

2012-009563

Klamath County, Oregon



00123480201200095630030037

08/29/2012 11:09:12 AM

Fee: \$47.00

2012-006405

Klamath County, Oregon



00119642201200064050020020

06/12/2012 11:30:21 AM

Fee: \$42.00

1001396-10858

This instrument is being re-recorded to correct scrivener's error in punctuation in the legal description of Deed recorded in 2012-006405.

After Recording Return to:
AmeriTitle Attn: Rose

DEED TO REAL PROPERTY

THIS INDENTURE, made this 23rd day of April, 2012 by and between the United States of America, Grantor, by Jill Pace, AI-Advisory Group Manager, Cal-Western on behalf of the Director, Advisory and Insolvency of the Internal Revenue Service, a duly authorized delegate of the Internal Revenue Service, Department of the Treasury, United States of America, 915 Second Avenue, M/S W245, Seattle, Washington 98174; and Dan McFarland, Grantee, P.O. Box 5263, Klamath Falls, Oregon 97601.

WITNESSETH

WHEREAS, the United States District Court for the District of Oregon, in an Order of Foreclosure and Judicial Sale, entered on July 6, 2011, in the case of the United States of America v. Daryl J. Kollman, Marta C. Carpenter (fka Marta C. Kollman), Klamath County, Neal G. Buchanan, The New Algae Company, RGL Gallagher LLP, John Neubauer, Cell Tech International, Inc., Stoel Rives, LLP, Gersham Goldstein, and Eileen Drake, Civil Case No. 1:08-cv-03027, ordered that the federal tax liens be foreclosed against the hereinafter described real property in order to pay delinquent Internal Revenue taxes assessed against Daryl J. Kollman and Marta C. Carpenter (fka Marta C. Kollman);

AND WHEREAS, pursuant to the United States District Court for the District of Oregon's Order of Foreclosure and Judicial Sale entered on July 6, 2012, the Internal Revenue Service held a public auction on January 25, 2012, wherein the real property hereinafter described was offered for sale, and wherein said property was sold to Grantee, subject to confirmation of said Court;

AND WHEREAS, said sale was confirmed by the United States District Court for the District of Oregon's Order Confirming Sale and Directing Disbursement of Proceeds, signed and entered April 13, 2012, in the aforesaid proceeding, and in and by the terms of said Court Order, the Internal Revenue Service was directed to deliver a deed to the real property hereinafter described to the Grantee;

NOW THEREFORE, Grantor, for and in consideration of the sum of One Million Two Hundred Eighty One Thousand Dollars, (\$1,281,000.00), the receipt of which is hereby acknowledged, does grant, bargain, and sell to Dan McFarland, all right, title, and interest in the real property situate in Klamath County, Oregon described as:

All the following property being in Township 38 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon.

Section 10: Government Lot 4, NW1/4, SE1/4, SE1/4

Section 11: Government Lot 1

Section 14: Government Lots 1, 2, 3, 4, 5, 6, and W1/2, SW1/4

Section 15: N1/2, NE1/4, SW1/4, NE1/4, NE1/4, SE1/4, Government Lots 1, 6, 7 and 8

EXCEPTING THEREFROM: Beginning at a 5/8 inch rebar with cap, marking the center 1/4 of Section 23, Township 38 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, said center 1/4 also being the Northwest corner of that parcel of land shown as Parcel 1 on record survey 1571 as filed in the Klamath County Surveyor's Office, Klamath County, Oregon; thence North 20° 05' 27" West 7745.10 feet to a 5/8 inch rebar, said 5/8 inch rebar being the true point of beginning; thence North 17° 08' 43" East to a 5/8 inch rebar; thence South 78° 35' 53" West 704.19 feet to a 5/8 inch rebar; thence South 17° 08' 43" West 704.19 feet to a 5/8 inch rebar; thence North 78° 35' 53" East 704.19 feet to the point of beginning.

SEE ATTACHED EXHIBIT "A"

AMERITITLE has recorded this instrument by request as an accommodation only, and has not examined it for regularity and sufficiency or as to its effect upon the title to any real property that may be described therein.

42DmJ

Section 22: Government Lot 9

Section 23: Government Lots 7, 8, 9 and NE1/4 NW1/4; also all those portions of Government Lots 1, 2 and 10 which lie North of the Rock Creek Road and Northwest of the following described line: Beginning at a point in the North boundary of the Rock Creek Road which is South 27° 44' West from the Southeast Corner of the SE1/4 NW1/4 of Section 23; thence North 27° 44' East to said Southeast corner of the SE1/4 NW1/4 of said Section 23.

ALSO, all those parts of the Governments Lots 2 and 5 of Section 15 and Government Lot 1 of Section 22 that lie North and East of the following described line: Beginning at the Northeast corner of Government Lot 3 of said Section 22; thence Northerly along the section line between Sections 22 and 23, 1435 feet to the center of the "The Neck"; thence North 38° 51' West along "The Neck" 4145 feet, more or less, to an intersection with the North and South center line of said Section 15; thence Northerly along said center line of Section 15 to the quarter section corner on the North boundary of said Section 15.


