

154

2014-009552

Klamath County, Oregon

09/15/2014 08:55:00 AM

Fee: \$67.00

RECORDING COVER SHEET

THIS COVER SHEET HAS BEEN PREPARED BY THE PERSON REPRESENTING THE ATTACHED INSTRUMENT FOR RECORDING. ANY ERRORS IN THIS COVER SHEET DO NOT AFFECT THE TRANSACTION(S) CONTAINED IN THE INSTRUMENT ITSELF.

After Recording Return To:

First American Title

404 Main St Ste 1

Klamath Falls OR 97601

1. Name(s) of the Transaction(s):

Certified Copy of

Bargain and Sale Deed - Statutory Form

2. Direct Party (Grantor):

Bogatay Construction, Inc.

3. Indirect Party (Grantee):

Linda Michele Darrah Bogatay, Trustee of the Linda Michele Darrah Bogatay Revocable Trust u/a/d November 7, 2011

4. Consideration Amount:

\$n/a

5. Deed Reference:

2012-014515

THIS DEED IS BEING RE-RECORDED TO CORRECT SCRIVENOR ERROR IN LEGAL DESCRIPTION FOR PARCEL 2, RECORDED DECEMBER 31, 2012 AS 2012-014515, RECORDS OF KLAMATH COUNTY, OREGON. CORRECT LEGAL DESCRIPTION IS ATTACHED AS EXHIBIT "B".

Returned to Counter

2012-014515

Klamath County, Oregon



00129310201200145150030033

12/31/2012 03:06:28 PM

Fee: \$47.00

GRANTOR:

Bogatay Construction Inc.
P.O. Box 493
Klamath Falls, OR 97601-0027

GRANTEE:

Linda Michele Darrah Bogatay, Trustee
Linda Michele Darrah Bogatay Revocable Trust
P.O. Box 493
Klamath Falls, OR 97601-0027

AFTER RECORDING RETURN TO:

Matthew Bogatay
P.O. Box 493
Klamath Falls, OR 97601

**UNTIL A CHANGE IS REQUESTED,
ALL TAX STATEMENTS SHALL BE
SENT TO THE FOLLOWING ADDRESS:**
Same as Grantee.

BARGAIN AND SALE DEED – STATUTORY FORM

Bogatay Construction Inc. (the "Grantor"), conveys to Linda Michele Darrah Bogatay, Trustee of the Linda Michele Darrah Bogatay Revocable Trust, u/a/d November 7, 2011 (the "Grantee"), all of Grantor's interest in the real property, free of encumbrances except for matters of public record, situated in Klamath County, Oregon, and more particularly described on Exhibit "A" attached hereto and made a part hereof.

The true consideration for this conveyance is \$0.

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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. 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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009.

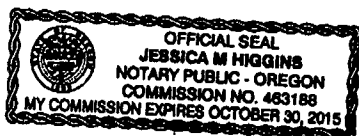
DATED: December 31, 2012.

Bogatay Construction, Inc.

By: Linda M. Bogatay, Secretary
Linda M. Bogatay, Secretary

STATE OF OREGON)
) ss.
County of Klamath)

Acknowledged before me on December 31, 2012, by Linda M. Bogatay, Secretary of Bogatay Construction, Inc., Grantor.



Jessica M. Higgins
Notary Public for Oregon

EXHIBIT "A"

PARCEL 1

The SE 1/4 SW 1/4 and the SW 1/4 SE 1/4 of Section 22, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon:

SAVING AND EXCEPTING therefrom the right of way of Modoc Northern Railway and the F31 Lateral.

ALSO SAVING AND EXCEPTING all that portion of the SW 1/4 SE 1/4 lying East of the railroad right of way.

ALSO SAVING AND EXCEPTING beginning at the intersection of the Westerly line of the Central Pacific Railway Co. right of way and the section line common to Section 22 and 27, Township 39 South, Range 9 East of the Willamette Meridian in Klamath County, Oregon, being 3444 feet, more or less, East of the Section corner common to Section 21, 22, 27 and 28 of said township and range; thence North 33 degrees 16' West 1636 feet, more or less, and parallel to the Central Pacific Railway Company right of way to the North line of the SE 1/4 SW 1/4 of said Section 22; thence Westerly on the last said North line 98.02 feet to a point; thence South 33 degrees 16' East 1636 feet, more or less, and parallel to the right of way of the said Central Pacific Railway to the section line common to said Sections 22 and 27; thence Easterly along the section line common to said Section 22 and 27, 98.02 feet, more or less, to the point of beginning.

