

2014-000333

Klamath County, Oregon



00147288201400003330040042

01/14/2014 11:15:32 AM

Fee: \$57.00

**GRANTOR'S NAME AND ADDRESS:**

Ed L. Garrett Testamentary Trust U/W/D 01/09/1981  
1117 Tamera Drive  
Klamath Falls, OR 97603

**GRANTEE'S NAME AND ADDRESS:**

Louise E. Moulton, et al  
1117 Tamera Drive  
Klamath Falls, OR 97603

**AFTER RECORDING RETURN TO:**

James C. Lynch  
P. O. Box 351  
Lakeview, OR 97630

**SEND TAX STATEMENTS TO:**

Louise E. Moulton  
1117 Tamera Drive  
Klamath Falls, OR 97603

Returned to Counter

**BARGAIN AND SALE DEED**

KNOW ALL BY THESE PRESENTS that Louise E. Moulton, Trustee of the Ed L. Garrett Testamentary Trust Under Will Dated January 9, 1981, hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto Louise E. Moulton as to an undivided 38.104% interest, Brent Moulton as to an undivided 4.761% interest, Leanne Moulton Freitag as to an undivided 4.761% interest, Victoria VanDenBerg Childress as to an undivided 17.458% interest, Pamela VanDenBerg Cody as to an undivided 17.458% interest, and Kevin VanDenBerg as to an undivided 17.458% interest, tenants in common, hereinafter called grantee, and unto grantee's successors and assigns, all of grantor's interest in that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in the County of Klamath, State of Oregon, described as follows:

SEE EXHIBIT "A" ATTACHED

To Have and to Hold the same unto 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 (Distribution of Trust).

In construing this instrument, where the context so requires, the singular includes the plural, and all grammatical changes shall be made so that this instrument shall apply equally to trusts, other entities 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, 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 SECTION 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTION 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

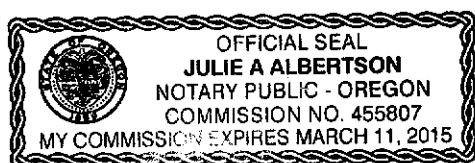
IN WITNESS WHEREOF, grantor has executed this instrument this 13 day of January, 2014; any signature on behalf of a trust or other entity is made with the authority of that entity.

ED L. GARRETT TESTAMENTARY TRUST  
UNDER WILL DATED JANUARY 9, 1981

Louise E. Moulton  
By: Louise E. Moulton, Trustee

STATE OF OREGON, County of Lake) ss.

This instrument was acknowledged before me on January 13<sup>th</sup>, 2014, by Louise E. Moulton as Trustee of the Ed L. Garrett Testamentary Trust Under Will Dated January 9, 1981.



Julie A. Albertson  
Notary Public for Oregon  
My Commission Expires: 03-11-2015

**EXHIBIT "A"**

**Page 1 of 2**

Township 39 South, Range 15 East of the Willamette Meridian, Klamath County, Oregon,  
Section 13:  $N\frac{1}{2}S\frac{1}{2}SW\frac{1}{4}SW\frac{1}{4}$ .

Township 39 South, Range 15 East of the Willamette Meridian, Klamath County, Oregon,  
Section 13:  $S\frac{1}{2}N\frac{1}{2}NW\frac{1}{4}SE\frac{1}{4}$ .

Township 39 South, Range 15 East of the Willamette Meridian, Klamath County, Oregon,  
Section 13:  $S\frac{1}{2}S\frac{1}{2}NE\frac{1}{4}SW\frac{1}{4}$ .

Township 39 South, Range 15 East of the Willamette Meridian, Klamath County, Oregon,  
Section 13:  $S\frac{1}{2}S\frac{1}{2}SE\frac{1}{4}NE\frac{1}{4}$ .

