

## WARRANTY DEED

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A-27617

KNOW ALL MEN BY THESE PRESENTS, that CHARLES A. CURTISS and DORIS Q. CURTISS, husband and wife, hereinafter called the Grantors, for the consideration hereinafter stated, to Grantors paid by HILLEN RANCH, LIMITED, a California limited partnership, JON R. HILLEN, general partner, hereinafter called the Grantee, does hereby grant, bargain, sell and convey unto the said Grantee and Grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments, and appurtenances thereunto belonging or appertaining, situated in the County of Klamath, and State of Oregon, described as follows:

PARCEL 1:

S $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ , and that portion of the NW $\frac{1}{4}$ SE $\frac{1}{4}$  lying North of Lost River, and that part of the SE $\frac{1}{4}$ SE $\frac{1}{4}$  lying North of Lost River in Section 18; SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 17, Township 39 South, Range 12 E. W. M.

PARCEL 2:

E $\frac{1}{4}$ SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ , Section 6, E $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{4}$ SW $\frac{1}{4}$ , Lots 3 and 4, and S $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 7; N $\frac{1}{4}$ NE $\frac{1}{4}$ , E $\frac{1}{4}$ NW $\frac{1}{4}$ , Lot 1 and that portion of Lot 2 or the SW $\frac{1}{4}$ NW $\frac{1}{4}$  lying North of Lost River, that portion of the NE $\frac{1}{4}$ SW $\frac{1}{4}$  lying North of Lost River, that portion of Lot 3 or the NW $\frac{1}{4}$ SW $\frac{1}{4}$  lying North of Lost River in Section 18; Lots 1 and 2 or the W $\frac{1}{4}$ NW $\frac{1}{4}$  Section 7; NW $\frac{1}{4}$ NW $\frac{1}{4}$  and that portion of NE $\frac{1}{4}$ NW $\frac{1}{4}$  lying West and North of the Horsefly Irrigation District Canal, Section 17; all in Township 39 South, Range 12 East of the Willamette Meridian.

SUBJECT TO:

1. Reservations, restrictions, rights of way, easements of record and those apparent on the land;
2. Taxes for 1973-74 are now a lien, but not yet payable;
3. Acreage and use limitations under provisions of the United States Statutes and regulations issued thereunder;
4. Liens and assessments of Klamath Project and Horsefly Irrigation District and regulations, contracts, easements, and water

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and irrigation rights in connection therewith;

5. Any unpaid charges or assessments of the Horsefly Irrigation District;

6. Rights of the Federal Government, the State of Oregon and the general public in and to that part of the property described herein lying below the high water line of Lost River;

7. Reservations and restrictions contained in deed from H. L. Sparretorn to Charles Gates, recorded July 25, 1918, in Deed Volume 48 page 541, records of Klamath County, Oregon, as follows: Reserving 5% of all the oil and minerals found to exist on said lands to my heirs and assigns. This deed covered Lots 3 and 4 and E $\frac{1}{2}$ NW $\frac{1}{4}$  and E $\frac{1}{2}$ SW $\frac{1}{4}$  of Section 7, Lots 1 and 2, E $\frac{1}{2}$  NW $\frac{1}{4}$ , NE $\frac{1}{2}$ SW $\frac{1}{4}$ , Section 18, SE $\frac{1}{2}$ SW $\frac{1}{4}$ , Section 6;

8. Reservations and restrictions contained in deed from J. C. Hunt and Bess Hunt, husband and wife, to L. L. Truax and Lida Truax, husband and wife, dated January 24, 1936, recorded June 6, 1936, in Deed Vol. 106, page 442, records of Klamath County, Oregon, as follows: This conveyance, however, does not include any rights appurtenant to the said lands, in and to any gas or oil which may be discovered in and under the same, or any portion of the same, as it is the intention of the grantors herein to retain unto themselves an undivided 1/2 interest in and to any and all gas, and oil, if any, in and under the said above described premises together with the right to prospect for, and if found, remove same therefrom. This deed covered lots 3 and 4, SE $\frac{1}{2}$ SW $\frac{1}{4}$  and that part of the SE $\frac{1}{2}$ SE $\frac{1}{4}$  lying on the Northerly side of Lost River, Section 18;