ALSO SAVING AND EXCEPTING a tract of land located in the SW 1/4 of aforesaid section, township and range, more particularly described as follows: Commencing at the Southwest corner of Section 22; thence South 88 degrees 35' 22" East along the South boundary of Section 22, 1337.30 feet to a 5/8 inch iron pin for the true point of beginning of this description; thence North 00 degrees 08' 23" East 6.69 feet to a 5/8 inch iron pin; thence North 00 degrees 08' 23" East 1329.11 feet to a 5/8 inch iron pin for the true point of beginning of this description; thence North 00 degrees 08' 23" East 6.69 feet to a 5/8 inch iron pin at the Northwest corner of the SE 1/4 SW 1/4 of Section 22; thence South 88 degrees 54' 32" East along the North boundary of the SE 1/4 SW 1/4 of Section 22, 1079.69 feet to a 5/8 inch iron pin located on the Southwesterly boundary of Spring Lake Road; thence South 33 degrees 32' 11" East along said road boundary, 25.24 feet to a 5/8 inch iron pin; thence South 86 degrees 54' 26" West along an existing fence line, 34.95 feet to a 5/8 inch iron pin, thence North 88 degrees 04' 30" West along an existing fence line 1059.11 feet to the true point of beginning.

PARCEL 2

All the following described real property situate in Klamath County Oregon:

The N 1/2 SE 1/4 of Section 26, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, EXCEPTING THEREFROM the following parcels:

1. The Easterly 30 feet being the right of way of Homedale Road.
2. The tract deeded to the City of Klamath Falls in Deed Book 272 at Page 295, Deed Records fo Klamath County, Oregon.
3. The Bureau of Reclamation right of way for 1-C Drain, a part of which is described in Deed Book M66 at page 6438, Microfilm Records of Klamath County, Oregon.
4. The right of way of Bureau of Reclamation Drain along the South boundary of the property.
5. A parcel of land in the E 1/2 SE 1/4 of Section 26, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a 5/8" iron pin which is located North 89 degrees 52' West 30.00 feet from the East quarter corner of Section 26, and is also the intersection of the Homedale West Right of Way and the East-West center of Section 26; thence South 00 degrees 16' West 883.57 feet along the West right of way of Homedale Road to a 5/8" iron pin; thence West 421.54

feet to a 5/8" iron pin which is also the East Right of Way of 1-C Drain; thence North 00 degrees 25' 45" West 326.91 feet along the East Right of way of 1-C Drain to a 5/8" iron pin; thence North 19 degrees 48' West 593.20 feet along the East Right of Way 1-C Drain and the East-West centerline of Section 26; thence South 89 degrees 52' East 629.05 feet along the East-West center line of Section 26 to the point of beginning.

PARCEL 3

A tract of land in Lot 2, Section 26, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at the Southeast corner of Said Lot 2; thence North along the East line of said Lot 2, 660 feet to a point; thence West 1155 feet, more or less, to the East line of the W1/2 W1/2 W1/2 NW1/4 NE 1/4 of said Section 26; thence South along said East line 660 feet to the South line of said Lot 2; thence East along the South line of said Lot 2; 1155 feet, more or less, to the point of beginning.

EXCEPTING THEREFROM a parcel of land situated in the most Northeasterly corner of that property described in Deed Volume M66 at Page 3136, Microfilm Records of Klamath County, Oregon, all of which is in Lot 2 of Section 26, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows: Beginning at a point on the East line of Lot 2, 660 feet North of the Southeast corner of said Lot 2; thence West 520.00 feet, along the North line of said parcel; thence South 210.00 feet, parallel to the East line of Lot 2; thence East 520.00 feet parallel to the North line of said parcel, to the East line of Lot 2; thence North 210.00 feet, along the East line of Lot 2 to the place of beginning.



STATE OF OREGON)

County of KLAMATH)

I CERTIFY that this is a true and correct copy of a document in the possession of the Klamath County Clerk.

Dated: 9/11/14

LINDA SMITH, Klamath County Clerk

By: Susan Costello, Deputy

EXHIBIT "A" "B"

PARCEL 1

The SE 1/4 SW 1/4 and the SW 1/4 SE 1/4 of Section 22, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon:

SAVING AND EXCEPTING therefrom the right of way of Modoc Northern Railway and the F31 Lateral.

ALSO SAVING AND EXCEPTING all that portion of the SW 1/4 SE 1/4 lying East of the railroad right of way.

