

Rhine-Cross Drop
Returned at Counter
UC

2022-003317

Klamath County, Oregon



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03/17/2022 03:40:30 PM

Fee: \$102.00

**RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:**

Name: Gerald Fitzgerald
Address : 8960 Highway 66
Klamath Falls, Or 97601

**UNTIL A CHANGE IS REQUESTED,
ALL TAX STATEMENTS SHALL BE
SENT TO THE FOLLOWING**

**ADDRESS: Gerald Fitzgerald
8960 Highway 66
Klamath Falls, OR 97601**

PROPERTY LINE ADJUSTMENT DEED

Mildred Fitzgerald Family Trust, an Oregon Business Trust, Grantor, conveys to Gerald D Fitzgerald and Katherine M Fitzgerald, an Estate by the Entirety, Grantee, the real property situated in the NE1/4 of Section 27, Township 39 South, Range 08 East of the Willamette Meridian, described in Exhibit "B" attached hereto.

This instrument is executed to accomplish a property line adjustment between Grantor's property described in Exhibit "A" attached hereto ("Grantor's Property"), as vested in Grantor pursuant that certain Deed of Personal Representative recorded in the Klamath County Clerk's office, on January 21, 1992, Volume M92, Page 1185, and Grantee's property described in Exhibit "A attached hereto ("Grantee's Property"), as vested in Grantee pursuant to that certain Estate by the Entirety between Husband and Wife, recorded in the Klamath County Clerk's office, on July 12, 1993, Volume M93, Page 16749. The purpose of this adjustment is to enlarge Grantee's Property and reduce Grantor's Property by the sale of the property described in Exhibit "B: attached hereto. No new property shall be created by the execution of this instrument. The post adjustment size and configuration of Grantee's Property and Grantor's Property shall be as described in Exhibit "C" attached hereto.

Grantor's Property APN: 3908-02700-00200

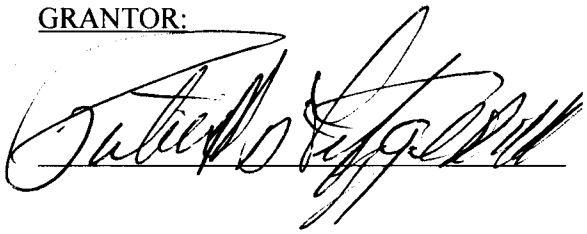
Grantee's Property APN: 3908-02700-00600

The true consideration for this conveyance is: \$

ORS 93.040(1): 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 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 3-8-22

GRANTOR:



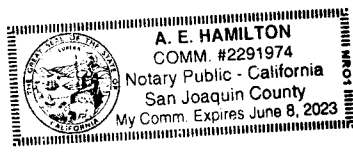
STATE OF ^{(AN) California} ~~OREGON~~)

County of ^{(AN) San Joaquin} ~~Klamath~~)

BEFORE ME, the undersigned authority, on this day personally appeared , known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and considerations therein expressed.

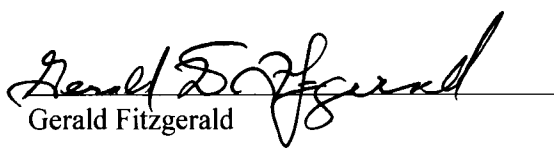
Given under my hand and seal of office this 08 day of March-2022.

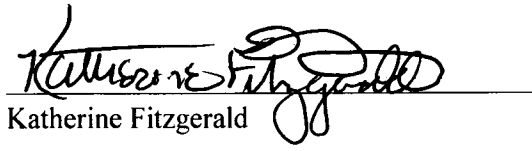
(SEAL)



NOTARY PUBLIC, STATE OF ^{(AN) California} ~~OREGON~~
Print name: A E HAMILTON My
commission expires: JUNE 8, 2023

GRANTEE:


Gerald Fitzgerald


Katherine Fitzgerald

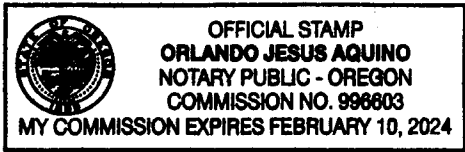
STATE OF OREGON)

County of Klamath)

BEFORE ME, the undersigned authorities, on this day personally appeared Gerald Fitzgerald and Katherine Fitzgerald, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office this 16 day of MARCH, 2022.

