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Return to Commissioner's Journal **BOARD OF COUNTY COMMISSIONERS****KLAMATH COUNTY, OREGON**

*In the Matter of the Transfer of Land by* )  
*Klamath County, Oregon, to the City of* )  
*Klamath Falls, a municipal corporation* )

Order No. 2013 - 004

**WHEREAS**, the following real property known as tax lot R-3809-30AB-5000 has heretofore been acquired by Klamath County, Oregon, by foreclosure for delinquent taxes and deeded into county ownership on September 29, 2008. The property is described as:

*Beginning at the intersection of the Southeasterly line of Front Street with the Westerly line of California Street; thence Southeasterly along the Westerly line of California Street, 431 feet more or less to the Westerly line of the West side Highway now a part of the Oregon State Section Highway System as now constructed; thence Southwesterly along the Westerly line of said Highway 360 feet more or less to the shore line of Upper Klamath Lake; thence Northwesterly along the said shore line 150 feet to a point; thence in a Northeasterly direction 450 feet, more or less, to the point of beginning.*

*And*

*Beginning at the intersection of the Southerly line of Front Street with the Westerly line of California Avenue; thence Westerly along the Southerly line of Front Street a distance of 133 feet; thence S 15° 03½' W, 361 feet, more or less, to the shore line of Upper Klamath Lake; thence Southeasterly along the shore line of the lake 68 feet, more or less to the most Westerly corner of that certain tract conveyed to Donald J. Divens et ux by Deed recorded on Page 56 of Volume 230, Deed Records of Klamath County, Oregon; thence Northeasterly along the Westerly line of said parcel of land, a distance of 450 feet, more or less, to the point of beginning.*

**Excepting therefrom** a portion of that property conveyed to Leonard R. and Mary Jean Puttnam, husband and wife, by Deed Volume M78, Page 941, Microfilm Records of Klamath County, Oregon, more particularly described as follows: A twenty (20) foot wide strip of land lying Northerly of and parallel and contiguous with the Northerly right of way line of Lakeshore Drive (formerly State Secondary Highway No. 421), said strip beginning at the West right of way line of California Avenue and running Westerly and terminating at the high water line of Link River, said strip being measured at right angles to said Northerly right of way line.

Subject to covenants, conditions, reservations, easements, restrictions, rights, rights of way and all matters of record.

**WHEREAS**, on April 24, 2012, by Order No. 2012-074 the Board gave approval to sell and convey the above real property along with other county property not in use for county purposes at a June 14, 2012, public sale; and

**WHEREAS**, from the May 1992 Intergovernmental Agreement that Klamath County and the City of Klamath Falls entered into for the interest of furthering the economy and efficiency on county foreclosure sales that often involve properties with City liens or assessments; the agreement also allows the city to notify

*the county prior to a sale of its intent to purchase real property from that sale; and*

**WHEREAS**, the City of Klamath Falls, a municipal corporation notified the county of its intent to purchase the above real property and has paid the sum of \$7,701.12 which includes the amount required by the Intergovernmental Agreement dated May 1992, the Board being fully advised in the premises.

**NOW, THEREFORE, IT IS HEREBY ORDERED**, that the Board of County Commissioners convey by a Quitclaim Deed the above real property situated in County of Klamath, State of Oregon to the City of Klamath Falls, a municipal corporation.

