

2013-001236

Klamath County, Oregon



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02/04/2013 09:44:33 AM

Fee: \$62.00

Grantor's Name and Address:

Charles E. Defoe, Jr. and Judith A. McGee Defoe,
12455 SW 68th Avenue
Portland, Oregon 97223

Grantee's Name and Address:

McGee Defoe Commercial, LLC,
an Oregon limited liability company
Charles E. Defoe, Jr. and Judith A. McGee Defoe, Managers
12455 SW 68th Avenue
Portland, Oregon 97223

Until a Change is Requested

Send all Tax Statements to:

Judith A. McGee Defoe
12455 SW 68th Avenue
Portland, Oregon 97223

After Recording Return to:

Erin M. Evers, Attorney
PO Box 4054
Hillsboro, OR 97123

BARGAIN AND SALE DEED

KNOW ALL MEN BY THESE PRESENTS, that Charles E. Defoe, Jr., aka Charles Defoe, and Judith A. McGee Defoe, hereinafter called grantors, for the consideration hereinafter stated, do hereby grant, bargain, sell and convey unto McGee Defoe Commercial, LLC, an Oregon limited liability Company, hereinafter called grantee, and unto said grantees' heirs, successors and assigns, all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining, situated in the County of Klamath, State of Oregon, described as follows, to-wit:

See attached Schedule A


To have and to hold the same unto the same grantee and grantee's heirs, successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars is: \$ None; this deed is to transfer property from the grantors as individuals to their wholly owned limited liability company, and no monetary consideration is involved.

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


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,

IN WITNESS WHEREOF, Grantors have executed this instrument November 14, 2012.


Charles E. Defoe, Jr.,
aka Charles Defoe

[illegible]

OFFICIAL SEAL
ERIN M EVERS
 NOTARY PUBLIC-OREGON
 COMMISSION NO. 445291
 MY COMMISSION EXPIRES DECEMBER 22, 2013


 Notary Public for Oregon
 My Commission Expires: 12/12/2013

SCHEDULE A

PARCEL 1:

Legal Description:

Lots 1 through 14 inclusive of Block 19, together with vacated alleys adjacent thereto in the Townsite of Crescent, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

Property Identification Nos.: R152907 and 895082

Commonly known as 137134 Main Street, Crescent, Oregon.

PARCEL 2:

Legal Description:

Vacated Lots 15 through 26 Block 19, Townsite of Crescent, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, together with all alleys and that portion of Dixon Street adjacent thereto. SAVING AND EXCEPTING that portion the above described property conveyed to the State of Oregon by deed dated April 20, 1943 recorded April 29, 1943 in Volume 155 page 31, Deed records of Klamath County, Oregon.

Property Identification No.: R886877

Commonly known as Lot 15-26 Alley & Dixon Streets

PARCEL 3:

Legal Description:

Vacated Lots 13 through 22 Block 20, Townsite of Crescent, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, together with all alleys and that portion of Dixon Street adjacent thereto. SAVING AND EXCEPTING that portion the above described property conveyed to the State of Oregon by deed dated April 20, 1943 recorded April 29, 1943 in Volume 155 page 31, Deed records of Klamath County, Oregon.

Property Identification No.: R152890

Commonly known as 109 Potter Street, Crescent, Oregon.

PARCEL 4:

Legal Description:

Lots 1, 2, 3, 4, 5, 6, and 7 in Block 29, in the Town of Crescent, According to the Official Plat thereof, on file in the office of the County Clerk of Klamath County, Oregon.

Property Identification Nos.: R154996, R154987, R154978, R154969, and R154941

PARCEL 5:

A tract of land situated in Southwest quarter of Southwest quarter, Section 30, Township 24 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Commencing at a point of the Westerly edge of the Highway No. 97 right of way 856.6 feet more or less east of the Northwest corner of said Section 31, Township 24 South Range 9 East of the Willamette Meridian, Klamath County, Oregon, thence in a Northerly direction along the Westerly edge of said highway right of way, 70 feet to the true point of beginning; thence in a Westerly direction at right angles to said highway 240 feet; thence in a Southerly direction, parallel with said highway, 107 feet; thence in a Westerly direction, at right angles to said highway, 100 feet; thence in a Northerly direction, parallel with said highway, 157 feet; thence in an Easterly direction at right angles to said highway to the Westerly edge of said highway, thence Southerly along the Westerly edge of said highway, 50 feet to the true point of beginning.

