2012-012062

Klamath County, Oregon 10/30/2012 03:19:09 PM

Fee: \$52.00

RECORDING REQUESTED BY:
Fidelity National Title Company of Oregon

GRANTOR: Bank of America, N.A. 2375 N Glenville Drive Richardson, TX 75082

GRANTEE: John D. Stutes and Kelly S. Stutes 5002B Wocus Rd Klamath Falls, OR 97601

SEND TAX STATEMENTS TO: John D. Stutes and Kelly S. Stutes 10635 McCormick Road Keno, OR 97627

AFTER RECORDING RETURN TO: John D. Stutes and Kelly S. Stutes 10635 McCormick Road Keno, OR 97627

Escrow No: 20120043977-FTPOR03 10635 McCormick Road Keno, OR 97627

SPACE ABOVE THIS LINE FOR RECORDER'S USE

SPECIAL WARRANTY DEED - STATUTORY FORM

(INDIVIDUAL or CORPORATION)

Bank of America, N.A. Grantor, conveys and specially warrants to John D. Stutes and Kelly S. Stutes

Grantee, the following described real property free and clear of encumbrances <u>and claims</u> created or suffered by the grantor <u>or by any predecessor in interest to grantor as beneficiary, assignee, or nominee, or the trustee or successor trustee under that certain trust deed recorded in Klamath County, Instrument <u>No. M03 at page 09400 on 02/18/2003</u>, except as specifically set forth below.</u>

SEE LEGAL DESCRIPTION ATTACHED HERETO: EXHIBIT A

The true consideration for this conveyance is \$100,000.00.

ENCUMBRANCES: Save and Except: Taxes, covenants, conditions, restrictions, easements, rights of way, homeowners association assessments, if any, and other matters of record.

2012-2013 Taxes a lien, not yet due and payable.

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.**

20120043977-FTPOR03 Deed (Special Warranty - Statutory Form)

Dated; if a corporate grantor, it has directors.	caused its r	name to be signed b	y order of its board of
	Bank of A	America, N.A.	Rulel
	NAME:	PATRICIA RUBEL	
	TITLE:	AVP	
State of			
This instrument was acknowledged before me on		, 20 by	
asof		*	
, Notary Public - State of My commission expires:			

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

County of VENTURA On JULY 24, 2012 before me, CHRISTINE LUCIE, NOTARY PUBLIC (Here insert name and title of the officer) PATRICIA RUBEL who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, 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. CHRISTINE LUCIE COMM: 180970 COMMENT PUBLIC COLIFORNIA LOS MOGLES COUNTY Signature of Notary Public ADDITIONAL OPTIONAL INFORMATION INSTRUCTIONS FOR COMPLETING THIS FORM Any acknowledgement expelled in California must contain werbiage exactly a appears above in the notary section or a separate acknowledgement from must be document so to be recorred outside of California, is the instances, any alternative California (execution) to be recorred outside of California, that is likely for a notary in California (execution). The converse outside of california public columents so in graph were beaded where the notary section or a separate acknowledgement graph worm placed and attached the document so long as the verbiage does not require the notary to do something that it sliges!) Please check the document cargility for proper notarial wording and attach this form if required.		
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Number of Pages 3 Document Date 7/24/2012 10635 MCCORMICK (Additional information) CAPACITY CLAIMED BY THE SIGNER ☐ Individual (s) X Corporate Officer AVP (Title) ☐ Partner(s) ☐ Attorney-in-Fact Trustee(s) ☐ Other

- signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/hey, is /are) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.

 Additional information is not required but could help to ensure this
 - acknowledgment is not misused or attached to a different document. Indicate title or type of attached document, number of pages and date.
 - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- · Securely attach this document to the signed document

EXHIBIT "A" LEGAL DESCRIPTION

A tract of land situated in the E1/2 E1/2 SE1/4 of Section 36, Township 39 South, Range 7 East of the Willamette Meridian, and the W1/2 W1/2 SW1/4 of Section 31, Township 39 South, Range 8, East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a 5/8" iron pin with Tru-Line Surveying plastic cap on the line common to said Sections 36 and 31 and being the Southeast corner of that tract of land described in Volume 120 page 451 of the Klamath County Deed Records, the Southwest corner of said Section 36, as marked by an iron axle, bears South 00° 05' 00" West 660.00 feet; thence North 00° 05' 00" East, along said section line, 207.77 feet to a 5/8" iron pin with Tru-Line Surveying plastic cap, marking the South corner of that tract of land described in Volume 338 page 204 of said deed records; thence North 32° 48' 24" East 477.85 feet to the Southeasterly corner of that tract of land described in Volume M68 page 532 of said deed records, a 1" iron pipe bears South 72° 04' 50" East 0.26 feet; thence North 72° 04' 50" West 271.36 feet to a 1" iron pin at the Southwesterly corner of said tract of land; thence South 00° 05' 00" West 3.52 feet to a 5/8" iron pin with Tru-Line Surveying plastic cap marking the South 1/16 corner common to said Sections 36 and 31; thence continuing South 00° 05' 00" West 12.08 feet to a 5/8" iron pin with Tru-Line Surveying plastic cap marking the Southeasterly corner of that tract of land described in Volume 27 page 294 of said deed records; thence North 57° 30' West 22.48 feet to a 5/8" iron pin with Tru-Line Surveying plastic cap; thence West 21.02 feet to a 5/8" iron pin with Tru-Line Surveying plastic cap; thence South 00° 05' 00" West 689.38 feet to a 5/8" iron pin with Tru-Line Surveying plastic cap; thence East 40.00 feet to the point of beginning, with bearings based on recorded survey 1169.