

2012-010235

Klamath County, Oregon



00124321201200102350040047

09/17/2012 10:00:17 AM

Fee: \$52.00

**UNTIL A CHANGE IS REQUESTED,
SEND ALL TAX STATEMENTS TO:**

Josef B. Rivers, Trustee
PO Box 1051
Aptos, California 95001

AFTER RECORDING RETURN TO:

Kathleen Lawler Bodmer, Esq.
655 Capitola Rd. Suite 103
Santa Cruz, CA 95062

STATUTORY BARGAIN AND SALE DEED

Josef Rivers ("Grantor") conveys to Josef B. Rivers, Trustee of the Josef B. Rivers Living Trust dated August 21, 2012, or his successors in interest ("Grantee"), the following described real property in the County of Klamath and State of Oregon free of encumbrances except as specifically set forth herein:

LEGAL DESCRIPTION: SEE ATTACHED

The true and actual consideration for this conveyance consists of the estate planning of the Grantor.

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.

Steven H. Leventhal, Attorney-at-Law
855 SW Yates Drive, Suite 104, Bend, Oregon 97702
Phone: 541-382-9368

DATED: This 21st day of August, 2012

SIGNED:


Josef Rivers, Grantor

STATE OF CALIFORNIA

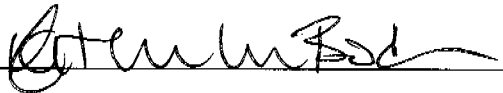
COUNTY OF SANTA CRUZ

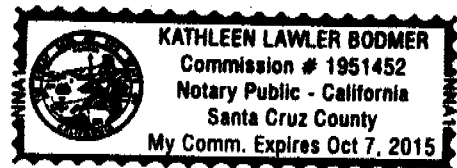
On August 21, 2012, before me, **KATHLEEN LAWLER BODMER**, Notary Public, personally appeared Josef Rivers, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument; and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person executed the instrument.

I certify under **PENALTY of PERJURY** under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature:





JAMES RUSSELL DeBAUN, Trustee, and/or Successor Trustee under written Declaration of Trust dated September 7, 1972, GRANTOR, conveys and warrants to PATRICK A. GRAHAM and JOSEF RIVERS, it being the intention of grantees that grantees herein do not take the title in common, but with the right of survivorship; that is, that the fee shall rest in the survivor of the grantees, GRANTEES, the following described real property free of encumbrances except as specifically set forth herein:

"PARCEL 1: The N $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 25, Township 36 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon, EXCEPTING THEREFROM all subsurface rights as reserved in Deeds recorded in Volume M75, page 1496, and Volume M75, page 15175, Microfilm Records of Klamath County, Oregon."

"PARCEL 2: The S $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 25, Township 36 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon."

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING AND ACCEPTING THIS INSTRUMENT THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

SUBJECT TO contracts and/or liens for irrigation and/or drainage, the schedule of exclusions from coverage, together with any schedules contained in standard title policies, reservations, easements, restrictions and rights of way of record and those apparent on the land.

ALSO SUBJECT TO rights of the public in and to any portion of the herein described premises lying within the limits of streets, roads or highways.

ALSO SUBJECT TO reservations as contained in Deed of Tribal Property recorded in Volume 301, page 246, Records of Klamath County, Oregon, to wit:

"There is reserved from the lands hereby conveyed a right of way to Oregon State Highway Department for the Klamath Falls-Lakeview Highway, approved by John H. Edwards, Assistant Secretary of the Interior, on October 8, 1927 under the provisions of the Act of March 3, 1901." (31 Stat. L. 1058-1084)

Title to the above described property is conveyed subject to any existing easements for public roads and highways for public utilities and for railroads and pipe lines and for any other easements or rights of way of record. (affects all of Section 25 and other property)

ALSO SUBJECT TO: reservations for State Highway, existing easements for public roads, highways, public utilities and for railroads, pipelines and other easements or rights of way of record, including the terms and provisions thereof, contained in Deed dated September 10-, 1958, recorded September 10, 1958 in Volume 303, page 303, Deed Records of Klamath County, Oregon.

ALSO SUBJECT TO reservations as contained in Warranty Deed recorded in Volume 357, page 397, Records of Klamath County, Oregon, to wit:

"Reserving unto Grantors herein a one-half interest in all mine and mineral rights in the within described premises for a period of 15 years, and for such period

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Grantors Name and Address
 James Russell DeBaun, Trustee
 4319 Radford #2
 Studio City, CA 91604

Grantees Name and Address
 Patrick A. Graham & Josef Rivers
 1674 Aptos Creek Rd.
 Aptos, CA 95062

After Recordation, Return
 To:
 Mountain Title Company
 407 Main Street
 Klamath Falls, OR 97601

Until a Change of Address
is Requested, Tax Statements
Should be Sent to:
 James R. DeBaun, Trustee
 4319 Radford #2
 Studio City, CA 91604

STATE OF OREGON/County of Klamath) ss.

I certify that the within instrument was received for
 record on the 16th day of June, 1986, at 3:52
 o'clock P.M., and recorded in Book 386 on Page 10453
 or as File/Reel Number 62612, Record of Deeds of
 said County.

WITNESS my hand and seal of County affixed.

Evelyn Biehn, County Clerk
Recording Officer

BY: [Signature]

Fee: \$14.00