



THIS SPACE RESER

2017-003416

Klamath County, Oregon

03/31/2017 03:44:00 PM

Fee: \$47.00

After recording return to:

Timothy W. DeSpain and Lela DeSpain

P. O. Box 308

Midland, OR 97634

Until a change is requested all tax statements  
shall be sent to the following address:

Timothy W. DeSpain and Lela DeSpain

P. O. Box 308

Midland, OR 97634

File No. 157695AM

### STATUTORY WARRANTY DEED

**Shirley F. Hilyard, as to an undivided 79% interest and Kelly Anne Wallace, who acquired title as Kelly Ann Hilyard, as to an undivided 21% interest,**

Grantor(s), hereby convey and warrant to

**Timothy W. DeSpain and Lela DeSpain, as Tenants by the Entirety**

Grantee(s), the following described real property in the County of Klamath and State of Oregon free of encumbrances except as specifically set forth herein:

**A portion of the SE1/4 NW1/4 of Section 2, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:**

**Beginning at a 1 inch axle marking the Southwesterly corner of Lot 82 of Pleasant Home Tracts, a duly recorded subdivision; thence North 89°24'30" East along the Southerly boundary of said Lot 82 and said Pleasant Home Tracts a distance of 660.20 feet to a 3/4 inch iron pipe; thence South 00°35'00" East a distance of 1301.82 feet to the Northerly right of way line of South Sixth Street (State Highway No. 140); thence North 88°59'04" East along said Northerly right of way line 102.50 feet to the true point of beginning as marked by a P-K Nail; thence continuing along said Northerly right of way line North 88°59'04" East 142.5 feet to a 1/2 inch iron pin on the Easterly line of that parcel of land as described in Deed Volume M72 Page 760, records of Klamath County, Oregon; thence along said Easterly line North 00°35'00" West 154.43 feet to a 5/8 inch iron pin; thence South 89°25'00" West 142.52 feet to a 5/8 inch iron pin; thence South 00°35'00" East 155.35 feet to the true point of beginning, with bearings based on Survey No. 1480, as recorded in the office of the Klamath County Surveyor.**

**EXCEPTING THEREFROM those portions conveyed to the State of Oregon, by and through its State Highway Commission by Warranty Deeds recorded February 18, 1964 in Volume 351 Page 181, deed records of Klamath County, Oregon.**

**ALSO EXCEPTING THEREFROM all that portion conveyed to the State of Oregon by and through its Department of Transportation by Warranty Deed recorded January 31, 2013 as instrument number 2013-001151.**

The true and actual consideration for this conveyance is **PURSUANT TO AN IRC 1031 TAX DEFERRED EXCHANGE ON BEHALF OF GRANTOR/GRANTEE.**

The true and actual consideration for this conveyance is **PURSUANT TO AN IRC 1031 TAX DEFERRED EXCHANGE ON BEHALF OF GRANTOR/GRANTEE.**

The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any:

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.

Dated this 31 day of March, 2017.

Shirley F. Hilyard  
Shirley F. Hilyard

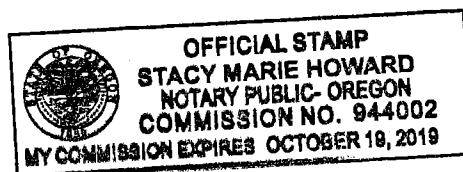
By Hal G. Hilyard att in fact  
Hal G. Hilyard, her attorney in fact

By: Kelly Anne Wallace Date: 3-31-2017  
Kelly Anne Wallace

State of Oregon } ss  
County of Klamath

On this 31<sup>st</sup> day of March, 2017, before me, Stacy Howard a Notary Public in and for said state, personally appeared Shirley F. Hilyard and Kelly Anne Wallace, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument and acknowledged to me that he/she/they executed same. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Stacy Howard  
Notary Public for the State of Oregon  
Residing at: Klamath  
Commission Expires: 10-19-19



\*HAL G. HILYARD, AS ATTORNEY IN FACT FOR SHIRLEY F. HILYARD