

AFTER RECORDING RETURN TO:  
Parks & Ratliff, P.C.  
620 Main Street  
Klamath Falls OR 97601

**2017-010525**  
**Klamath County, Oregon**  
09/18/2017 10:28:00 AM  
Fee: \$52.00

GRANTOR'S NAME AND ADDRESS:  
Kenneth H. Duncan and  
Evelyn R. Duncan, H&W  
P. O. Box 91  
Malin, OR 97632

GRANTEE'S NAME AND ADDRESS:  
City of Malin  
2432 4<sup>th</sup> Street  
Malin, OR 97632

SEND TAX STATEMENTS TO:  
City of Malin  
2432 4<sup>th</sup> Street  
Malin, OR 97632

### **WARRANTY DEED**

**KNOW ALL MEN BY THESE PRESENTS, That KENNETH H. DUNCAN and EVELYN R. DUNCAN, Husband and Wife**, hereinafter called the grantors, for the consideration hereinafter stated, to grantor paid by the **CITY OF MALIN, an Oregon Municipal Corporation**, hereinafter called the grantee, does hereby grant, bargain, sell and convey unto the grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in the County of \*, State of Oregon, described as follows, to-wit:

\*\*\*\*\*

Property ID No.: \*  
Map Tax Lot No.: \*

SUBJECT TO: Reservations and restrictions of record; rights of way and easements of record and those apparent upon the land; contracts and/or liens for irrigation and/or drainage.

**TO HAVE AND TO HOLD THE SAME** unto the grantee and grantee's heirs, successors and assigns forever.

**AND GRANTOR HEREBY COVENANTS** to and with grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above-granted premises, free from all encumbrances except those of record and those apparent on the land, and that grantor will warrant and forever defend the premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above-described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$51,250.00

In construing this deed, where the context so requires, the singular includes the plural and all grammatical changes shall be made so that this deed shall apply equally to corporations and to individuals.

IN WITNESS WHEREOF, the grantor has executed this instrument this 11 day of May, 2017.

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, SECTION 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTION 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

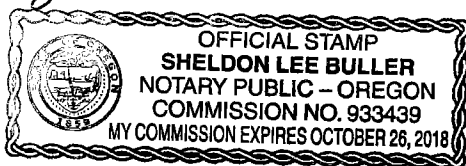
Kenneth H. Duncan  
Kenneth H. Duncan

Evelyn R. Duncan by Marilyn S. Hagerty (POA)  
Evelyn R. Duncan

By: Marilyn S. Hagerty, her atty in fact  
Her Attorney in Fact

STATE OF OREGON; County of Klamath ) ss.

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME this 11 day of May, 2017, by Kenneth H. Duncan.



Sheldon Lee Buller  
NOTARY PUBLIC FOR OREGON  
My Commission expires:

STATE OF OREGON; County of Klamath ) ss.

ON THIS 11 day of May, 2017, before me personally appeared Marilyn S. Hagerty (proved to me on the basis of satisfaction) (personally known to me) to be the person whose name is subscribed to the within Warranty Deed as the Attorney in Fact of Evelyn R. Duncan, and acknowledged that she subscribed the name of Evelyn R. Duncan thereto as principal, and her own name as Attorney in Fact.,



Sheldon Lee Buller  
NOTARY PUBLIC FOR OREGON  
My Commission expires:

## EXHIBIT "A"

172952AM

### Parcel 1

Parcel 1 of Land Partition 11-17, a Replat of parcel 1 Land Partition 86-05, Situated in the SE1/4 of Section 16, Township 41 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon. Recorded July 20, 2017 in document 2017-008128.

### Parcel 2

A Parcel of land as shown on Land Partition 11-17, recorded at the Klamath County Clerk's Office, situated in the SE1/4 of Section 16, Township 41 South, Range 12 East of the Willamette Meridian; being more particularly described as follows:

Beginning at the Northeast corner of Parcel 1 of said Land Partition 11-17, thence along the Southerly right of way line of Rush Avenue, South 89°46'08" East, 80.00 feet to the Northwest Corner of Parcel 2 of said Land Partition 11-17; thence, along the Westerly line of said Parcel 2, South 00°11'41" West, 688.55 feet to the Southerly line of said Parcel 2; thence, along said Southerly line, North 89°36'15" West, 33.96 feet; thence South 01°16'15" West to the Southerly line of said Section 16; thence, along said Southerly line, North 89°36'15" West, 34.77 feet to the Southeast Corner of Parcel 2 of Land Partition 12-17 as recorded at the Klamath County Clerk's Office; thence, along the Easterly line of said Parcel 2, North 00°11'41" East, 700.00 feet to the Northeast Corner of said Parcel 2; thence, along the Easterly line of Parcel 1 of said Land Partition 12-17, North 00°11'41" East, 146.01 feet to the Northeast Corner of said Parcel 1; thence, along the Easterly line of Parcel 1 of Land Partition 11-17, North 00°11'41" East, 442.24 feet to the Point of Beginning.