

Until a change is requested, all tax statements shall be sent to the following address: Mr. and Mrs. Don J. Kane, Rt 1 Box 781
Bonanza, OR 97623

K-31526 Return to same address as above

65213

WARRANTY DEED

Vol. ^M 49 Page 7768

FORT BIDWELL CATTLE PRODUCTION COMPANY, a corporation, hereinafter referred to as Grantor, does hereby grant, bargain, sell and convey unto DON J. KANE and VERNA B. KANE, husband and wife, hereinafter referred to as Grantees, their heirs, successors and assigns, that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Klamath, State of Oregon, described as follows:

PARCEL 2: Township 38 South, Range 11½ E.W.M.

Section 24: E½NW¼, W½NE¼

SUBJECT TO: (1) The assessment roll and tax roll disclose that the within described premises were specially assessed as farm land. Taxes for the year 1978-1979 and possibly prior years have been deferred pursuant to ORS 308.370 to 308.403. These, plus earned interest are due and payable when said reason for the deferment no longer exists.

(2) Acreage and use limitations under provisions of the United States Statutes and regulations issued thereunder.

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

(4) Rights of the public in and to any portion of said premises lying within the limits of any road or highway.

(5) Right of way, including the terms and provisions thereof, given by Jacob and Ada Rueck to the Horsefly Irrigation District for ditch and canal purposes dated April 1, 1918, recorded May 29, 1918, Volume 49, page 222, Deed Records of Klamath County, Oregon.

(6) Reservations and restrictions contained in deed from Jacob Rueck and Ada D. Rueck, husband and wife, to L. N. Roney and Orilla C. Roney, husband and wife, dated November 2, 1928, recorded April 20, 1929, Volume 86, page 288, Deed Records of Klamath County, Oregon, as follows: "The grantors herein reserve 3/32 rights to all oil and mineral that may be found on said land."

(7) Reservations and restrictions contained in deed from Ward Rueck to L. N. Roney and Orilla C. Roney, husband and wife, dated November 2, 1928, recorded April 20, 1929, Volume 86, page 287, Deed Records of Klamath County, Oregon, as follows: "Reserving to grantor 3/32 part of the oil and mineral rights." A 1/32 interest in said rights has been assigned by said Ward Rueck to E. H. Peterson and John T. Evans by assignment dated April 1, 1929, recorded April 20, 1929, Volume 85, page 588, Deed Records of Klamath County, Oregon.

(8) Reservations and restrictions contained in deed from L. N. Roney and Orilla C. Roney, husband and wife, to Bruce Dennis, dated December 2, 1929, recorded December 4, 1929, Volume 88, page 343, Deed Records of Klamath County, Oregon, as follows: "The grantors herein reserve $\frac{3}{64}$ of the rights to all oil and minerals that may be found on said land."

(9) Reservations and restrictions contained in deed from Bruce Dennis and Florence J. Dennis, his wife, to The Gray Investment Company, an Oregon corporation, dated May 1, 1930, recorded May 9, 1930, Volume 90, page 234, Deed Records of Klamath County, Oregon, as follows: "The grantors herein reserve $\frac{3}{64}$ of the rights to all oil and minerals that may be found on said land."

(10) Reservations and restrictions contained in deed from Horsefly Irrigation District, a corporation, to Carl Zanzinger, dated October 23, 1933, recorded October 24, 1933, Volume 101, page 567, Deed Records of Klamath County, Oregon, as follows: "Hereby reserve a right of way for construction of a canal through which to deliver water to lands lying adjacent and beyond the above described premises, the canal to proceed with approximately the same rate of fall as that already constructed to the above-described premises."

(11) Reservations and restrictions contained in deed from Horsefly Irrigation District to Joe Smith, dated April 1935, recorded June 13, 1936, Volume 106, page 470, Deed Records of Klamath County, Oregon, as follows: "Reserving unto the grantor rights of way for all ditches and roads now constructed upon said lands."

(12) Reservations and restrictions contained in deed from Joe Smith, a single man, to H. R. Lafferty and R. T. Lafferty, dated March 29, 1938, recorded April 20, 1938, Volume 115, page 238, Deed Records of Klamath County, Oregon, as follows: "It is understood and agreed between grantee and grantor that grantor Joe Smith reserves unto himself, forever, a $\frac{1}{3}$ interest in all oil, gas or mineral rights upon or under the premises heretofore described."

(13) Right of way for transmission line, including the terms and provisions thereof, given by H. T. Lafferty, et al., to The California Oregon Power Company, a California corporation, dated May 1, 1947, recorded May 9, 1947, Volume 206, page 141, Deed Records of Klamath County, Oregon.

(14) Easement for pipelines, including the terms and provisions thereof, given by A. G. Wu and W. G. Wu to A. M. Lepley, dated June 23, 1953, recorded March 24, 1954, Volume 266, page 123, Deed Records of Klamath County, Oregon.

(15) Mortgage, including the terms and provisions thereof, given by Richard G. Garner and Betty M. Garner, husband and wife, to The Federal Land Bank of Spokane, a corporation, dated March

16, 1972, recorded March 23, 1972, Volume M72, page 3105, Mortgage Records of Klamath County, Oregon, to secure the payment of \$65,000.00. Contains additional property. A portion of the property described herein has been released by partial release recorded February 16, 1979, Volume M79, page 3751, Mortgage Records of Klamath County, Oregon.

to have and to hold the same unto Grantees, their heirs, successors and assigns forever.

Grantor hereby covenants to and with said Grantees, their heirs, successors and assigns, that it is lawfully seized in fee simple of the above-granted premises, free and clear of all encumbrances, except those noted above, and that Grantor 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 is \$177,500.00.

IN WITNESS WHEREOF, the Grantor has executed this instrument this 6 day of April, 1979.

FORT BIDWELL CATTLE PRODUCTION COMPANY

By: [Signature] Pres.
Mariette B. Hollins
By: [Signature] Secretary
by her attorney in fact

State of Oregon, County of Klamath) ss
April 6th, 1979

Personally appeared Harry B. Hollins, who, being duly sworn, did say that he is the president of Fort Bidwell Cattle Production Co., a corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors and acknowledged said instrument to be its voluntary act and deed.

Before me:

State of Oregon, County of Klamath
April 6th, 1979)ss

[Signature]
Notary Public for Oregon
My commission expires 8-5-79

Personal appeared Harry B. Hollins, who being duly sworn, did say that he is the attorney in fact for Mariette B. Hollins, and that said Mariette B. Hollins is the secretary of Fort Bidwell Cattle Production Co., and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and acknowledged said instrument to be its voluntary act and deed.

Before me:

[Signature]
Notary Public for Oregon
My commission expires 8-5-79

STATE OF OREGON; COUNTY OF KLAMATH; ss.

I hereby certify that the within instrument was received and filed for record on the 9th day of April A.D., 19 79 at 3:28 o'clock P. M., and duly recorded in Vol M79 of Deeds on Page 7768.

FEE \$9.00

WM. D. MILNE, County Clerk
By: [Signature] Deputy