, which point is also the intersection of said West section line and the northerly right of way line of the County Road;

thence in an easterly direction, along the northerly right of way line of the County Road and parallel with the South line of said Section 35, a distance of 5250 feet to a point which is on the westerly right of way line of the County Road (which runs North/South) and 33 feet northerly from and 30 feet westerly from the Southeast corner of said Section 35;

thence in a northerly direction, along the westerly right of way line of the County Road and parallel with the East line of said Section 35, a distance of 100 feet to a point;

thence in a westerly direction and parallel with the northerly right of way line of the County Road first above mentioned, a distance of 3078 feet to a point;
thence at right angles in a southerly direction a distance of 50 feet to a point;
thence at right angles in a westerly direction a distance of 219 feet to a point;
thence at right angles in a northerly direction 50 feet to a point;
thence a right angles in a westerly direction a distance of 1953 feet to the West line of said Section 35;

thence in a southerly direction, along said West line, 100 feet to the **point of beginning**;

TOGETHER WITH that portion of the County Road vacated by the Order of Vacation dated July 27, 1960, recorded January 30, 1964 in Volume 350 of Deeds on page 626, records of Klamath County, Oregon, that would attached by operation of law to the hereinabove parcel, more particularly described as follows:

Beginning at the section corner common to Sections 35 and 36, Township 36 South, Range 14 East, W.M., and Sections 1 and 2, Township 37 South, Range 14 East, W.M., located in the center of Campbell Road;

thence, following in a westerly direction along said township line, one mile to the section corner common to Sections 2 and 3, Township 37 South, Range 14 East, W.M., and Sections 34 and 35, Township 36 South, Range 14 East, W.M.;

thence westerly on the same township line approximately one-quarter mile to the Town of Bly;

LESS AND EXCEPT that portion of the SE¹/₄SW¹/₄ and S¹/₂SE¹/₄ of said Section 35, Township 37 South, Range 14 East of the Willamette Meridian, conveyed to Basil Hall, et ux. by Warranty Deed dated June 10, 1960, more particularly described as follows:

Beginning at a point on the northerly right of way line of the County Road following along the South line of said Section 35, said point being 33 feet distance northerly from a point on the South line of said Section, when measured at right angle to said South line, which is 1926 feet distance westerly from the Southeast corner of said Section;

thence easterly, along said northerly right of way line and parallel with the South line of said Section for a distance of 1896.0 feet to the intersection of said northerly right of way line with the westerly right of way line of the County Road following along the East line of said Section, said point of intersection being 33 feet distance northerly and 30 feet distance westerly of the Southeast corner of said Section;

thence northerly along said westerly right of way line and parallel with the East line of said Section for a distance of 100 feet to a point;

thence westerly and parallel with the northerly right of way line for a distance of 3078 feet to a point;

thence at right angle southerly for a distance of 50 feet to a point on a line which is parallel with and 83 feet distance northerly from, when measured at right angle to, the South line of said Section;

thence easterly along said last mentioned parallel line for a distance of 839 feet, more or less, to a point thereon that is 346 feet distance northwesterly on a straight line from the point of beginning;

*thence southeasterly on a straight line for a distance of 346 feet to the **point of beginning**; and, also*

LESS AND EXCEPT that portion of the S $\frac{1}{2}$ SW $\frac{1}{4}$ of said Section 35, Township 37 South, Range 14 East of the Willamette Meridian, conveyed to Ruth Hall by Warranty Deed dated March 23, 1976, being more particularly described as follows:

***Beginning** at the Southwest corner of said Section 35;*

thence easterly along the South line of said Section to a point which is 3,327 feet distance westerly from the Southeast corner of said Section

*thence at right angle in a northerly direction for a distance of 83 feet to the **true point of beginning**;*

thence continuing on the last course a distance of 50 feet to a point;

thence at right angles in a westerly direction to the West line of said Section 35;

thence in a southerly direction, along said West Section line, 10 feet to a point;

*thence southeasterly in a straight line to the **true point of beginning**.*

TOGETHER WITH Seller shall provide a non-exclusive, perpetual easement for unimproved roadway purposes to provide ingress and egress to Marvin Street from that portion of the Property being conveyed to Buyer, Parcel No. R-3614-03500-00200-000, in Section 35, Township 36 South, Range 14 East, W.M. and Section 2, Township 37 South, Range 14 East, W.M., Klamath County, Oregon, over and across the southern most portion of Seller's real property in Section 34, Township 36 South, Range 14 East, W.M., known as Parcel No. R-3614-03400-01000-000 and the northwestern most corner of Parcel No. R3714-003AA-00100-000 and the northern most portion of Parcel No. R-3714-003AA-04700-000 located in Section 3, Township 37 South, Range 14 East, W.M., Klamath County, Oregon, said easement and right of way being twenty (20) feet in width, ten (10) feet on each side of its center line, and being located approximately as shown on the **Exhibit A** attached hereto and by this reference made a part hereof..

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

COUNTERPARTS. This Bargain and Sale Deed may be executed simultaneously or in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same Bargain and Sale Deed.

[SIGNATURE PAGE TO FOLLOW]

Unofficial
Copy

Dated: 27 day of July, 2012

Grantor:
WEYERHAEUSER NR COMPANY,
a Washington corporation

By: [Signature]
Title: Senior Vice President

ATTEST: [Signature]
Title: Assistant Secretary

Dated: 31 day of July, 2012

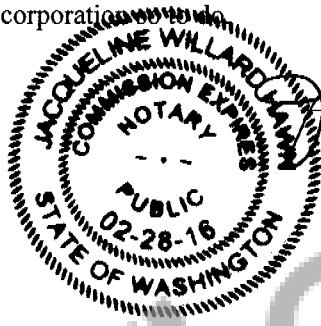
Grantee:
LON D. BROOKS and
MARY E. BROOKS,
TRUSTEES OF THE BROOKS
REVOCABLE TRUST

By: [Signature]
Lon D. Brooks

By: [Signature]
Mary E. Brooks

STATE OF WASHINGTON)
)
COUNTY OF KING)

27 Personally appeared before me, the undersigned authority in and for said county and state, on this day of July, 2012 within my jurisdiction, the within named Sandy D. McNade and ~~Peggy Hebblethwaite~~ Sewer Vice President and an Assistant Secretary, respectively, of WEYERHAEUSER NR COMPANY, a Washington corporation, and that for and on behalf of the said corporation, and as its act and deed they executed the above and foregoing instrument, after first having been duly authorized by said corporation.



Jacqueline W. Mann
Notary Public in and for
the State of Washington

STATE OF Oregon)
COUNTY OF Klamath)

31 Personally appeared before me, the undersigned authority in and for said county and state, on this day of July, 2012 within my jurisdiction, the within named Lon D. Brooks who acknowledged that he is a Trustee of The Brooks Revocable Trust, a revocable trust, and that for and on behalf of the said trust, and as its act and deed he executed the above and foregoing instrument, after first having been duly authorized by said trust so to do.



Howard
Notary Public in and for
the State of Oregon

STATE OF Oregon)
COUNTY OF Klamath)

31 Personally appeared before me, the undersigned authority in and for said county and state, on this day of July, 2012 within my jurisdiction, the within named Mary E. Brooks who acknowledged that she is a Trustee of The Brooks Revocable Trust, a revocable trust, and that for and on behalf of the said trust, and as its act and deed she executed the above and foregoing instrument, after first having been duly authorized by said trust so to do.



Howard
Notary Public in and for
the State of Oregon

Exhibit A

Easement Path

