

AFTER RECORDING RETURN TO:

Michelle Rogers Humphres  
P.O. Box 1036  
Morrisville, NC 27560

2022-006485

Klamath County, Oregon



00300685202200064850050054

05/23/2022 01:29:44 PM

Fee: \$102.00

## BARGAIN AND SALE DEED

(Statutory Form)

**GRANTOR:** Austin Daniel Rabe, Affiant of the Small Estate of Daniel P. Rabe, filed in the Circuit Court of Oregon, County of Klamath, Case No. 21PB09489

CONVEYS TO

**GRANTEE:** Austin Daniel Rabe, Trustee of the Supplemental Needs Trust created under the Will of Daniel P. Rabe dated December 15, 2020

the Grantor's undivided one-third (1/3) interest in the whole of each parcel of real property situated in Klamath County, Oregon and described in Exhibit A attached hereto and by this reference incorporated herein as though fully set forth, subject to all matters of record, including but not limited to, those set forth in Exhibit B attached hereto and by this reference incorporated herein as though fully set forth.

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

The true and actual consideration paid for this transfer consists of or includes other property or value given or promised which is the whole of the consideration.

Grantor has made no covenants, promises, representations or warranties which are not contained herein concerning the real property, this conveyance or the transaction giving rise to the conveyance. Grantee accepts the property AS IS including both patent and latent defects, if any.

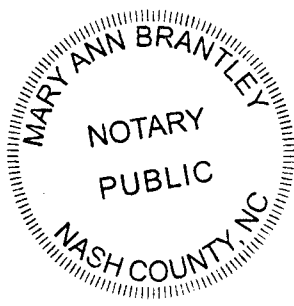
DATED: 4/19, 2022.

GRANTOR:

Until a change is requested, all tax statements shall be sent to the following address:  
No Change

STATE OF NC )  
County of Nash ) ss.

On this 19<sup>th</sup> day of April, 2022, personally appeared before me the above named Austin Daniel Rabe, Affiant of the Small Estate of Daniel P. Rabe, and acknowledged the foregoing instrument to be his voluntary act and deed.



Mary Ann Brantley  
Notary Public for Nash County, NC  
Exp: 3-27-25

## **EXHIBIT A**

### **PARCEL 1:**

The N1/2 of NE1/4 of Section 17, Township 24 South, Range 9 East, of the Willamette Meridian, Klamath County, Oregon, EXCEPT a strip of land not exceeding 60 feet in width commencing at the West line of the meadow at its intersection with the South quarter line of the Northwest quarter of said Section 17 and running thence Northeasterly by the most practical route to the North line of said Section, it being the intention that said strip of land last above mentioned shall be the easement of right of way for a log railroad constructed over and upon that part of the Northwest quarter of said Section 17 which lies West of the Deschutes River and East of the tract described as follows:

Commencing at the Northwest corner of Section 17, in Township 24 South, Range 9 East, Willamette Meridian, Klamath County, Oregon, and running thence East 1,320 feet; thence South 875 feet; thence South 28 degrees 26' West 811 feet; thence South 28 degrees 49' West 373 feet; thence South 44 degrees 18' West 640 feet; thence South 39 degrees 31' West 316 feet to the quarter corner of the West line of said Section 17; thence North 0 degrees 49' West along the West line of said Section 17, 2,640 feet, more or less, to the point of beginning.

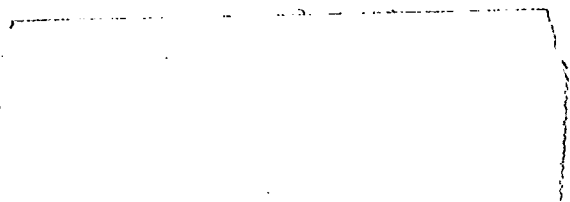
### **PARCEL 2:**

Lot 6 in Block 1 of ROBERTS RIVER ACRES, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

## **EXHIBIT B**

1. The premises herein described are within and subject to the statutory powers, including the power of assessment and easements of Walker Range Timber Fire Patrol. (Affects Parcel 1)
2. Rights of the public and of governmental bodies in and to that portion of the premises described herein, now or at any time lying below the high water mark of the Little Deschutes River, including any ownership rights which may be claimed by the State of Oregon, in and to any portion of the premises now or at any time lying below the ordinary high water mark thereof. (Affects Parcel 1)
3. Any adverse claim based upon the assertion that:
  - A) Some portion of said land has been brought within the boundaries thereof by an avulsive movement of the Little Deschutes River or has been formed by accretion to any such portion.
  - B) Some portion of said property has been created by deposit of artificial fill.And Excepting:
  - C) The rights of the public and governmental bodies for fishing, navigation and commerce in and to any portion of the premises herein described, lying below the high water line of the Little Deschutes River.
  - D) The right, title and interest of the State of Oregon in and to any portion lying below the high water line of Little Deschutes River. (Affects Parcel 2)
4. Reservations as contained in plat dedication, to wit:

"The 16 foot easement centered on the back and side lines as shown on the within plat for public utilities. There is to be no access from State Highway 97 to abutting lots." (Affects Parcel 2)
5. Easements as dedicated or delineated on the recorded plat.  
For: Power  
(Affects: a Southeasterly portion of Parcel 2)



6. Setback line as delineated on the face of the plat of Roberts' River Acres.
7. Top of bank as delineated on the face of the plat of Roberts' River Acres.
8. Easements as dedicated or delineated on the recorded plat.  
For: Fishing  
(Affects: Affects a strip of land 20' wide in a Northwesterly portion of Parcel 2)
9. Covenants, conditions and restrictions, but omitting restrictions, if any, based on race, color, religion, sex, handicap, familial status or national origin, imposed by instrument, subject to the terms and provisions thereof,  
Recorded: November 2, 1996  
Volume: M66, page 11487, Microfilm Records of Klamath County, Oregon  
Recorded: May 22, 1972  
Volume: M72, page 5442, Microfilm Records of Klamath County, Oregon  
(Affects Parcel 2)
10. An easement created by instrument, subject to the terms and provisions thereof,  
Dated: September 6, 1988  
Recorded: February 9, 1989  
Volume: M89, page 2584, Microfilm Records of Klamath County, Oregon  
In favor of: Midstate Electric Cooperative, Inc., a Cooperative corporation  
For: Electric transmission line  
(Affects Parcel 2)