Township 39 South, Range 15 East of the Willamette Meridian, Klamath County, Oregon,  
Section 13:  $N\frac{1}{2}SE\frac{1}{4}NE\frac{1}{4}$ ,  $N\frac{1}{2}S\frac{1}{2}SE\frac{1}{4}NE\frac{1}{4}$ ,  $S\frac{1}{2}S\frac{1}{2}SE\frac{1}{4}NE\frac{1}{4}$ ,  
 $N\frac{1}{2}NE\frac{1}{4}SW\frac{1}{4}$ ,  $N\frac{1}{2}S\frac{1}{2}NE\frac{1}{4}SW\frac{1}{4}$ ,  $S\frac{1}{2}N\frac{1}{2}SW\frac{1}{4}SW\frac{1}{4}$ ,  
 $S\frac{1}{2}S\frac{1}{2}SW\frac{1}{4}SW\frac{1}{4}$ ,  $N\frac{1}{2}SE\frac{1}{4}SW\frac{1}{4}$ ,  $S\frac{1}{2}S\frac{1}{2}SE\frac{1}{4}SW\frac{1}{4}$ ,  
 $N\frac{1}{2}N\frac{1}{2}NE\frac{1}{4}SE\frac{1}{4}$ ,  $S\frac{1}{2}N\frac{1}{2}NE\frac{1}{4}SE\frac{1}{4}$ ,  $S\frac{1}{2}S\frac{1}{2}NE\frac{1}{4}SE\frac{1}{4}$ ,  
 $N\frac{1}{2}N\frac{1}{2}NW\frac{1}{4}SE\frac{1}{4}$ ,  $S\frac{1}{2}NW\frac{1}{4}SE\frac{1}{4}$ ,  $SW\frac{1}{4}SE\frac{1}{4}$ ,  $N\frac{1}{2}S\frac{1}{2}SE\frac{1}{4}SW\frac{1}{4}$ ,  $NW\frac{1}{4}$ ,  $SW\frac{1}{4}$ .  
Section 14:  $SW\frac{1}{4}NE\frac{1}{4}$ ,  $NW\frac{1}{4}NW\frac{1}{4}$ ,  $SW\frac{1}{4}NW\frac{1}{4}$ ,  $SW\frac{1}{4}$  and  $SE\frac{1}{4}$ .  
Section 15:  $NE\frac{1}{4}$  and  $SE\frac{1}{4}$ .  
Section 20:  $SE\frac{1}{4}NE\frac{1}{4}$ ,  $NE\frac{1}{4}SE\frac{1}{4}$ , and  $SE\frac{1}{4}SW\frac{1}{4}$ .  
Section 21:  $S\frac{1}{2}NW\frac{1}{4}$ ,  $NE\frac{1}{4}SW\frac{1}{4}$ ,  $SE\frac{1}{4}NE\frac{1}{4}$ , and  $N\frac{1}{2}SE\frac{1}{4}$ .  
Section 23:  $NW\frac{1}{4}NE\frac{1}{4}$ , and  $N\frac{1}{2}NW\frac{1}{4}$ .  
Section 29:  $NE\frac{1}{4}NW\frac{1}{4}$ ,  $SE\frac{1}{4}NW\frac{1}{4}$ ,  $NW\frac{1}{4}NW\frac{1}{4}$ , and  $NE\frac{1}{4}SW\frac{1}{4}$ .  
Section 32:  $NE\frac{1}{4}NW\frac{1}{4}$ ,  $S\frac{1}{2}NW\frac{1}{4}$ ,  $N\frac{1}{2}SW\frac{1}{4}$ , and  $SE\frac{1}{4}SW\frac{1}{4}$ .

Township 40 South, Range 15 East of the Willamette Meridian, Klamath County, Oregon,  
Section 5: Government Lot 3 ( $NE\frac{1}{4}NW\frac{1}{4}$ ), Government Lot 4 ( $NW\frac{1}{4}NW\frac{1}{4}$ ),  $S\frac{1}{2}NW\frac{1}{4}$ ,  
 $N\frac{1}{2}SW\frac{1}{4}$ .  
Section 6: Government Lot 1 ( $NE\frac{1}{4}NE\frac{1}{4}$ ).