ALSO SAVING AND EXCEPTING beginning at the intersection of the Westerly line of the Central Pacific Railway Co. right of way and the section line common to Section 22 and 27, Township 39 South, Range 9 East of the Willamette Meridian in Klamath County, Oregon, being 3444 feet, more or less, East of the Section corner common to Section 21, 22, 27 and 28 of said township and range; thence North 33 degrees 16' West 1636 feet, more or less, and parallel to the Central Pacific Railway Company right of way to the North line of the SE 1/4 SW 1/4 of said Section 22; thence Westerly on the last said North line 98.02 feet to a point; thence South 33 degrees 16' East 1636 feet, more or less, and parallel to the right of way of the said Central Pacific Railway to the section line common to said Sections 22 and 27; thence Easterly along the section line common to said Section 22 and 27, 98.02 feet, more or less, to the point of beginning.

ALSO SAVING AND EXCEPTING a tract of land located in the SW 1/4 of aforesaid section, township and range, more particularly described as follows: Commencing at the Southwest corner of Section 22; thence South 88 degrees 35' 22" East along the South boundary of Section 22, 1337.30 feet to a 5/8 inch iron pin for the true point of beginning of this description; thence North 00 degrees 08' 23" East 6.69 feet to a 5/8 inch iron pin; thence North 00 degrees 08' 23" East 1329.11 feet to a 5/8 inch iron pin for the true point of beginning of this description; thence North 00 degrees 08' 23" East 6.69 feet to a 5/8 inch iron pin at the Northwest corner of the SE 1/4 SW 1/4 of Section 22; thence South 88 degrees 54' 32" East along the North boundary of the SE 1/4 SW 1/4 of Section 22, 1079.69 feet to a 5/8 inch iron pin located on the Southwesterly boundary of Spring Lake Road; thence South 33 degrees 32' 11" East along said road boundary, 25.24 feet to a 5/8 inch iron pin; thence South 86 degrees 54' 26" West along an existing fence line, 34.95 feet to a 5/8 inch iron pin, thence North 88 degrees 04' 30" West along an existing fence line 1059.11 feet to the true point of beginning.

PARCEL 2

All the following described real property situate in Klamath County Oregon:

The N 1/2 SE 1/4 of Section 26, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, EXCEPTING THEREFROM the following parcels:

1. The Easterly 30 feet being the right of way of Homedale Road.
2. The tract deeded to the City of Klamath Falls in Deed Book 272 at Page 295, Deed Records for Klamath County, Oregon.
3. The Bureau of Reclamation right of way for 1-C Drain, a part of which is described in Deed Book M66 at page 6438, Microfilm Records of Klamath County, Oregon.
4. The right of way of Bureau of Reclamation Drain along the South boundary of the property.
5. A parcel of land in the E 1/2 SE 1/4 of Section 26, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a 5/8" iron pin which is located North 89 degrees 52' West 30.00 feet from the East quarter corner of Section 26, and is also the intersection of the Homedale West Right of Way and the East-West center of Section 26; thence South 00 degrees 16' West 883.57 feet along the West right of way of Homedale Road to a 5/8" iron pin; thence West 421.54

feet to a 5/8" iron pin which is also the East Right of Way of 1-C Drain; ~~thence North 00 degrees 25' 45" West 326.91 feet along the East Right of way of 1-C Drain to a 5/8" iron pin; thence North 19 degrees 48' West 593.20 feet along the East Right of Way 1-C Drain and the East-West centerline of Section 26; thence South 89 degrees 52' East 629.05 feet along the East-West center line of Section 26 to the point of beginning.~~

PARCEL 3

A tract of land in Lot 2, Section 26, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at the Southeast corner of Said Lot 2; thence North along the East line of said Lot 2, 660 feet to a point; thence West 1155 feet, more or less, to the East line of the W1/2 W1/2 NW1/4 NE 1/4 of said Section 26; thence South along said East line 660 feet to the South line of said Lot 2; thence East along the South line of said Lot 2; 1155 feet, more or less, to the point of beginning.

EXCEPTING THEREFROM a parcel of land situated in the most Northeasterly corner of that property described in Deed Volume M66 at Page 3136, Microfilm Records of Klamath County, Oregon, all of which is in Lot 2 of Section 26, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows: Beginning at a point on the East line of Lot 2, 660 feet North of the Southeast corner of said Lot 2; thence West 520.00 feet, along the North line of said parcel; thence South 210.00 feet, parallel to the East line of Lot 2; thence East 520.00 feet parallel to the North line of said parcel, to the East line of Lot 2; thence North 210.00 feet, along the East line of Lot 2 to the place of beginning.

CORRECTED PARCEL 2

Parcel 3 of Land Partition 18-97, located in the NE1/4 SE1/4 of Section 26, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon.