

2012-012062
Klamath County, Oregon
10/30/2012 03:19:09 PM
Fee: \$52.00

WTC 92927

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 and claims created or suffered by the grantor 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 No. M03 at page 09400 on 02/18/2003, except as specifically set forth below.

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)

521111

Dated 7/24/2012; if a corporate grantor, it has caused its name to be signed by order of its board of directors.

Bank of America, N.A.

BY: Patricia Rubel

NAME: PATRICIA RUBEL

TITLE: AVP

State of _____
County of _____

This instrument was acknowledged before me on _____, 20__ by

as _____ of _____

, Notary Public - State of _____
My commission expires: _____



CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of VENTURA

On JULY 24, 2012 before me, CHRISTINE LUCIE, NOTARY PUBLIC
(Here insert name and title of the officer)

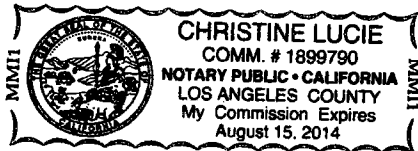
personally appeared PATRICIA RUBEL

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.

 Signature of Notary Public *Christine Lucie*



ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT _____ SPECIAL WARRANTY _____ (Title or description of attached document) _____ (Title or description of attached document continued) Number of Pages <u>3</u> Document Date <u>7/24/2012</u> _____ 10635 MCCORMICK _____ (Additional information)
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CAPACITY CLAIMED BY THE SIGNER <input type="checkbox"/> Individual (s) <input checked="" type="checkbox"/> Corporate Officer AVP _____ (Title) <input type="checkbox"/> Partner(s) <input type="checkbox"/> Attorney-in-Fact <input type="checkbox"/> Trustee(s) <input type="checkbox"/> Other _____

INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be properly completed and attached to that document. The only exception is if a document is to be recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

- State and County information must be the State and County where the document 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~~/~~they~~, 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.