(SEAL)



NOTARY PUBLIC, STATE OF OREGON
Print name: ORLANDO J AQUINO My
commission expires: 2/10/24

EXHIBIT A

Prior Legal Description (PRIOR to Property Line Adjustments)

Grantor's Property

APN: 3908-02700-00200

A parcel of land lying in the W1/2 of the E1/2 of Section 27, Township 39 South, Range 8 East of the Willamette Meridian, to-wit: That part of said W1/2 of E1/2 lying Southerly of Highway 66 and Northerly of the Weyerhaeuser Timber Railroad right of way but excepting therefrom the following tracts:

The West 30 feet of the above-property deeded for roadway as recorded in Deed Book 343 at page 166; the tract deeded to H.H. Vanvelkenburg, recorded in Deed Book 44 at page 270; Parcel 11 of the property deeded to Vernon G Howard, et ux, recorded in Deed Book 343 at page 166, and SAVING AND EXCEPTING, a tract of above-property deeded to Albert R. Klepper and Carol Jean Klepper, husband and wife, recorded in Volume M67 PAGE 8097, RECORDS OF Klamath County, Oregon, and SAVING AND EXCEPTING that portion deeded to Gerald D. Fitzgerald and Teresa Ann Fitzgerald in Volume M81 page 3490, re-recorded in Volume M81 page 7315, records of Klamath County, Oregon.

EXHIBIT A (continued)

Prior Legal Description

Grantee's Property

APN: 3908-02700-00600

A tract of land situate in the NW1/4 of the NE1/4 of Section 27, Township 39 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at the one-quarter section corner on the North boundary of Section 27; thence due East along the section line 30 rods to the Northwest corner of that tract of real property recorded in Volume 44, page 270 of Deed Records of Klamath County, Oregon; thence South degrees 41' 43" East along the West boundary of said tract of real property a distance of 521.78 feet to the Southwest corner thereof, monumented with a 1/2 inch galvanized iron pipe; thence West 241.47 feet to a 1/2 inch galvanized iron pipe which is the true point of beginning; thence North 34 degrees 41' 43" West a distance of 318.47 feet to a 1/2 inch galvanized iron pipe on the Southeasterly right of way boundary of the Klamath Falls-Ashland Highway; thence Southwesterly along said right of way boundary a distance of 192.43 feet; thence South 41 degrees 52' East a distance of 179.16 feet; thence East 205 feet to the true point of beginning.

EXCEPTING THEREFROM that portion conveyed to the State of Oregon by and through its Department of Transportation, Highway Division, by instrument recorded March 28, 1989 in Volume M89, page 5192, Microfilm Records of Klamath County, Oregon.

EXHIBIT B

Beginning at the North 1/4 corner of Section 27, South 0°00'00" East, 497.46 feet to the Southerly right of way line of the Klamath Falls-Ashland Highway 66; thence along said right of way line North 48°40'12" East, 235.62 feet to the TRUE POINT OF BEGINNING; thence continuing along said right of way line North 48°40'12" East, 67.74 feet, to the Northeast corner of a tract of land recorded in Volume M93 Page 16749, Klamath County official records; thence leaving said right of way line, and along the Southwesterly line of said M93, Page 16749 to the Southwest corner thereof, South 41°53'57" East, 176.84 feet; thence South 89°58'03" West, 165.92 feet; thence North 02°00'28" West, 87.04 feet to the point of beginning.

Basis of Bearing is the Oregon Coordinate Reference System, Bend-Klamath Zone.