Township 39 South, Range 15 East of the Willamette Meridian, Klamath County, Oregon,  
Section 13:  $S\frac{1}{2}S\frac{1}{2}SE\frac{1}{4}NE\frac{1}{4}$ .

SUBJECT TO all easements, reservations, restrictions and rights of way of record or apparent on the ground, including but not limited to the following:

1. The premises herein described are within and subject to the statutory powers, including the power of assessment and easements of Klamath Lake Timber Fire Patrol.
2. The premises herein described are within and subject to the statutory powers, including the power of assessment and easements of Klamath Lake Grazing Fire Patrol.
3. The assessment roll and the tax roll disclose that the premises herein described have been specially assessed as Farm Use Land. If the land becomes disqualified for the special assessment under the statute, an additional tax may be levied; in addition thereto a penalty may be levied if notice of disqualification is not timely given.

## EXHIBIT "A"

Page 2 of 2

4. Rights of the public in and to any portion of the herein described premises lying within the limits of streets, roads or highways.
5. Reservations as contained in that certain deed, subject to the terms and provisions thereof, dated August 9, 1927 and recorded August 25, 1927 in Volume 76 at Page 331, Microfilm Records of Klamath County, Oregon. (Affects Township 39 South, Range 15 East, Sections 14 and 15)
6. Reservations as contained in that certain deed, subject to the terms and provisions thereof, dated September 19, 1927 and recorded September 27, 1927 in Volume 76 at Page 503, Microfilm Records of Klamath County, Oregon. (Affects Township 39 South, Range 15 East, Sections 20 and 29)
7. An easement created by instrument, subject to the terms and provisions thereof, in favor of the United States of America, acting by and through the Forest Services, U.S.D.A., for roadway, electric and telephone transmission lines, dated August 13, 1954 and recorded December 11, 1954 in Volume 271 at Page 127, Microfilm Records of Klamath County, Oregon. (Affects Township 39 South, Range 15 East, Section 20)
8. An easement created by instrument, subject to the terms and provisions thereof, in favor of the United States of America, acting by and through the Forest Services, U.S.D.A., for roadway, electric and telephone transmission lines, dated August 13, 1954 and recorded July 1, 1955 in Volume 275 at Page 437, Microfilm Records of Klamath County, Oregon. (Affects Township 39 South, Range 15 East, Section 20)
9. An easement created by instrument, subject to the terms and provisions thereof, in favor of the United States of America, acting by and through the Forest Services, U.S.D.A., for roadway, electric and telephone transmission lines, dated September 17, 1959 and recorded May 6, 1960 in Volume 321 at Page 54, Microfilm Records of Klamath County, Oregon. (Affects Township 39 South, Range 15 East and Township 39 South, Range 16 East)

### TAX INFORMATION:

Account No. 3914-00000-01200-000; Key No. 118009; Code No. 028;  
Account No. 3915-00000-01000-000; Key No. 119099; Code No. 036;  
Account No. 3915-01300-00600-000; Key No. 119115; Code No. 036;  
Account No. 3915-01300-00700-000; Key No. 119124; Code No. 036;  
Account No. 4015-00000-00200-000; Key No. 119384; Code No. 028;  
Account No. 3915-00000-01200-000; Key No. 586280; Code No. 036;  
Account No. 3915-01300-00900-000; Key No. 744305; Code No. 036;  
Account No. 3915-00000-01100-000; Key No. 860018; Code No. 036;  
Account No. 3915-00000-01400-000; Key No. 860036; Code No. 028;  
Account No. 3915-00000-01500-000; Key No. 860045; Code No. 028;  
Account No. 3915-01300-00200-000; Key No. 860054; Code No. 036;  
Account No. 3915-01300-00400-000; Key No. 860063; Code No. 036;  
Account No. 3915-02300-00300-000; Key No. 860072; Code No. 036.