

12255

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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 FRED G. HESS and EDITH M. HESS,  
husband and wife, Grantees, the following described real property  
located in Klamath County, State of Oregon, free of all encum-  
brances, except as specifically set forth herein:

A tract of land situated in Section 21, 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 westerly bank of  
Lost River, also being the right bank of said Lost  
River; thence northerly and westerly along the said  
right bank to the west line of said Section 21; thence  
southerly to the point of beginning.

EXCEPTING THEREFROM the following two parcels of land:

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 72°53'24" E.  
4666.77 feet and the southeast corner of a potato  
cellar bears N 14°33'30" W. 22.3 feet; thence S.  
49°10'30" W 132.51 feet to a point from which the  
southwest corner of said potato cellar bears S 67°36'  
W 63.3 feet; thence South 189.73 feet to the north  
line of the John Hess property; thence East along said  
line 100.00 feet; thence North 276.12 feet to the  
point of beginning.

PARCEL 2: 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.

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 in connection therewith.

The true and actual consideration paid for this conveyance is \$120,200.00.

WITNESS Grantors' hands this 5<sup>th</sup> day of April, 1976.

*Laurence C. Jespersen*  
*Ruby L. Jespersen*  
*Francis E. Jespersen*  
*Edna Mae Jespersen*

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 K. Milne*  
 SUSAN K. MILNE  
 Notary Public for Oregon  
 My commission expires 6/4/97

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 K. Milne*  
 SUSAN K. MILNE  
 Notary Public for Oregon  
 My commission expires 6/4/97

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. Fred G. Hess

*Rt. 1 Box 631C*  
*Klamath Falls, Oregon*

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, 1976, at 4:12  
 o'clock P. M. and recorded on Page 4930  
 in Book M 76 Records of deeds  
 of said County.

WM. D. MILNE, County Clerk

By *[Signature]* Deputy

Fee 9.00

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