

1 THIS INDENTURE WITNESSETH, that DONALD J. KELLEY and LYNNE T. KELLEY, his  
2 band and wife, hereinafter known as Grantors, for the consideration hereinafter  
3 recited, have bargained and sold, and by these presents do grant, bargain, sell  
4 and convey unto MINERVA DEVELOPMENT CORPORATION, an Oregon Corporation, its  
5 successors and assigns, the following described premises, situated in Klamath  
6 County, Oregon, to-wit:

7 A parcel of land situated in Sections 25 and 36, Township 33 South, Range 12  
8 East, Willamette Meridian, being more particularly described as follows:  
9 Beginning at the Northeast corner of said Section 36; thence South  
10 00°05'51" West along the Easterly line of said Section 36, 126.96 feet;  
11 thence leaving said Section line North 85°30'16" West, 374.11 feet;  
12 thence North 58°29'28" West, 958.10 feet; thence South 66°42'22" West,  
13 79.06 feet; thence North 30°36'14" West, 268.00 feet; thence North  
14 24°06'35" East, 340.99 feet; thence North 59°12'05" West, 342.64 feet;  
15 thence North 18°33'09" East, 212.51 feet to a point on the Southerly  
16 boundary of Lakeshore Gardens, a duly platted and recorded subdivision  
17 in Klamath County, Oregon; thence along said boundary and the arc of a  
18 2521.20 foot radius curve to the left (Delta = 19°00'23"; Long Chord =  
19 North 79°30'12" East, 832.51 feet) 836.34 feet to the end of curve;  
20 thence North 38°28'00" East, 576.82 feet to the Southeast corner of  
21 Lot 5 said Lakeshore Gardens subdivision; thence North 32°30'00" West,  
22 116.10 feet to a point on the Southerly right of way line of Lakeshore  
23 Drive, a county road, and being the Northeast corner of said Lot 5;  
24 thence Northeast along said Southerly right of way line 249.7 feet,  
25 more or less, to a point which lies South 00°05'51" West 60.8 feet from  
26 the Southwest corner of Lot 57 Lakeshore Gardens; thence leaving said  
27 right of way line North 00°05'51" East 60.8 feet to the Southwest corner  
28 of said Lot 57; thence continuing North 00°05'51" East along the Westerly  
29 line of said Lot 57, 533.6 feet to the Northwest corner of said Lot 57;  
30 thence South 84°24'30" East 60.3 feet to the Northeast corner of said  
31 Lot 57, and the Easterly line of said Section 25; thence South 00°05'51"  
32 West along the Easterly line of said Lot 57 and the Easterly line of said  
Section 25, 521.9 feet to the Southeast corner of said Lot 57; thence con-  
tinuing South 00°05'51" West along said section line 2199.97 feet to the  
point of beginning, containing 48.57 acres, more or less.  
SAVING AND EXCEPTING THEREFROM that portion thereof lying within the  
right of way of Lakeshore Drive, a county road.

23 SUBJECT TO:

24 1. All of said property within the plat of Lakeshore Gardens is subject  
25 to the following: Inclusion in the Lakeshore Gardens Drainage District  
26 and the levies, assessments and easements thereof; Release and Grant of  
27 Easement, including the terms and provisions thereof, between Lakeshore  
28 Gardens Drainage District and the California Oregon Power Company, dated  
29 July 28, 1939 and recorded May 21, 1940, in Vol. 129 at page 318 of Klamath  
30 County, Oregon Deed Records; Easement, including the terms and provisions  
31 thereof, given by Crater Lake Seed Company, recorded May 24, 1939,  
32 in Vol. 109 at page 523, recorded Nov. 8, 1939, in Vol. 113 at page 17,  
and recorded Dec. 26, 1939, in Vol. 126 at page 130, all Deed Records of  
Klamath County, Oregon, all running to the California Oregon Power Company  
and pertaining to the raising and lowering of the waters of Upper Klamath  
Lake; Reservations and restrictions in Vol. 96 at page 47, Vol. 112 at  
page 497 and Vol. 126 at page 178, all Deed Records of Klamath County,  
Oregon, as follows: (1) Subject to right of way for electric power lines  
in favor of California Oregon Power Company, (2) Reserving a right of  
way 10 feet in width for irrigation and drainage ditches in conjunction

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1 with the operation and maintenance of Lakeshore Gardens Drainage District.  
2 2. Portions of the above described real property are specially assessed  
3 as farm land. If said land hereafter becomes disqualified for the special  
4 assessment under the statute, an additional tax may be levied for the last  
5 five years, or lesser number of years, in which said land was subject to  
6 special land use assessment which grantee assumes.  
7 3. Portions of the above described real property have been classified as  
8 reforestation land and are subject to an annual forest fee; but upon  
9 cutting of the timber thereon, the said lands will be subject to a yield  
10 tax under the provisions of said Forest Act which grantee assumes.  
11 4. All of said premises are subject to easements and rights of way of  
12 record and those apparent on the land, if any there may be.

13 Consideration: \$10.00 and other good and valuable considerations.

14 TO HAVE AND TO HOLD the said premises with their appurtenances unto the said  
15 grantee, its successors and assigns forever. And the said grantors do hereby  
16 covenant to and with the said grantee, its successors and assigns, that they are  
17 the owners in fee simple of said premises; that they are free from all incum-  
18 rances, except those above set forth, and that they will warrant and defend the  
19 same from all lawful claims whatsoever, except those above set forth.

20 IN WITNESS WHEREOF, they have hereunto set their hands and seals this 14th  
21 day of March, 1973.

*Lynne T. Kelley* (SEAL)  
*Donald J. Kelley* (SEAL)

22 STATE OF OREGON )  
23 County of Klamath ) SS

March 21<sup>st</sup>, 1973

24 Personally appeared the above named Donald J. Kelley and Lynne T. Kelley,  
25 husband and wife, and acknowledged the foregoing instrument to be their volun-  
26 tary act and deed. Before me:

*[Signature]*  
Notary Public for Oregon

27 (SEAL)  
28 My Commission Expires: 4-5-74

29 STATE OF OREGON; COUNTY OF KLAMATH; ss.  
30 Filed for record at request of KLAMATH COUNTY TITLE CO  
31 this 21st day of March A.D. 1973 at 3:20 o'clock P.M., and  
32 duly recorded in Vol. M 73, of DEEDS on Page 3030

Fee \$ 4.00

Wm D. Mills, County Clerk  
*Hazel Dray*

*Rel:*  
*Klamath County Title*  
*1122521*

Warranty Deed - Page 2.