



2022-011680

Klamath County, Oregon

09/28/2022 01:35:01 PM

Fee: \$107.00

THIS SPACE RESERVED FOR RECORDER'S USE

After recording return to:

Katie D. Walker

32630 Hwy. 50

Malin, OR 97632

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

Katie D. Walker

32630 Hwy. 50

Malin, OR 97632

File No. 548563AM

STATUTORY WARRANTY DEED

Patricia D. O'Keeffe, Trustee of the O'Keeffe Family Trust, 1983, UTA DTD 5/14/1983,

Grantor(s), hereby convey and warrant to

Katie D. Walker,

Grantee(s), the following described real property in the County of Klamath and State of Oregon free of encumbrances except as specifically set forth herein:

Parcel 1 Land Partition 35-14 located in Government Lots 2 and 4 (NW 1/4 NE 1/4) and the N 1/2 NW 1/4 of Section 22, and Government Lots 3 and 6 (SW 1/4 SE 1/4) of Section 15, Township 41 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon being recorded on June 8, 2015 in Instrument No. 2015-005877

SEE EXHIBIT "A" ATTACHED HERETO FOR RESERVATION OF EASEMENT.

The true and actual consideration for this conveyance is \$130,000.00.

The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any:

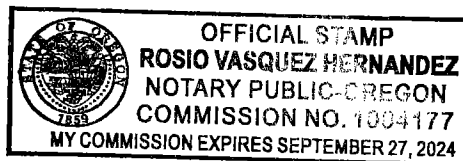
2022-2023 Real Property Taxes, a lien not yet due and payable

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 23 day of September, 2022.

The O'Keeffe Family Trust

By: Patricia D. O'Keeffe
Patricia D. O'Keeffe, Trustee



State of Oregon } ss.
County of Clatsop }

On this 23 day of September, 2022, before me, Rosio V. Hernandez a Notary Public in and for said state, personally appeared Patricia D. O'Keeffe, Trustee of the O'Keeffe Family Trust known or identified to me to be the person whose name is subscribed to the foregoing instrument as trustee of the , and acknowledged to me that he/she/they executed the same as Trustee.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Rosio V. Hernandez
Notary Public for the State of Oregon »

Residing at: Hamden

Commission Expires: September 27, 2024

EXHIBIT A
Reservation of Easement

WHEREAS Patricia D. O'Keeffe, Trustee of the O'Keeffe Family Trust 1983 UTA DTD 5/14/1983 (herein, "O'Keeffe"), has negotiated a reservation of easement for the cellular towers and related infrastructure, including but not limited to access and utilities that serve these cellular towers (herein, all together, the "Cell Towers"), which was memorialized in the sale agreement with Katie D. Walker ("Walker"), so that Walker has no right, claim, or interest to any of the Cell Towers nor to any of the payments of income or principal that are made on account of them;

WHEREAS, the Cell Towers are situated on portions of a parcel of real property generally described as:

Parcel 1 Land Partition 35-14 located in Government Lots 2 and 4 (NW 1/4 NE 1/4) and the N 1/2 NW 1/4 of Section 22, and Government Lots 3 and 6 (SW 1/4 SE 1/4) of Section 15, Township 41 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon being recorded on June 8, 2015 in Instrument No. 2015-005877.

WHEREAS, the precise location of the Cell Towers is specified and more particular described in various memoranda of leases, including amendments thereto, that are of record, and are referenced below and incorporated herein as if fully set forth:

An unrecorded lease with certain terms, covenants, conditions and provisions set forth therein and such other exceptions as may appear necessary upon recording thereof,
Lessor: Henry J. O'Keeffe and Patricia D. O'Keeffe, trustees of the O'Keeffe Family Trust, 1983;

Lessee: Verizon Wireless (VAW) LLC, d/b/a Verizon Wireless

Disclosed by: Memorandum of Land Lease Agreement

Date: September 16, 2005

Recorded: October 4, 2005

Volume: M05, page 65746

Memorandum of Agreement, subject to the terms and provisions thereof;

Dated: 8/24/2007

Recorded: 9/18/2008

Licensor: Verizon Wireless (VAW) LLC d/b/a Verizon Wireless

RCC Atlantic, Inc., a Minnesota corporation

Instrument No.: 2007-016336

Memorandum of Agreement, subject to the terms and provisions thereof;

Dated: 8/24/2007

Recorded: 1/15/2008

Licensor: Verizon Wireless (VAW) LLC d/b/a Verizon Wireless

RCC Atlantic, Inc., a Minnesota corporation

Instrument No.: 2008-000596

Amended by instrument,
Recorded: June 8, 2017
Instrument No.: 2017-006277

Re-recorded: June 22, 2017
Instrument No.: 2017-006858

Amended by instrument,
Recorded: June 8, 2017
Instrument No.: 2017-006279

An unrecorded lease with certain terms, covenants, conditions and provisions set forth therein and such other exceptions as may appear necessary upon recording thereof,
Lessor: Henry J. O'Keeffe and Patricia D. O'Keeffe, trustees of the O'Keeffe Family Trust, 1983