Property Identification No.: R154415

Commonly known as 136478 Hwy 97 "Johnson Lot"

PARCEL 6:

Legal Description:

A parcel of land situated in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 30, Township 24 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, being that portion of said subdivision included in a strip of land 100 feet in width, 50 feet on each side of the centerline of the Old Oregon Railroad between stations 1047+86.25 and 1048+86.2 shown as Parcel "A" on the accompanying plat and more particularly described as follows:

Beginning at the Northwest projection of centerline station 1047+86.25; being the Southwest corner of the subject parcel, a 5/8" x 30" steel rod; thence South 50°11' East 100.0 feet to a 5/8" x 30" steel rod; thence North 39°49' East 100.0 feet to a 5/8" x 30" steel rod; thence parallel to the South line of the parcel, over and across the Old Oregon Railroad, North 50°11' West 100.0 feet to a 5/8" x 30" steel rod; thence South 39°49' West 100.0 feet to the point of beginning.

Property Identification No.: R152881

Commonly known as "Batral Land"

PARCEL 7:

Legal Description:

All that portion of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 7, Township 24 South, Range 7 East of the Willamette Meridian, in the County of Klamath, State of Oregon, lying Southwesterly of Crescent Creek, in the County of Klamath, State of Oregon.

Excepting that portion deeded to Frederick E. Kerns, et ux, in Book 346 at Page 343, Deed Records.

Property Identification No.: R146700

Commonly known as "26 acres"

PARCEL 8:

Legal Description:

Government Lot 4, being the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 7, Township 24 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon.

Property Identification No.: R146719

Commonly known as "44 acres"

PARCEL 9:

Legal Description:

Beginning at the corner common to Section 19, 20, 29, and 30 Township 24 South, Range 9 East of the Willamette Meridian, and running thence South 87°41-1/2' West 1722.76 feet to a point on the Westerly right of way line of The Dalles-California Highway; thence South 15°34' West 450 feet along said Westerly right of way line; thence North 74°26' West 80 feet; thence South 15°34' West 1121.26 feet to the true point of beginning; thence South 74°26' East 80 feet; thence North 15°34' East 100 feet; thence North 74°26' West 80 feet; thence South 15°34' West 100 feet to the point of beginning.

A parcel of land lying in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 30 Township 24 South Range 9 East of the Willamette Meridian, and being a portion of the following described property: That tract of land which was conveyed in Book 109 Page 193 Klamath County deed records, the said parcel being described as follows: Beginning on the South line of the foregoing described property at a point which is opposite and 50 feet Westerly from Engineer's Station 1593+32.8 on the center line of the Dalles-California Highway; thence parallel to said highway center line on a spiral curve life (the line chord of which bears North 15°45'30" East) a distance of 151.34 feet and North 15°34' East a distance of 48.66 feet to the North line of said property; thence North 74°26' West a distance of 80 feet to the Northwest corner; thence South 15°34' West 200 feet to the Southwest corner; thence South 74°26' East 79.5 feet to the point of beginning, being that tract of land which was conveyed by that certain deed to Byron G. Stevens recorded in Book 219 Page 289, Klamath County deed records.

That portion of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 30 Township 24 South, Range 9 East of the Willamette Meridian more particularly described as follows: Beginning at a point which is opposite and 129.5 feet Westerly from Engineer's Station 1591+32.8 of the Dalles-California Highway; thence North 15°34' East 200 feet; thence Southwesterly along the Easterly line of Outlots 10 and 11 to a point North 74°26' West 20.5 feet from the point of beginning; thence South 74°26' East 20.5 feet to the point of beginning.

Property Identification Nos.: R152827, R152836, and R152845

Commonly known as 137308 Hwy 97 N "Red Barn"

PARCEL 10:

Legal Description:

Lots 1, 14, 15, 16, 17, 18, 19 and 20 in Block 42, CRESCENT, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, together with a portion of vacated alley which inured thereto.

EXCEPTING THEREFROM that portion conveyed to the State of Oregon for Highway purposes by deed recorded July 2, 1943 in Book 156 Page 382, and by deed recorded September 18, 1943 in Book 158 Page 405, deed records of Klamath County, Oregon, being the Northwesterly 20 feet strip bordering the Dalles-California Highway.

Property Identification No.: R786983

Commonly known as "Mick's Hardware Lot 14"

PARCEL 11:

Legal Description:

Real property in the County of Klamath, State of Oregon, described as follows:

Lot 32 in Diamond Peaks, Tract No. 1355, according to the official plat thereof on file in the Office of the County Clerk of Klamath County, Oregon.

