



THIS SPACE RESERVED FOR RECORD

2018-008021

Klamath County, Oregon

07/03/2018 03:18:59 PM

Fee: \$102.00

Grantor:  
The Estate of David P. Fairclo

Grantee:  
Thomas Roy Nonella and Darla Dorris Nonella  
44 Township Road PO BOX 568  
Klamath Falls OR 97603 Merrill OR 97633

AFTER RECORDING RETURN TO:  
Thomas Roy Nonella and Darla Dorris Nonella  
Same as above

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

File No. 227555AM

### PERSONAL REPRESENTATIVE'S DEED

THIS INDENTURE Made this 29 day of June 2018, by and between Patricia Fairclo the duly appointed, qualified and acting personal representative of the estate of David Paul Fairclo deceased, hereinafter called the first party, and

**Thomas Roy Nonella and Darla Dorris Nonella, as Tenants by the Entirety,**

hereinafter called the second party;

WITNESSETH:

For value received and the consideration hereinafter stated, the receipt whereof hereby is acknowledged, the first party has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto the said second party and second party's heirs, successors-in-interest and assigns all the estate, right and interest of the said deceased at the time of the decedent's death, and all the right, title and interest that the said estate of said deceased by operation of the law or otherwise may have thereafter acquired in that certain real property situated in the County of Klamath, State of Oregon, described as follows, to-wit:

**See Attached Exhibit 'A'**

The true and actual consideration paid for this transfer, stated in terms of dollars is \$2,300,000.00. However, the actual consideration consists of or includes other property or value given or promised which is part / whole of the consideration.

TO HAVE AND TO HOLD the same unto the said party, and second party's heirs, successors-in-interest and assigns forever.  
IN WITNESS WHEREOF, the said first party has executed this instrument; if first party is a corporation, it has caused its name to be signed and its seal affixed by an officer or other person duly authorized to do so by order of its board of directors.

V 102amt.

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.

Executed this 29 day of JUNE, 2018

Patricia L. Fairclo  
Patricia Fairclo, Personal Representative for the Estate of  
David Paul Fairclo Deceased.

STATE of OREGON, County of DESCHUTES ) ss.

This instrument was acknowledged before me on JUNE 29, 2018

by Patricia Fairclo as Personal Representative for the Estate of David Paul Fairclo, deceased

Tony F. De Alicante  
Notary Public for OREGON  
My commission expires JUNE 25, 2021

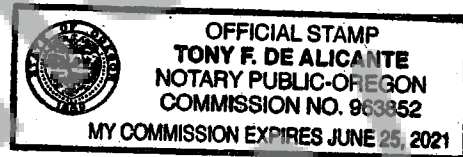


EXHIBIT 'A'

File No. 227555AM

PARCEL 1

All in Township 39 South, Range 10 East of the Willamette Meridian, S1/2 S1/2 of Section 2, excepting the North 60 feet West of U.S. Highway 140 and that portion lying East of O.C. and E. Railroad; All of Section 11 except that portion lying Northeast of Highway 140 and East of the O.C. and E. Railroad; That portion of the SW1/4 NW1/4 lying Southerly of the Klamath Irrigation District "E" Canal, SE1/4 SW1/4; Lot 1, and N1/2 SW1/4 of Section 12, less portion of said SW1/4 of said Section 12 described as follows: Beginning at a point 30 feet South of the Northeast corner of the SW1/4 of said Section 12; running thence West along the Southern edge of the County Road 810 feet; thence South 24°00' East 263 feet; thence South 38°00' East 310 feet; thence South 49°00' East 335 feet; thence South 75°00' East 273 feet; thence due North 778 feet to the point of beginning.

Lot 1, except the East 500 feet thereof, and all of Lots 2, 3, 4 and 5 of Section 13; NW1/4 of Section 14;

Excepting from the foregoing the following: Beginning at a point 1120 feet North and 230 feet East of the Southwest corner of Section 12; running thence East 320 feet to the Westerly line of Highway 140; thence Northerly along the West line of Highway 140; 115 feet; thence West 395 feet; thence South 110 feet to the point of beginning.

PARCEL 2

All that portion of the NW1/4 NW1/4, Section 12, Township 39 South, Range 10 East of the Willamette Meridian, lying South of a line 200 feet due North of the centerline of Oregon Highway 66 and running parallel to said Highway to a point on the South boundary of said NW1/4 NW1/4, which is 200 feet due North of said centerline, less all present existing rights of way.

Excepting therefrom Parcels 1 and 2 above all that portion described as follows:

Parcel 1, 2, and 3, of Unsurveyed Land Partition 19-17 being a replat of Parcel 3 of Major Land Partition 79-20 and property situated in the East 1/2 of Section 1 and the West 1/2 of Section 12 of Township 39 South, Range 10 East, Willamette Meridian, Klamath County, Oregon and recorded June 4, 2018 as Instrument No. 2018-006735, Klamath County Records.

PARCEL 3

Parcel 1 of Unsurveyed Land Partition 19-17 being a replat of Parcel 3 of Major Land Partition 79-20 and property situated in the East 1/2 of Section 1 and the West 1/2 of Section 12 of Township 39 South, Range 10 East, Willamette Meridian, Klamath County, Oregon and recorded June 4, 2018 as Instrument No. 2018-006735, Klamath County Records.

