

2013-005004

Klamath County, Oregon



05/08/2013 02:52:24 PM

Fee: \$67.00

MTL 95717-125

After recording, return to:

John Black  
P.O. Box 742  
LaConner, WA 98257

Send tax statements to:

Railroad Institute  
P.O. Box 438  
Chiloquin, Oregon 97624

## WARRANTY DEED

FRIENDS OF TRAIN MOUNTAIN, an Oregon non-profit corporation that has been appointed by court order, in Klamath County Circuit Court Case No. 10-03774CV, as custodian of TRAIN MOUNTAIN RAILROAD MUSEUM, an Oregon non-profit corporation ("Grantor"), conveys and warrants to RAILROAD INSTITUTE, an Oregon non-profit corporation ("Grantee"), a fee simple determinable estate in and to the following described real property free of encumbrances and limitations except as specifically set forth herein:

*See Exhibit A*

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."

THE PROPERTY DESCRIBED IN THIS INSTRUMENT MAY NOT BE WITHIN A FIRE PROTECTION DISTRICT PROTECTING STRUCTURES. THE PROPERTY IS SUBJECT TO LAND USE LAWS AND REGULATIONS THAT, IN FARM OR FOREST ZONES, MAY NOT AUTHORIZE CONSTRUCTION OR SITING OF A RESIDENCE AND THAT LIMIT LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, IN ALL ZONES. 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

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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. 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 VERIFY THE EXISTENCE OF FIRE PROTECTION FOR STRUCTURES 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."

The true consideration for this conveyance is \$1.00 and other valuable consideration.

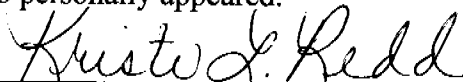
Dated this 8<sup>th</sup> day of May, 2013.

FRIENDS OF TRAIN MOUNTAIN, an  
Oregon non-profit corporation as Custodian of  
Train Mountain Railroad Museum

  
By: John C. Black, President

STATE OF OREGON           )  
  ) ss.  
County of Klamath        )

SUBSCRIBED AND ACKNOWLEDGED before me this 8<sup>th</sup> day of May, 2013, by John C. Black, as President of FRIENDS OF TRAIN MOUNTAIN, an Oregon non-profit corporation, as Custodian of Train Mountain Railroad Museum, who personally appeared.

  
Notary Public for Oregon  
My commission expires: 11/16/2015



**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

The S 1/2 SE 1/4 SE 1/4 of Section 32, Township 34 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon.

TOGETHER WITH a non-exclusive easement for ingress and egress over and across the Westerly 30 feet of Government Lots 4 and 5 in Section 4, Township 35 South, Range 7 East of the Willamette Meridian, as described in "General Easement Agreement" recorded January 18, 2005 in Volume M-05 at Page 3542, Records of Klamath County, Oregon.

AND TOGETHER WITH a non-exclusive easement for ingress and egress 30 feet in width, over and across a portion of the Northwest quarter of Section 9 and a portion of the West half of Section 4, all in Township 35 South, Range 7 East of the Willamette Meridian, as described in "General Easement Agreement" recorded January 18, 2005, in Volume M-05 at Page 3547, Records of Klamath County, Oregon.

CODE 138 MAP 3407-03200 TL 0100 KEY #197165

**So long as** the real property is used for the purpose of building, maintaining, or operating a miniature railroad, or for purposes consistent with those uses, which is herein defined to include, each and all; grading, construction and maintenance of rights of way, track, switches, bridges, access roads and paths, drainage structures, signs, signals, or any other appurtenances necessary or useful for the operation of a miniature railroad; and may further include construction, maintenance, and use of common areas, stations, yards, fencing, parking areas, water systems, landscaping, electrical systems, sewage facilities, picnic facilities, or any other facilities constructed to facilitate the use or maintenance of a miniature railroad in compliance with the founding documents of Grantee **TRAIN MOUNTAIN RAILROAD MUSEUM** as they exist at the time of this conveyance.

Should Grantee or its successors, assigns, employees, or representatives use, occupy, alienate or subdivide the real property in any way inconsistent with the uses set forth herein, then the gift shall immediately revert to the Trustee of the WILLIAM ARNOLD FARMER TRUST under trust instrument dated July 19, 2006.