EXCEPTING THEREFROM: Parcel 2 of Land Partition 04-08

SUBJECT TO: An access easement described as follows:

A line starting at a point on shore 100 feet north of existing ramp then west to the west side of existing road (drive way) follow the existing drive way in a southwest curve around to the SW corner of concrete slab in front of shop. Then SW along the SE side of driveway to a point where a line drawn perpendicular with the driveway to the lakes shoreline would complete a 5 ac parcel (counting the shore line as the SE boundary back to point of beginning).

The property shall be free and clear of all interests of the defendants, Daryl J. Kollman, Marta C. Carpenter, Klamath County, Neal G. Buchanan, The New Algae Company, RGL Gallagher LLP, John Neubauer, Cell Tech International, Inc., Stoel Rives, LLP, Gersham Goldstein, and Eileen Drake. The property shall be free and clear of all transfers and/or conveyances after April 23, 2012.

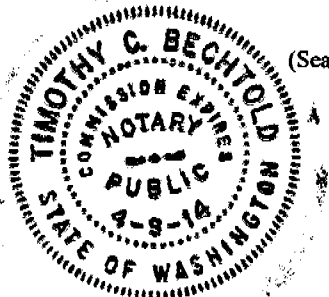
IN WITNESS WHEREOF, the authorized delegate for Grantor has hereunto set her hand on the date first above written.


United States of America
By Jill Pace
AI-Advisory Group Manager Cal-Western
Internal Revenue Service
Authorized Delegate of the Department of the
Treasury, United States of America

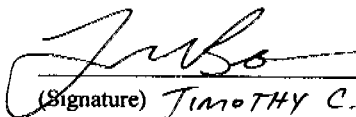
STATE OF WASHINGTON)
)ss
COUNTY OF KING)

I certify that I know or have satisfactory evidence that Jill Pace is the person who appeared before me, and said person acknowledged that she signed this instrument, on oath stated that she was authorized to execute the instrument and acknowledged it as the AI-Advisory Group Manager of United States Department of Treasury to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: April 23, 2012



(Seal or stamp)


(Signature) TIMOTHY C. BECHTOLD

Notary Public In and For the

State of Washington

My appointment

expires

4/9/14

EXHIBIT "A"
LEGAL DESCRIPTION

PARCEL 1:

All the following property being in Township 38 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon.

Section 10: Government Lot 4, NW1/4 SE1/4, SE1/4 SE1/4

Section 11: Government Lot 1

Section 14: Government Lots 1, 2, 3, 4, 5, 6 and W1/2 SW1/4

Section 15: N1/2 NE1/4, SW1/4 NE1/4, NE1/4 SE1/4, Government Lots 1, 6, 7 and 8

EXCEPTING THEREFROM: Beginning at a 5/8 inch rebar with cap, marking the center 1/4 of Section 23, Township 38 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, said center 1/4 also being the Northwest corner of that parcel of land shown as Parcel 1 on record survey 1571 as filed in the Klamath County Surveyor's Office, Klamath County, Oregon; thence North 20° 05' 27" West 7745.10 feet to a 5/8 inch rebar; said 5/8 inch rebar being the true point of beginning; thence North 17° 08' 43" East 704.19 feet to a 5/8 inch rebar; thence South 78° 35' 53" West 704.19 feet to a 5/8 inch rebar; thence South 17° 08' 43" West 704.19 feet to a 5/8 inch rebar; thence North 78° 35' 53" East 704.19 feet to the true point of beginning.

Section 22: Government Lot 9

Section 23: Government Lots 7, 8, 9 and NE1/4 NW1/4; also all those portions of Government Lots 1, 2 and 10 which lie North of the Rock Creek Road and Northwest of the following described line: Beginning at a point in the North boundary of the Rock Creek Road which is South 27° 44' West from the Southeast corner of the SE1/4 NW1/4 of Section 23; thence North 27° 44' East to said Southeast corner of the SE1/4 NW1/4 of said Section 23.

ALSO, all those parts of Government Lots 2 and 5 of Section 15 and Government Lot 1 of Section 22 that lie North and East of the following described line: Beginning at the Northeast corner of Government Lot 3 of said Section 22; thence Northerly along the section line between Sections 22 and 23, 1435 feet to the center of "The Neck"; thence North 38° 51' West along "The Neck" 4145 feet, more or less, to an intersection with the North and South center line of said Section 15; thence Northerly along said center line of Section 15 to the quarter section corner on the North boundary of said Section 15.

EXCEPTING THEREFROM that portion platted by Land Partition 04-08 situated in the NE1/4, the NW1/4 and the NE1/4 of the SW1/4 of Section 23, Township 38 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon.

PARCEL 2:

Parcel 1 of Land Partition 04-08 situated in the NE1/4, the NW1/4 and the NE1/4 of the SW1/4 of Section 23, Township 38 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon Recorded September 9, 2009 in Volume 2009-012057, Microfilm Records of Klamath County, Oregon.