

Return to Western Title & Escrow

WT0227389

RECORDING REQUESTED BY:



360 SW Bond Street, Suite 100
Bend, OR 97702

2022-000283

Klamath County, Oregon

01/07/2022 02:40:01 PM

Fee: \$107.00

AFTER RECORDING RETURN TO:

Order No.: WT0227389-LDW

Victoria L. Goodman

Obsidian Point LLC

3670 SW Obsidian Ave

Redmond, OR 97756

SEND TAX STATEMENTS TO:

Obsidian Point LLC

3670 SW Obsidian Ave

Redmond, OR 97756

APN: 4141365

Map: 3809-028DD-00500

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Linda M. Bogatay, Trustee of the Linda Michele Darrah Bogatay Revocable Living Trust Dated November 7, 2011 who acquired title as Linda M. Bogatay, Trustee of the Linda Michel Darrah Bogatay Revocable Living Trust Dated November 7, 2011 and Faith Tabernacle of Klamath Falls, Inc. and Matthew A. Stewart and Gary L. Stewart, Grantor, conveys and warrants to Obsidian Point LLC, an Oregon limited liability company, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Klamath, State of Oregon:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS TWO MILLION FOUR HUNDRED THOUSAND AND NO/100 DOLLARS (\$2,400,000.00). (See ORS 93.030), which is paid to or by a qualified intermediary pursuant to an IRC 1031 Tax Deferred Exchange.

Subject to:

SEE EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF

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.

STATUTORY WARRANTY DEED

(continued)

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Dated 1/5/22; if a corporate grantor, it has caused its name to be signed by order of its board of directors.

Linda Michel Darrah Bogatay Revocable Living Trust Dated November 7, 2011

BY: Linda M. Bogatay
Linda M. Bogatay
Trustee

Faith Tabernacle of Klamath Falls, Inc.

BY: James A. Boyd
James A. Boyd
CEO

Matthew A. Stewart

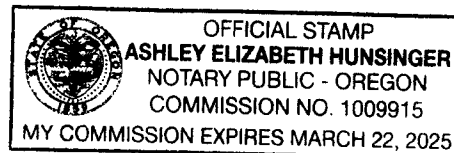
Gary L. Stewart

State of OREGON
County of KLAMATH

This instrument was acknowledged before me on 1/5/22 by Linda Michel Darrah Bogatay
Revocable Living Trust Dated November 7, 2011

[Signature]
Notary Public - State of Oregon

My Commission Expires: 3/22/25

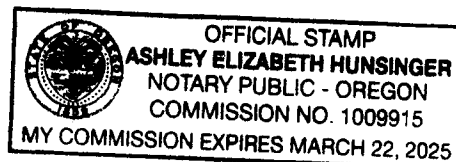


State of OREGON
County of KLAMATH

This instrument was acknowledged before me on 1/5/22 by James A. Boyd, CEO of Faith
Tabernacle of Klamath Falls, Inc.

[Signature]
Notary Public - State of Oregon

My Commission Expires: 3/22/25



STATUTORY WARRANTY DEED

(continued)

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Dated 1/5/22; if a corporate grantor, it has caused its name to be signed by order of its board of directors.

Linda Michel Darrah Bogatay Revocable Living Trust Dated November 7, 2011

BY: _____
Linda M. Bogatay
Trustee

Faith Tabernacle of Klamath Falls, Inc.

BY: _____
James A. Boyd
CEO

Matthew A. Stewart
Matthew A. Stewart

Gary L. Stewart
Gary L. Stewart

State of OREGON
County of KLAMATH

This instrument was acknowledged before me on _____ by Linda Michel Darrah Bogatay
Revocable Living Trust Dated November 7, 2011

Notary Public - State of Oregon

My Commission Expires: _____

State of OREGON
County of KLAMATH

This instrument was acknowledged before me on _____ by James A. Boyd, CEO of Faith
Tabernacle of Klamath Falls, Inc.

Notary Public - State of Oregon

My Commission Expires: _____

STATUTORY WARRANTY DEED

(continued)

Arizona

State of

County of

Maricopa

This instrument was acknowledged before me on Jan 5, 2022 by Matthew A. Stewart.

Notary Public - State of

AZ

My Commission Expires:

04/15/24



FAITH E. JOHNSON
Notary Public - Arizona
Pinal Co. / #579788
Expires 04/15/2024

Arizona

State of

County of

Maricopa

This instrument was acknowledged before me on Jan 5, 2022 by Gary L. Stewart.

Notary Public - State of

AZ

My Commission Expires:

04/15/24



FAITH E. JOHNSON
Notary Public - Arizona
Pinal Co. / #579788
Expires 04/15/2024

EXHIBIT "A"
Legal Description

A tract of land situated in the S½ of the SE¼ SE¼ of Section 28, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at the Southwest corner of the SE¼ SE¼ of said Section 28, thence South 89° 30' 00" East 330.73 feet to the Southeast corner of the SW¼ SW¼ SE¼ SE¼ of said Section 28, thence North 00° 53' 52" East, along the East line of said SW¼ SW¼ SE¼ SE¼, 35.00 feet to the True Point of Beginning, thence continuing North 00° 53' 52" East, along said line and its extension, 345.00 feet, thence South 89° 30' 00" East 355.08 feet, thence South 00° 53' 52" West 345.00 feet to a point on the Northerly right-of-way line of Main Street, thence along said right-of-way line North 89° 30' 00" West 4.70 feet, North 28° 46' 00" West 46.49 feet, on the arc of a curve to the right (radius point bears North 28° 46' 00" West 400.00 feet and central angle equals 16° 06' 25") 112.45 feet and North 89° 30' 00" West 223.17 feet to the True Point of Beginning, with bearings based on the South line of said Section 28 as being South 89° 30' 00" East.

EXHIBIT "B"
Exceptions

Subject to:

1. As disclosed by the Klamath County tax roll, the amount of assessment has been reduced by reason of a Tax Exemption (Drug Rehab Facility). If the exempt status is terminated an additional tax may be levied.

2. Right, title and interest of the public in and to those portions of the Land lying within roads, streets or highways.

3. An easement created by instrument, subject to the terms and provisions thereof,

Dated: June 9, 1942

Recorded: August 1, 1942

Volume: 149, Page 54, Deed Records of Klamath County, Oregon

In favor of: The Pacific Telephone and Telegraph Company

For: Pole line

Affects 6 feet South of the North line of Main Street, if extended, in SE1/4 SE1/4 of Section 28 and other Property

4. Subject to an unrecorded agreement for Sale of Assets, subject to the terms and provisions thereof, dated November 28, 1980 between Edward Charapata as Seller and American Care Centers-Oregon, Inc, as buyer, as disclosed by the following assignment of contract proceeds

Assignment of Contract Proceeds, subject to the terms and provisions thereof,

Dated: June 19, 1986

Recorded: July 16, 1986

Volume: M86, Page 12462, Microfilm Records of Klamath County, Oregon

To: Stockman's Investment Corporation

From: Edward P. Charapata and Anne Charapata

5. Lack of insurable right of access to and from the land

6. Local Improvement Contract, subject to the terms and provisions thereof,

Dated December 30, 2008

Recorded: January 9, 2009

Volume: 2009-000285, Microfilm Records of Klamath County, Oregon

7. Reservations or exceptions in patents or in Acts authorizing the issuance thereof

8. Rights of tenants under existing leases or tenancies