Lessee: New Cingular Wireless, PCS LLC, a Delaware limited liability company
Disclosed by: Memorandum of Lease
Date: May 24, 2009
Recorded: July 1, 2006
Instrument No.: 2009-009014

Amended by instrument,
Recorded: June 8, 2017
Instrument No.: 2017-006278

An unrecorded lease with certain terms, covenants, conditions and provisions set forth therein and such other

exceptions as may appear necessary upon recording thereof,
Lessor: Verizon Wireless (VAW0 LLC, a Delaware limited liability company

Lessee: ATC Sequoia LLC, a Delaware limited liability company

Disclosed by: Memorandum of Lease

Date: June 18, 2015

Recorded: June 29, 2015

Instrument No.: 2015-006907

Amended by instrument,
Recorded: June 8, 2017
Instrument No.: 2017-006280

An unrecorded lease with certain terms, covenants, conditions and provisions set forth therein and such other exceptions as may appear necessary upon recording thereof,

Lessor: Henry O'Keeffe and Patricia D. O'Keeffe, Trustees, O'Keeffe Family Trust

Lessee: Verizon Wireless (VAW) LLC d/b/a Verizon Wireless

Disclosed by: Memorandum of Lease

Date: November 10, 2015

Recorded: December 23, 2015

Instrument No.: 2015-013755

Amended by instrument,
Recorded: June 8, 2017
Instrument No.: 2017-006277

Together, the legal and other descriptions, including but not limited to maps and referenced surveys, contained in all of the preceding instruments, comprise the "Easement Area," and are referred to as such in this reservation.

WHEREAS, O'Keeffe receives monetary consideration in the form of income payments from the Cell Towers, and desires to reserve unto herself, and to her heirs, successors, and assigns, and wishes that these payments should continue for the duration of the leases, and any extensions. It is O'Keeffe's intent that this reservation of an easement be in gross and be considered to be an easement for commercial purposes because of the monetary consideration paid to her by the owners of the Cell Towers, and therefore transferable to her heirs, successors, and assigns as courts have previously recognized, such as in Sunset Lake Water Serv. Dist. v. Remington, 45 Or App 973, 609 P2d 896 (1980).

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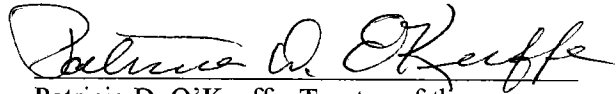
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NOW THEREFORE, in consideration of the terms and conditions set forth herein, O'Keeffe does hereby reserve unto herself, and unto her heirs, successors, and assigns, as the case may be, an exclusive easement over the portions of real property conveyed herein that are located within the Easement Area previously described. This reservation of easement shall be permanent and perpetual in nature for so long as the Cell Towers are actively operated and managed for use as a telecommunication facilities.

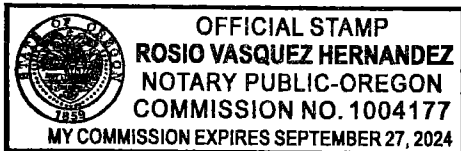
COSTS AND ATTORNEY FEES: If any suit or action is instituted to enforce or interpret any of the terms of this reservation of easement, the party not prevailing must pay the prevailing party's costs, disbursements, and reasonable attorney fees.

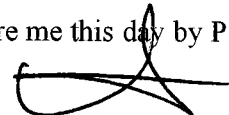
DATED: 9-23-22


Patricia D. O'Keeffe, Trustee of the
O'Keeffe Family Trust 1983 UTA DTD
5/14/1983

STATE OF OREGON, County of Klamath)s.

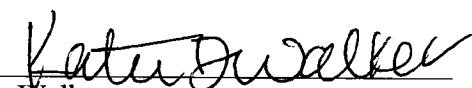
THIS INSTRUMENT WAS ACKNOWLEDGED before me this day by Patricia D. O'Keeffe.




Notary Public for Oregon
My commission expires: September 27, 2024

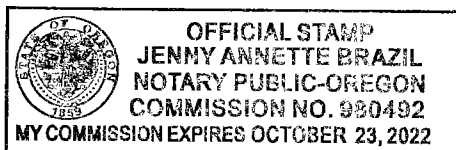
I, Katie D. Walker, for myself, my heirs, successors and assigns, do acknowledge this reservation of easement, and do take title to the real property from which it is reserved with full knowledge of the terms set forth in this instrument.


DATED: 9-23-2022


Katie D. Walker

STATE OF OREGON, County of Klamath)s.

THIS INSTRUMENT WAS ACKNOWLEDGED before me this day by Katie D. Walker.




Notary Public for Oregon
My commission expires: 10/23/2022