

98423AM

Return To:



2017-006024

Klamath County, Oregon

06/02/2017 01:39:00 PM

Fee: \$72.00

After recording return to:

Oregon Water Utilities Mountain Lakes, Inc., an
Oregon corporation
1325 N. Grand Avenue, Suite 100
Covina, CA 91724

**Until a change is requested, all tax statements
shall be sent to:**

Oregon Water Utilities Mountain Lakes, Inc., an
Oregon corporation
1325 N. Grand Avenue, Suite 100
Covina, CA 91724

This space reserved for recorder's use.

STATUTORY SPECIAL WARRANTY DEED

RUNNING Y WATER, LLC, a Delaware limited liability company, and RUNNING Y WATER, LLC, a Delaware limited liability company, as successor by conversion to RUNNING Y UTILITIES, INC., an Oregon corporation, who took title as RUNNING Y UTILITY COMPANY, an Oregon corporation ("Grantor"), conveys and specially warrants to OREGON WATER UTILITIES MOUNTAIN LAKES, INC., an Oregon corporation ("Grantee"), the real property in Klamath County, Oregon, more particularly described on Exhibit A attached hereto and by this reference incorporated herein, free of encumbrances created or suffered by the Grantor, except for those encumbrances set forth on Exhibit B, attached hereto and by this reference incorporated herein.

The true consideration for this conveyance in terms of dollars is \$100 and other good and valuable consideration.

(This area intentionally left blank.)

Signature(s) to follow on next page.

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: 5/31, 2017
RUNNING Y WATER, LLC

By: _____
Name: Simon Hallgarten
Its: Authorized Signatory

STATE OF Connecticut)
COUNTY OF Fairfield) ss.

The foregoing instrument was acknowledged before me this 31 day of MAY, 2017, by Simon Hallgarten as Authorized Signatory of Running Y Water LLC.

Notary Public for _____
My commission expires: _____

Catherine Smeriglio
Notary Public - Connecticut
My commission expires 11/30, 2020

EXHIBIT A
Legal Description

PARCEL 15:

DEVELOPER LOT 816, RUNNING Y RESORT, PHASE 10, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK, KLAMATH COUNTY, OREGON.

PARCEL 17:

LOT 106 OF TRACT 1472, RIDGEWATER SUBDIVISION PHASE 1, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

PARCEL 18:

PARCEL 1 OF LAND PARTITION 47-01, LOCATED IN THE S1/2 OF SECTION 9, TOWNSHIP 38 SOUTH, RANGE 8 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON.

PARCEL 19:

PARCEL 3 OF LAND PARTITION 33-07, BEING A REPLAT OF PARCEL 1 OF LAND PARTITION NO. 53-06 LOCATED IN THE S1/2 OF SECTION 9, TOWNSHIP 38 SOUTH, RANGE 8 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON

EXHIBIT B
Permitted Encumbrances

110. Taxes assessed under Code No. 183 Account No. R894648 Map No. R-3808-009C0-00201-000, including the current fiscal year, not assessed because of Property Well Exemption. If the exempt status is terminated an additional tax may be levied.
112. Taxes assessed under Code No. 074 Account No. R893233 Map No. R-3808-026DC-03000-000
The 2016-2017 Taxes: \$334.55
Balance Due: \$171.74, plus interest, unpaid.
113. Taxes assessed under Code No. 082 Account No. R888544 Map No. R-3808-009D0-00107-000
The 2016-2017 Taxes: \$309.93
Balance Due: \$159.09, plus interest, unpaid.
114. Special Assessment disclosed by the Klamath tax rolls:
For: Klamath Lake Timber Fire Patrol
115. Special Assessment disclosed by the Klamath tax rolls:
For: Klamath Lake Grazing Fire Patrol
116. Special Assessment disclosed by the Klamath tax rolls:
For: Running Y Utility Co.
117. Special Assessment disclosed by the Klamath tax rolls:
For: Wocus Drainage District
118. The rights of the public in and to that portion of the herein described property lying within the limits of public roads, streets or highways.
119. The provisions contained in Deed,
Recorded: August 30, 1917,
Volume: 47, page 264.
As follows: See deed for particulars.
120. The provisions contained in document,
Recorded: May 1, 1923,
Volume: 61, page 116.
As follows: See document for particulars.
121. The provisions contained in Water Right Agreement,
Recorded: August 13, 1924,
Volume: 64, page 376.
As follows: See agreement for particulars.
122. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:
Granted To: The California Oregon Power Company, a California corporation
Recorded: October 4, 1924
Volume: 64, page 489

123. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:
Granted To: The California Oregon Power Company
Recorded: February 18, 1926
Volume: 69, page 298
124. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:
Granted To: The California Oregon Power Company, a California corporation
Recorded: February 18, 1926
Volume: 69, page 299
125. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:
Granted To: The California Oregon Power Company, a California corporation
Recorded: February 28, 1929
Volume: 85, page 412
126. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:
Granted To: The California Oregon Power Company, a California corporation
Recorded: May 1, 1923
Instrument No.: Volume 61, page 116, Deed Records
And Recorded: April 5, 1932
Volume: 97, page 211, 213, 215, 217, 219, 221, 223, 225, and 227
127. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:
Granted To: The California Oregon Power Company, a California corporation
Recorded: December 26, 1939
Volume: 126, page 192
128. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:
Granted To: Wocus Drainage District, a municipal corporation
Recorded: September 7, 1954
Volume: 269, page 163
129. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:
Recorded: September 30, 1960
Volume: 324, page 373, 379, and 382
130. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:
Granted To: The California Oregon Power Company, a California corporation
Recorded: August 31, 1943
Volume: 158, page 183
Modified by Agreement;
Recorded: August 6, 1948
Volume: 223, page 400

131. The provisions contained in Deed,
Recorded: July 18, 1966,
Volume: M66, page 7241.
As follows: See deed for particulars.
132. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:
Granted To: Esther Cecilia Hunt
Recorded: June 12, 1972
Instrument No.: M72, page 6270, and M72, page 6274
133. Covenants, conditions, restrictions and easements as shown on the recorded plat of Land Partition 47-01.
135. Access easements as shown on the official plats of said land.
136. Utility and drainage easement as shown on the official plats of said land.
138. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:
Recorded: December 14, 2006
Instrument No.: 2006-024741
Affects Parcel 19.
139. Restrictions as shown on the official plat of Land Partition 33-07.
140. Well as delineated on the official plat of Land Partiton 33-07.
141. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:
Granted To: Running Y Water, LLC., a Delaware limited liability company; Running Y Environmental, LLC., a Delaware limited liability company
Recorded: April 12, 2016
Instrument No.: 2016-003730
142. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:
Granted To: The California Oregon Power Company
Recorded: September 9, 1925
Volume: 68, page 280
143. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:
Granted To: PacifiCorp, an Oregon Corporation, its successors and assigns
Recorded: April 1, 1998
Volume: M98, page 10632
144. Subdivision Development Agreement, including the terms and provisions thereof,
Recorded: August 31, 2006
Instrument No.: 2006-017543
Affects Parcel 17.
145. Restrictions as shown on the official plat of said land.

146. Public Utility easement as shown on the official plat of said land.
147. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:
Granted To: CLV Properties, LLC
Recorded: April 25, 2017
Instrument No.: 2017-004337