9. Right of way, including the terms and provisions thereof given by C. M. Haley, a single man, Cecil C. Haley and Velda Haley, his wife, to The California Oregon Power Company, a California corporation, dated November 22, 1939, recorded January 18, 1940 in Deed Vol. 126 page 456, records of Klamath County, Oregon, as follows: SW $\frac{1}{4}$  Section 7, and NW $\frac{1}{4}$  of Section 18;

10. Right of way, including the terms and provisions thereof, given by L. L. Truax and L. L. Truax, as guardian of Lida A. Truax, to The California Oregon Power Company, a California corporation, dated October 6, 1942, recorded October 24, 1942, Deed Vol. 150 page 513, records of Klamath County, Oregon. Covers Lot 3 Section 18;

11. Reservations and restrictions contained in deed from Fred B. Robinson and Freda Robinson, his wife, and Marie E. Green, a single woman, to Cecil C. Haley and Velda M. Haley, husband and wife, dated August 14, 1948, recorded December 6, 1948, Deed Vol. 227 page 136 records of Klamath County, Oregon, as follows: "Grantors reserve unto themselves, their heirs and assigns, the right of free and unrestricted access to the Horsefly Irrigation District canal from the South and East where said canal lies on the NE $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 17, Township 39 South, Range 12 E. W. M." This deed covered W $\frac{1}{2}$ NW $\frac{1}{4}$  and portion NE $\frac{1}{4}$ NW $\frac{1}{4}$  lying West and North of Horsefly Canal Section 17.

12. Right of way for transmission line, including the terms and provisions thereof, given by Cecil C. Haley and Velda



Haley, husband and wife, to The California Oregon Power Company, a California corporation, dated March 22, 1954, recorded April 7, 1954, Deed Vol. 266, page 277, records of Klamath County, Oregon. Covers Lot 3 lying North and East of Lost River and NE $\frac{1}{4}$ SW $\frac{1}{4}$  Section 18;

13. Right of way for transmission line, including the terms and provisions thereof, given by Cecil C. Haley and Velda Haley, his wife, to The California Oregon Power Company, a California corporation, dated July 22, 1954, recorded July 26, 1954, Deed Vol. 268 page 242, records of Klamath County, Oregon. Covers Lot 4 Section 7 and Lot 1, Section 18;

14. Right of way for roadway, including the terms and provisions thereof, given by Cecil C. Haley and Velda Haley, husband and wife, to C. Vernon Haley, and Mary E. Haley, husband and wife, dated December 28, 1961, recorded December 28, 1961, Deed Vol. 334, page 484, records of Klamath County, Oregon;

15. Stock Subscription and Contract between Mary M. Clopton, a widow, and Klamath Water Users Association, a corporation, dated February 5, 1908, recorded March 19, 1908, Deed Vol. 7B page 466, records of Klamath County, Oregon.

TO HAVE AND TO HOLD the same unto the said Grantee and Grantee's heirs, successors, and assigns forever.

And said Grantors hereby covenant to and with said Grantee and Grantee's heirs, successors and assigns, that Grantors are lawfully seized in fee simple of the above granted premises, free from all encumbrances, except as hereinabove stated, and that Grantors will warrant and forever defend the above granted premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$450,000.00.

WITNESS Grantors' hands this 21 day of SEPTEMBER 1973.

Charles A. Curtiss  
CHARLES A. CURTISS

Doris J. Curtiss  
DORIS J. CURTISS

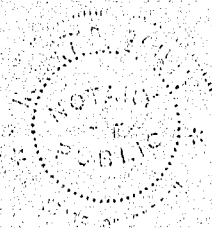
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STATE OF OREGON )  
County of Klamath ) ss.

SEPTEMBER 21, 1973

Personally appeared the above-named CHARLES A. CURTISS  
and DORIS Q. CURTISS, husband and wife, and acknowledged the  
foregoing instrument to be their voluntary act and deed.

BEFORE ME:



*Mark L. Brown*  
NOTARY PUBLIC FOR OREGON  
My Commission Expires: 10/4/76

State of Oregon, ]  
County of Klamath ] ss.

I hereby certify that the within instrument was  
received and filed for record on the 26th  
day of January, 1977, at 1:14  
o'clock P.M. and recorded on Page 1457  
in Book M 77 Records of DEEDS  
of said County.

After recording return to :  
Hillen Ranch, LTD  
Rt 1 Box 832  
Bonanza, OR 97623  
Mail tax statements to above address

WM. D. MILNE, County Clerk

By *Hazel D. Draz* Deputy  
Fee \$ 12.00

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