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4-26722

## WARRANTY DEED

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LAURENCE C. JESPERSEN and RUBY L. JESPERSEN, husband and wife,  
and FRANCIS E. JESPERSEN and EDNA MAE JESPERSEN, husband and wife,  
Grantors convey and warrant to PAUL D. HESS and HELEN E. HESS,  
husband and wife, Grantees, the following described real property  
located in Klamath County, State of Oregon, free of all encumbrances  
except as specifically set forth herein:

PARCEL 1: A tract of land situated in the SW-  
1/4 of Section 21, Township 40 South, Range 10  
E.W.M., Klamath County, Oregon, more particularly  
described as follows: Beginning at a point from  
which the East quarter corner of said Section 21  
bears N 69°53'25" E 4178.84 feet and the Southeast  
corner of a barn bears S 84°30'30" W 91.3 feet;  
thence East 100.00 feet; thence South 212.36  
feet to the north line of the Paul Hess property;  
thence West along said line 100.00 feet; thence  
North 212.36 feet to the point of beginning.

PARCEL 2: A tract of land situated in Sections  
21 and 28, Township 40 South, Range 10 E.W.M.,  
Klamath County, Oregon, more particularly described  
as follows: Beginning at the northwest corner  
of the SW-1/4 SW-1/4 of said Section 21; thence  
southerly along the west line of the SW-1/4 SW-  
1/4 of said Section 21 to the centerline of the  
U.S.B.R. drain; thence East to the east line of  
the SW-1/4 SW-1/4 of said Section 21, said point  
being the True Point of Beginning of this description  
thence continuing along the same east course to  
the westerly bank (right bank) of Lost River;  
thence southerly along the said right bank to  
the south line of the NW-1/4 NE-1/4 of said  
Section 28; thence westerly along said south  
line to the southwest corner of the NW-1/4 NE-  
1/4 of said Section 28; thence southerly along  
the east line of the NW-1/4 of said Section 28  
to the southeast corner of the said NW-1/4;  
thence westerly along the south line of said NW-  
1/4 to the northerly right of way line of State  
Highway No. 39 (Merrill Highway); thence northwesterly  
along said right of line to a point on the west  
line of the E-1/2 NW-1/4 of said Section 28;  
thence northerly along the west line of the E-  
1/2 NW-1/4 of said Section 28 and the east line  
of the SW-1/4 SW-1/4 of said Section 21 to the  
True Point of beginning.

## SUBJECT TO:

1. Reservations, restrictions, rights of way, easements  
of record and those apparent on the land.

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2. The assessment roll and the tax roll disclose that the within described premises were specially assessed as farm land. If the land has become or becomes disqualified for the special assessment under the statute, an additional tax may be levied for the years since October 5, 1968, in which the land was subject to the special land use assessment.

3. Liens and assessments of Klamath Project and Klamath Irrigation District, and regulations, contracts, easements, water and irrigation rights in connection therewith.

4. Liens and assessments of Klamath Project and Upper Van Brimmer Drainage District, and regulations, contracts, easements, water and irrigation rights in connection therewith.

5. Rights of the Federal Government, the State of Oregon, and the general public in any portion of the herein described premises lying below the high water line of Lost River.

6. Rights of the public in and to any portion of the herein described property lying within the boundaries of public roads or highways, easements and rights of way of record and those apparent on the land.

7. Waiver of Riparian Rights, including the terms and provisions thereof, from A. F. Bunnell to the United States of America, dated August 8, 1905, recorded September 16, 1905, in Deed Volume 18, Page 356, records of Klamath County, Oregon. Affects Lots 2 & 3 Sec. 21, Lot 1 Sec. 28.

8. Right of way, including the terms and provisions thereof, to California Oregon Power Company, dated August 20, 1929, recorded August 27, 1929, in Deed Volume 87, page 620, records of Klamath County, Oregon. Affects W-1/2 SW-1/4 Sec. 21 South of Lost River, W-1/2 NW-1/4 Sec. 28 North of Dalles California Highway, S-1/2 SW-1/4 Sec. 20 plus other property immaterial hereto.

9. Easement, including the terms and provisions thereof to Pacific Power and Light Company, dated May 6, 1965, recorded July 13, 1966, in Volume M66, page 7112, Microfilm records of Klamath County, Oregon. Affects S-1/2 SW-1/4, Lots 2 & 3 Sec. 21.

10. No liability is assumed if a financing statement is filed in the office of the County Clerk covering growing crops or fixtures wherein the land is described other than by metes and bounds, the rectangular survey system, or by recorded Lot and Block.

11. Liens and assessments of Van Brimmer Ditch Co., and regulations, contracts, easements, water and irrigation rights in connection therewith. The true and actual consideration paid for this conveyance

is \$109,800.00.

WITNESS Grantors' hands this 5 day of April, 1976.

*Laurance Jay*  
*Ruby R. Jepperson*

*Francis E. Jepsen*

*Edna Mae Jepsen*

STATE OF OREGON )  
 ) ss.  
County of Klamath )

Personally appeared LAURENCE C. JESPERSEN and RUBY L. JESPERSEN, husband and wife, and acknowledged the foregoing instrument to be their voluntary act and deed.

BEFORE ME:

*Susan Kay Way*  
Susan Kay Way  
Notary Public for Oregon  
My commission expires 6/4/1977  
NOTARY PUBLIC FOR OREGON  
My Commission Expires:

STATE OF OREGON )  
 ) ss.  
County of Klamath )

Personally appeared FRANCIS E. JESPERSEN and EDNA MAE JESPERSEN, husband and wife, and acknowledged the foregoing instrument to be their voluntary act and deed.

BEFORE ME:

*Susan Kay Way*  
Susan Kay Way  
Notary Public for Oregon  
My commission expires 6/4/1977  
NOTARY PUBLIC FOR OREGON  
My Commission Expires:

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

Department of Veteran's Affairs  
1225 Ferry Street, S. E.  
Salem, Oregon 97310

AFTER RECORDING RETURN TO:

Mr. and Mrs. Paul D. Hess  
*2241 Grimspring Drive*  
*Spur 5*  
*Klamath Falls, Oregon*  
*97601*

WARRANTY DEED, PAGE THREE.

State of Oregon, )  
County of Klamath ) ss.

I hereby certify that the within instrument was  
received and filed for record on the 7  
day of April, 19 76 at 4:12  
o'clock P M. and recorded on Page 4925  
in Book M 76 Records of deeds  
of said County.

WM. D. MILNE, County Clerk  
By *Lozell* Deputy  
Fee 9.00