**DONE and DATED** this 31st day of July, 2012

**BOARD OF COUNTY COMMISSIONERS**

**Out of Office Today**

Dennis B. Linthicum, Chairman of the Board

Cheryl L. Mukill  
Cheryl L. Mukill, County Commissioner

William A. Switzer  
William A. Switzer, County Commissioner

Klamath County  
305 Main St, Rm 238  
Klamath Falls, OR 97601  
Grantor's Name and Address  
City of Klamath Falls  
P O Box 237  
Klamath Falls, OR 97601  
Grantee's Name and Address

SPACE RESERVED  
FOR  
RECORDER'S USE

After recording, return to (Name, Address, Zip):

City of Klamath Falls  
P O Box 237  
Klamath Falls, OR 97601

Until requested otherwise, send all tax statements to (Name, Address, Zip):

City of Klamath Falls  
P O Box 237  
Klamath Falls, OR 97601

#### QUITCLAIM DEED

KNOW ALL BY THESE PRESENTS that Klamath County, a political subdivision of the State of Oregon hereinafter called grantor, for the consideration hereinafter stated, does hereby remise, release and forever quitclaim unto City of Klamath Falls, a municipal corporation, hereinafter called grantee, and unto grantee's heirs, successors and assigns, all of the grantor's right, title and interest in that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in Klamath County, State of Oregon, described as follows, to-wit:

Beginning at the intersection of the Southeasterly line of Front Street with the Westerly line of California Street; thence Southeasterly along the Westerly line of California Street, 431 feet, more or less to the Westerly line of the West side Highway now a part of the Oregon State Section Highway System as now constructed; thence Southwesterly along the Westerly line of said Highway 360 feet, more or less to the shore line of Upper Klamath Lake; thence Northwesterly along the said shore line 150 feet to a point; thence in a Northeasterly direction 450 feet, more or less to the point of beginning.

And

Beginning at the intersection of the Southerly line of Front Street with the Westerly line of California Avenue; thence Westerly along the Southerly line of Front Street a distance of 133 feet; thence S 15° 03' 1/2" W, 361 feet, more or less, to the shore line of Upper Klamath Lake; thence Southeasterly along the shore line of the lake 68 feet, more or less to the most Westerly corner of that certain tract conveyed to Donald J. Divens et ux by Deed\*\*\*  
(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE)

To Have and to Hold the same unto grantee and grantee's heirs, successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$7,701.12. \*However, the actual consideration consists of or includes other property or value given or promised which is ☐ part of the ☒ the whole (indicate which) consideration.\*  
(The sentence between the symbols\*, if not applicable, should be deleted. See ORS 93.030.)

In construing this deed, where the context so requires, the singular includes the plural, and all grammatical changes shall be made so that this deed shall apply equally to corporations and to individuals.

IN WITNESS WHEREOF, the grantor has executed this instrument on July 31, 2012; if grantor is a corporation, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so by order of its board of directors.

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 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.

#### Out of Office Today

Dennis B. Linthicum, Chairman of the Board

Cheryl L. Hukill  
Cheryl L. Hukill, Co. Commissioner

William A. Switzer  
William A. Switzer, Co. Commissioner

STATE OF OREGON, County of Klamath ss.

This instrument was acknowledged before me on \_\_\_\_\_  
by \_\_\_\_\_

This instrument was acknowledged before me on July 31, 2012  
by Cheryl Hukill, Vice Chair and William A. Switzer, Commissioner  
as Commissioners of Klamath County, a political division  
of the State of Oregon



Laura Turner  
Notary Public for Oregon  
My commission expires March 2, 2013

**Continue description**

\*\*\*recorded on Page 56 of Volume 230, Deed Records of Klamath County, Oregon; thence Northeasterly along the Westerly line of said parcel of land, a distance of 450 feet, more or less, to the point of beginning. **Excepting therefrom** a portion of that property conveyed to Leonard R. and Mary Jean Putnam, husband and wife, by Deed Volume M78, Page 941, Microfilm Records of Klamath County, Oregon, more particularly described as follows: A twenty (20) foot wide strip of land lying Northerly of and parallel and contiguous with the Northerly right of way line of Lakeshore Drive (formerly State Secondary Highway No. 421), said strip beginning at the West right of way line of California Avenue and running Westerly and terminating at the high water line of Link River, said strip being measured at the right angles to said Northerly right of way line.

**Subject to covenants, conditions, restrictions, easements, reservations, rights, rights of way and all matters of record.**