EXHIBIT C

New Legal Descriptions

(POST Property Line Adjustment)

Grantor's Property

APN: 3908-02700-00200

A parcel of land lying in the W1/2 of the E1/2 of Section 27, Township 39 South, Range 8 East of the Willamette Meridian, to-wit: That part of said W1/2 of E1/2 lying Southerly of Highway 66 and Northerly of the Weyerhaeuser Timber Railroad right of way but excepting therefrom the following tracts:

The West 30 feet of the above-property deeded for roadway as recorded in Deed Book 343 at page 166; the tract deeded to H.H. Vanvelkenburg, recorded in Deed Book 44 at page 270; Parcel 11 of the property deeded to Vernon G Howard, et ux, recorded in Deed Book 343 at page 166, and SAVING AND EXCEPTING, a tract of above-property deeded to Albert R. Klepper and Carol Jean Klepper, husband and wife, recorded in Volume M67 PAGE 8097, RECORDS OF Klamath County, Oregon, and SAVING AND EXCEPTING that portion deeded to Gerald D. Fitzgerald and Teresa Ann Fitzgerald in Volume M81 page 3490, re-recorded in Volume M81 page 7315, records of Klamath County, Oregon.

ALSO EXCEPTING THEREFROM the following described Property:

Beginning at the North 1/4 corner of Section 27, South 0°00'00" East, 497.46 feet to the Southerly right of way line of the Klamath Falls-Ashland Highway 66; thence along said right of way line North 48°40'12" East, 235.62 feet to the TRUE POINT OF BEGINNING; thence continuing along said right of way line North 48°40'12" East, 67.74 feet, to the Northeast corner of a tract of land recorded in Volume M93 Page 16749, Klamath County official records; thence leaving said right of way line, and along the Southwesterly line of said M93, Page 16749 to the Southwest corner thereof, South 41°53'57" East, 176.84 feet; thence South 89°58'03" West, 165.92 feet; thence North 02°00'28" West, 87.04 feet to the point of beginning.

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Grantee's Property

APN: 3908-02700-00600

A tract of land situate in the NW1/4 of the NE1/4 of Section 27, Township 39 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at the one-quarter section corner on the North boundary of Section 27; thence due East along the section line 30 rods to the Northwest corner of that tract of real property recorded in Volume 44, page 270 of Deed Records of Klamath County, Oregon; thence South degrees 41' 43" East along the West boundary of said tract of real property a distance of 521.78 feet to the Southwest corner thereof, monumented with a 1/2 inch galvanized iron pipe; thence West 241.47 feet to a 1/2 inch galvanized iron pipe which is the true point of beginning; thence North 34 degrees 41'43" West a distance of 318.47 feet to a 1/2 inch galvanized iron pipe on the Southeasterly right of way boundary of the Klamath Falls-Ashland Highway; thence Southwesterly along said right of way boundary a distance of 192.43 feet; thence South 41 degrees 52' East a distance of 179.16 feet; thence East 205 feet to the true point of beginning.

EXCEPTING THEREFROM that portion conveyed to the State of Oregon by and through its Department of Transportation, Highway Division, by instrument recorded March 28, 1989 in Volume M89, page 5192, Microfilm Records of Klamath County, Oregon.

IN ADDITION THERETO the following described Property:

Beginning at the North 1/4 corner of Section 27, South 0°00'00" East, 497.46 feet to the Southerly right of way line of the Klamath Falls-Ashland Highway 66; thence along said right of way line North 48°40'12" East, 235.62 feet to the TRUE POINT OF BEGINNING; thence continuing along said right of way line North 48°40'12" East, 67.74 feet, to the Northeast corner of a tract of land recorded in Volume M93 Page 16749, Klamath County official records; thence leaving said right of way line, and along the Southwesterly line of said M93, Page 16749 to the Southwest corner thereof, South 41°53'57" East, 176.84 feet; thence South 89°58'03" West, 165.92 feet; thence North 02°00'28" West, 87.04 feet to the point of beginning.