Property Identification No.: R887019

PARCEL 12:

Legal Description:

Beginning at the Northwest corner of Block 30, Crescent Townsite; thence running Westerly along Stevens Street 100 feet to point of beginning; thence continuing Westerly along Stevens Street 100 feet; thence Southerly parallel to Highway 97, 150 feet; thence Easterly at right angles to Highway 97, 100 feet; thence Northerly, along West line of Highway 97, 150 feet to place of beginning.

Property Identification No.: R153354

Commonly known as "Caldwell"

PARCEL 13:

Legal Description:

That portion of the Southeast quarter of Northwest quarter and Northeast quarter of Southwest quarter of Section 30, Township 24 South, Range 9 East of Willamette Meridian in the original town of Crescent, described as follows:

Beginning at a point on the Easterly side of Riverview Street which is 100 feet Southwesterly along the Easterly side of said street from its intersection with Stevens Street in the original town of Crescent; thence Southwesterly 50 feet along Easterly side of Riverview Street; thence Southeasterly at right angles to Riverview Street 155 feet; thence Northeasterly 150 feet to the Southwesterly line of Stevens Street; thence Northwesterly 60 feet along Stevens Street to the Northeast corner of that property described in Volume 275, Page 231, Klamath County Deed Records; thence Southwesterly at right angles to Stevens Street, 100 feet; thence Northwesterly at right angles 95 feet to the point of beginning.

Property Identification No.: R153345

Commonly known as "Caldwell"

PARCEL 14:

Legal Description:

Commencing at the Northwest corner of Block 30, Crescent Townsite and running thence Northwesterly along line conforming with Stevens Street, a distance of 160 feet to the point of beginning description of land herein conveyed; thence continuing in

same direction 95 feet; thence Southwesterly, parallel with Highway 97; 100 feet; thence Southeasterly at right angles to said highway 95 feet; thence Northeasterly parallel with said highway 100 feet to the point of beginning.

Commonly known as 136868 Hwy 97 N, Crescent, Oregon

Property Identification No.: R153336

Commonly known as "Caldwell"

PARCEL 15:

Legal Description:

A parcel of land in the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 30, Township 24 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at the point of intersection on the Northerly line of Hill Street, according on the recorded plat of Crescent, extended Northwesterly and the Westerly line of the Dalles-California Highway as described in Deed from B.G. Stevens and Emma Stevens to the State of Oregon, dated April 10, 1943, recorded in Book 154 page 556, Deed records of Klamath County, Oregon, which said Westerly line of said highway is also 50 feet distant Westerly from (when measured at tight angles to) the relocated center line of said highway; thence Westerly along said extension on North line on Hill Street, a distance of 100 feet, thence Northeasterly 150 feet; thence Northeasterly 100 feet to the Westerly right of way line of the Dalles-California Highway; thence Southwesterly along said Westerly right of way 150 feet to the point of beginning.

Commonly known as 136854 Hwy 97 N, Crescent, Oregon "aka Kens"

Property Identification No.: R153363

PARCEL 16:

Legal Description:

Real property in the County of Klamath, State of Oregon, described as follows:

A tract of land in the Northeast quarter of the Southwest quarter of Section 30, Township 24 South, Range 9 East of the Willamette Meridian, described as follows:

Beginning at an iron pin on the Easterly right of way line of the Gilchrist & Co., Ltd. Railroad which lies South $89^{\circ}48'$ East along the 40 line a distance of 143.5 feet from the Brass Cap Corner which marks the Southwest corner of the Northeast quarter of the Southwest quarter of Section 30, Township 24 South, Range 9 East of the Willamette Meridian, and running thence continuing South $89^{\circ}48'$ East along the 40 line a distance of 171.5 feet to an iron pin which lies on the Westerly right of way line of Highway No. 97, 50 feet at right angles Westerly from its center, thence North $39^{\circ}40'$ East along the Westerly right of way line of the Highway No. 97 a distance of 153.45 feet to an iron pin; thence North $50^{\circ}20'$ West a distance of 133.5 feet to an iron pin which lies on the Easterly right of way line of the Gilchrist Co., Ltd. Railroad; thence Southwesterly along the Easterly right of way line of the Gilchrist Co. Ltd. Railroad a distance of 264.2 feet, more or less to a point of beginning, said tract being a portion of the Northeast quarter of the Southwest quarter of Section 30, Township 24 South, Range 9 East of the Willamette Meridian, in Klamath County, Oregon.

SAVING AND EXCEPTING that portion of the above description conveyed by Lloyd Dee Moore, etux, to C.W. Fisher and Lanie L. Fisher, husband and wife, dated August 20, 1948 and recorded September 2, 1948 in Volume 224 at page 376 of Deed Records of Klamath County, Oregon.

Property Identification No.: R153522

Commonly known as "Sportsmans"