

2018-008369

Klamath County, Oregon



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07/13/2018 11:54:34 AM

Fee: \$97.00

Returned at Counter

After recording, return to :
 Brandsness, Brandsness & Rudd, P.C.
 Attorneys at Law
 411 Pine Street
 Klamath Falls, OR 97601

Send tax statements to:

Grantor:

Freddie L. Donahue
 3712 Agate Street
 Klamath Falls, OR 97601

Grantee:

City of Klamath Falls
 226 South 5th Street
 Klamath Falls, OR 97601

BARGAIN AND SALE DEED

Freddie L. Donahue, Grantor, conveys to City of Klamath Falls, as Grantee, his interest, if any, in the following described real property situated in the County of Klamath, State of Oregon, to-wit:

Refer to Exhibit A, attached hereto and incorporated by this reference.

The true and actual consideration for this transfer is \$0.00; however, the actual consideration consists of or includes other property or value given, which is the whole consideration. Grantor and Grantee acknowledge that this transfer is being made to clarify legal ownership of the property, which was created as a result of surveying errors.

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 29 day of June, 2018.

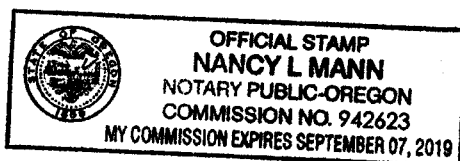
Freddie L. Donahue
 Freddie L. Donahue, Grantor

STATE OF OREGON)

) ss.

County of Klamath)

Personally appeared before me this 29 day of June, 2018, the above-named Freddie L. Donahue, Grantor, and acknowledged the foregoing instrument to be his voluntary act.



Nancy L Mann
 Notary Public for Oregon
 My Commission expires: 9-7-19

EXHIBIT A

LEGAL DESCRIPTION FOR AN APPARENT GAP AS SHOWN ON SURVEY NO. 1939

A portion of land situated in the South Half of Section 7, Township 39 South, Range 9 East, Willamette Meridian, in the City of Klamath Falls, Klamath County, Oregon, and being more particularly described as follows:

COMMENCING at a the northwesterly corner of the 46.94-acre tract as shown on Survey No. 1939, "Map of Survey of S.E. 1/4 Sec. 7", filed in the Klamath County Surveyor's Office on February 8, 1974, Official Records of Klamath County, Oregon, said northwesterly corner being the **POINT OF BEGINNING**;

THENCE, South $00^{\circ}52'46''$ East, a distance of 388.69 feet along the westerly boundary of the area approved on November 6, 2017, through an Order of Dedication by the City of Klamath Falls for use as a public right-of-way, said westerly boundary also being the west boundary of the Northwest Quarter of the Southeast Quarter of said Section 7 as shown on said Survey No. 1939;

THENCE, South $00^{\circ}52'46''$ East, a distance of 546.39 feet along said west boundary of the Northwest Quarter of the Southeast Quarter of said Section 7 to the southwest corner of the Northwest Quarter of the Southeast Quarter of said Section 7 as shown on said Survey No. 1939;

THENCE, North $82^{\circ}04'26''$ West, a distance of 51.31 feet to the southeast corner of the "Lenox" subdivision as shown on said Survey No. 1939;

THENCE, North $01^{\circ}19'12''$ East, a distance of 925.09 feet along the easterly boundary of the "Lenox" subdivision and the easterly right-of-way of Agate Street as shown on said Survey No. 1939;

THENCE, North $78^{\circ}38'21''$ East, a distance of 15.46 feet along the prolongation of the southerly right-of-way of State Route 66 as shown on said Survey No. 1939 to the **POINT OF BEGINNING**.

Containing 30,683 square feet of land, more or less.

BASIS OF BEARING:

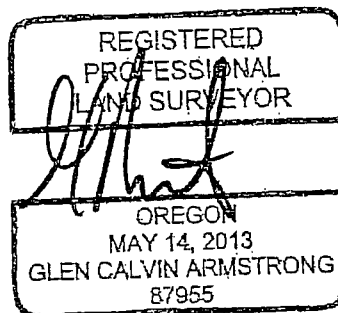
North was established with GPS observations using the Oregon State Plane Coordinate System (South Zone, NAD 83).

See attached Exhibit A1 for a depiction of the above legal description.