Said parcel is further described as follows:

A parcel of land being Parcel 1 of Unsurveyed Land Partition 19-17, as recorded in the Klamath County Clerk's Office, situated in the East 1/2 of Section 11 and West 1/2 of Section 12 all in Township 39 South, Range 10 East, of the Willamette Meridian, being more particularly described as follows:

Beginning at the Quarter corner common to Sections 12 and 13, thence along the South line of Section 12, South 87°42'26" West, 1341.22 feet more or less, to the General Land Office (GLO) Meander line of the Lost River high water line; thence leaving said Section line, along said Meander line, the following four (4) courses, North 25°00'00" West 132 feet more or less; thence North 43°15'00" West, 528 feet more or less; thence North 80°00'00" West, 330 feet more or less; thence South 42°30'00" West,

330 feet more or less, to the Easterly Right of Way line of Highway 140; thence along said Easterly Right of Way line, Southerly, 355 feet more or less, to the South line of Section 12; thence leaving said Highway Right of Way line, along said South line, South 87°42'26" West, 60.30 feet, to the Westerly Right of Way line of Highway 140; thence leaving said South line, along said Westerly Right of Way line, Northerly, 1438 feet more or less; thence leaving said Highway Right of Way line, North 89°29'25" West, 663 feet more or less, to a point on the East line of said Section 11 that bears South 00°18'41" West, 1298.33 feet from the 1/4 corner common to Section 11 and 12; thence continuing North 89°29'25" West, 142 feet more or less; thence South 57°55'50" West, 71 feet more or less, to the Easterly Right of Way line of the United States Bureau of Reclamation (USBR) "E" canal described in D.V. 38, Page 308 on file at the Klamath County Clerk's office; thence along said Easterly Right of Way line, Southerly, 396 feet more or less, to the East line of Section line 11; thence leaving said Easterly Right of Way line, along said East line, South 00°18'41" West, 343 feet more or less; thence leaving said Section line, North 89°41'19" West, 474 feet more or less, to the Easterly Right of Way line of the Oregon California and Eastern (O.C.&E.); thence along said Easterly Right of Way line, Northerly, 4785 feet more or less, to the Southwesterly Right of Way of Highway 140 described in D.V. 106, Page 136 on file at the Klamath County Clerk's office; thence along said Southwesterly Right of Way line, Southeasterly, 1050 feet more or less, to the West line of the NW 1/4 Section 12; thence leaving said Right of Way line, along said West line, North 00°18'41" East, 237 feet more or less; thence leaving said West line, along a line offset 200 feet from and parallel with the centerline of Highway 140, South 54°55'18" East, 644.06 feet, to the South line of NW1/4 NW1/4 of Section 12; thence along said South line, South 89°00'43" West, 87.98 feet, to the Southerly Right of Way line of said USBR "E" canal; thence along said Southerly Right of Way line, Southeasterly, 945 feet more or less, to the West line of SE1/4 NW1/4 of Section 12; thence leaving said Southerly Right of Way line, along said West line, South 00°13'45" West, 936 feet more or less, to the intersection of North Poe Valley Road and the West line of SE1/4 NW1/4 of Section 12, extended Southerly; thence leaving said West line, along the centerline of said road, South 89°39'32" East, 1299.46 feet, to the Center of Section line of Section 12; thence leaving said centerline road, along said Center of Section line, South 00°08'47" West, 2559.27 feet, to the Point of Beginning.

Saving and Excepting the USBR "E" Canal Right of Way and the Highway 140 East Right of Way lying within the above described property.

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF DESCHUTES  
PROBATE DEPARTMENT

In the Matter of the Estate of

DAVID FAIRCLO

Deceased.

)  
) Case No. 15PB0056  
) LETTERS OF ADMINISTRATION  
)  
)  
)

THIS CERTIFIES that Patricia Fairclo has been duly appointed and is at the date hereof the duly appointed, qualified and acting Administrator of the estate of David Fairclo deceased.

IN WITNESS WHEREOF, I, as Clerk of the Circuit Court of the State of Oregon for the County of Deschutes, in which proceedings for Administration upon the said estate are pending, do hereby subscribe my name and affix the seal of said court, this 27 day of May, 2015.



(SEAL)

JEFFREY E. HALL  
TRIAL COURT ADMINISTRATOR

By

Michelle Ballen  
~~Probate Commissioner/Deputy Clerk~~

STATE OF OREGON, County of Deschutes) ss.

I, Chelsea Bothwell, Clerk of the Circuit Court of the State of Oregon for Deschutes County, hereby do certify that the foregoing copy of Letters of Administration are the same as appear on file and of record in my office and in my custody and that said are still in full force and effect.

IN TESTIMONY WHEREOF, I have hereunto subscribed my hand and affixed the seal of said court this 09 day of April, 2018.

JEFFREY E. HALL  
TRIAL COURT ADMINISTRATOR

By

Chelsea Bothwell  
~~Probate Commissioner/Deputy Clerk~~