Prepared by:



Glen C. Armstrong, PLS
Oregon Certificate No. 87955
US Geomatics
P.O. Box 3299
Reno, Nevada, 89505



EXPIRES: 12-31-19

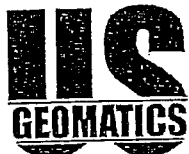
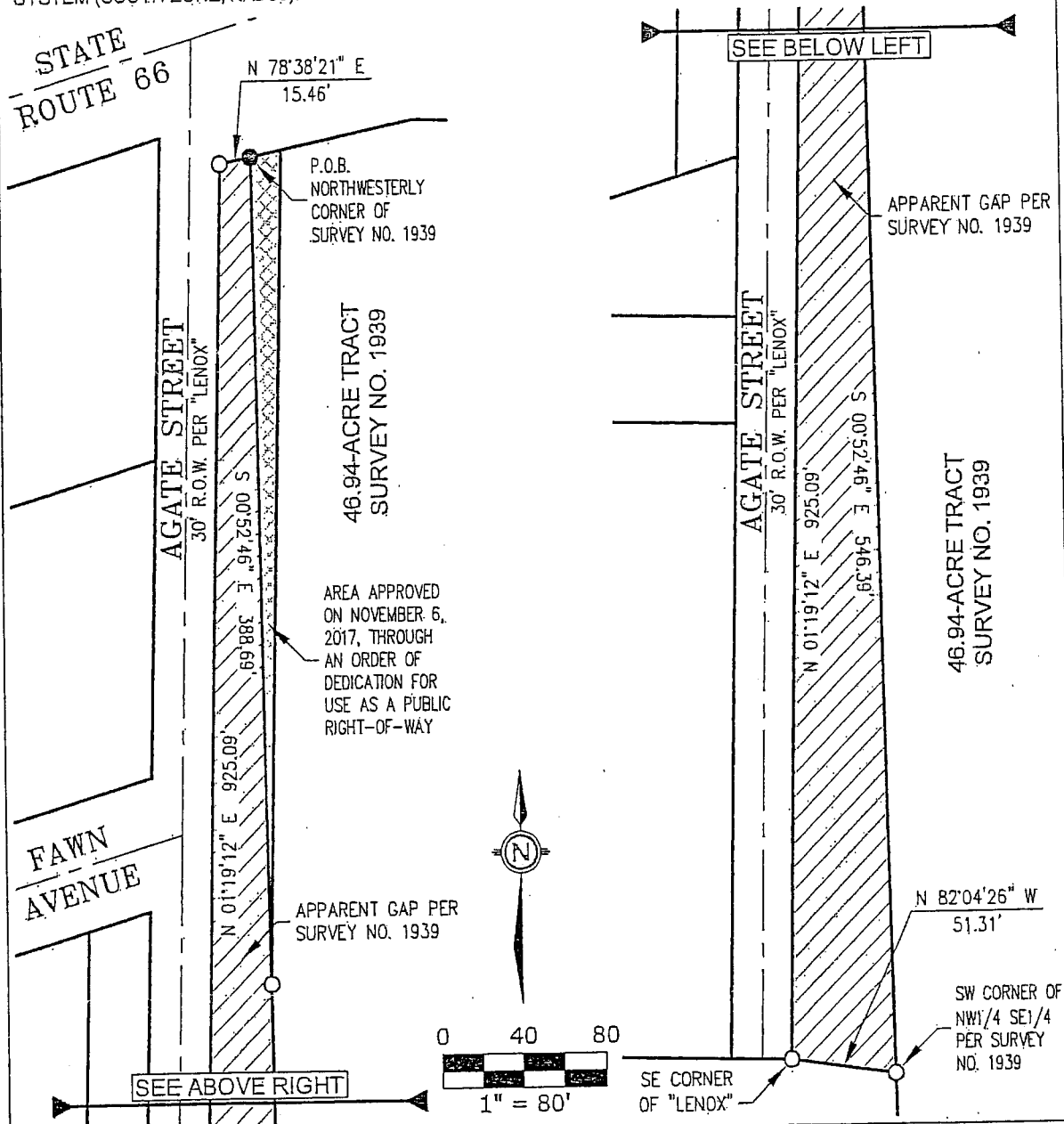
3-19-18

BASIS OF BEARING:

NORTH WAS ESTABLISHED WITH GPS OBSERVATIONS
USING THE OREGON STATE PLANE COORDINATE
SYSTEM (SOUTH ZONE, NAD83).

TOTAL AREA OF APPARENT GAP:

30,683 SQUARE FEET ± (0.70 ACRES ±)



P.O. Box 3299
Reno, NV 89505
P. 775.786.5111
F. 775.297.4668
www.usgeomatics.com

EXHIBIT A1

CITY OF KLAMATH FALLS
APPARENT GAP AS SHOWN ON SURVEY NO. 1939

A PORTION OF THE SOUTH HALF
OF SECTION 7, T.39S., R.9E., W.M.

KLAMATH COUNTY

OREGON

SHEET

1
of
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