

65302 R-317W

PARCEL 1:

To Have and to Hold: the above described and granted premises unto the said grantees, as tenants by the entirety, their heirs and assigns forever.

The true and actual consideration paid for this transfer stated in terms of dollars is \$360,000.00. ^{1.1}
 However, the actual consideration consists of or includes other property or value given or promised which is ^{1.1}
 the whole consideration (indicate which) ^{1.1} (The sentence between the symbols ^{1.1} if not applicable, should be deleted. See ORS 93.030.)

- B-287n Witness Whereof the grantor has executed this instrument this 10th day of April A.D. 1969; if a corporate grantor it has caused its name to be signed and seal affixed by its officers duly authorized thereto by order of its board of directors. Litw

(If executed by a corporation,
affix corporate seal)

STATE OF OREGON,)
County of Klamath) ss.
4-10-79

Personally appeared the above named TAXPAYER each for himself and not one for the other, did say, that the former is the Steven C. Josse and Mark Josse have been president and that the latter is the A. Josse husband and wife, secretary of the United States and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:

(OFFICIAL SEAL) Notary Public for Oregon My commission expires 12/31/2011 (OFFICIAL SEAL) Notary Public for Oregon My commission expires 12/31/2011

GRANTOR'S NAME AND ADDRESS

I certify that the within instrument was received for record on the _____ day of _____, 19____ at _____ o'clock _____ M., and recorded

GRANTEE'S NAME AND ADDRESS _____

[illegible]

Unit change is required. All tax statements shall be sent to the following address:
NAME ADDRESS
Samuel A. ...
By *[Signature]* Deputy
Recording Officer

19

79267
WARRANTY DEED - TENANTS BY ENTIRETY
ALSO SAVING AND EXCEPTING from the above described parcel that portion thereof conveyed to Lost River Cemetery Association, Inc., by deed recorded December 16, 1949, in Deed Volume 236 page 572, records of Klamath County, Oregon.

PARCEL 2:

That part of Tracts 7, 8 and 9 lying Southwesterly of the Bonanza-Lorella County Road, all in Riverside Tracts in Sections 11 and 14, Township 39 South, Range 11 East of the Willamette Meridian, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

The SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 11 lying Southwesterly of the Bonanza-Lorella County Road in Township 39 South, Range 11 East of the Willamette Meridian.

ALSO, that portion of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 11 Township 39 South, Range 11 East of the Willamette Meridian, described as follows: Beginning at the intersection of the East line of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 11 Twp. 39 S.R. 11 E.W.M. and the North line of the Bonanza-Lorella County Road; thence Westerly along said Northerly line a distance of 193 feet; thence North to the South line of Lost River; thence Southeasterly along the South line of Lost River to the East line of said SW $\frac{1}{4}$ SW $\frac{1}{4}$; thence South along said East line to the point of beginning.

EXCEPTING from the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 11 Township 39 South, Range 11 East of the Willamette Meridian the following: Beginning at a point on the South line of the Bonanza-Lorella County Road which is 742 feet East along said line from the West line of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 11 Twp. 39 S.R. 11 E.W.M.; thence continuing East along said line a distance of 448 feet; thence South 140 feet; thence West 448 feet, more or less, to a point due South of the point of beginning; thence North 140 feet, more or less, to the point of beginning.

That portion of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$ lying Southwesterly of the Bonanza-Lorella County Road and all of the SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{4}$ NW $\frac{1}{4}$ and S $\frac{1}{4}$ of Section 14 Township 39 South, Range 11 East of the Willamette Meridian. EXCEPTING the East 1200 feet of the South 330 feet of the SE $\frac{1}{4}$ SE $\frac{1}{4}$.

The NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, and NE $\frac{1}{4}$ NE $\frac{1}{4}$, EXCEPTING the East 1200 feet of said NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 23, Township 39 South, Range 11 East of the Willamette Meridian.

Subject, however, to the following:

1. The assessment roll and the tax roll disclose that the within described premises were specially assessed as farm Land. Taxes for the year 1978-79 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, water and irrigation rights in connection therewith.
4. Liens or assessments, if any, of the City of Bonanza, for municipal improvements on that portion of the herein described property lying within the city limits of said city.
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. Right of way for transmission line, including the terms and provisions thereof, given by Herbert Longton and Gertrude Dowquill Longton, husband and wife, to The California Oregon Power Company, a California corporation, dated January 7, 1941, recorded January 31, 1941, in Deed Volume 135, page 171, Records of Klamath County, Oregon. Covers Lot 7 of Riverside Tracts.

(for continuation of this document see attached Exhibit "A" and by this reference incorporated herein)

7. Right of way for transmission line, including the terms and provisions thereof, given by Mattie J. Nichols and B. F. Nichols, her husband, to The California Oregon Power Company, a California corporation, dated January 7, 1941, recorded January 31, 1941, in Deed Volume 135 page 175, records of Klamath County, Oregon. Affects SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 11.
8. Right of way for transmission line, including the terms and provisions thereof, given by Otto C. Freese and Artie Nichols Freese, his wife, to The California Oregon Power Company, a California corporation, dated January 16, 1941, recorded January 31, 1941, in Deed Volume 135 page 177, records of Klamath County, Oregon. Affects NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 14.
9. Right of way for transmission line, including the terms and provisions thereof, given by Horsefly Irrigation District, to The California Oregon Power Company, a California corporation, dated June 10, 1941, recorded July 2, 1941, in Deed Volume 139 page 195, records of Klamath County, Oregon. Affects NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 15.
10. Right of way for transmission line, including the terms and provisions thereof, given by Ruby Brown et al., to The California Oregon Power Company, a California corporation, dated June 18, 1951, recorded June 28, 1951, in Deed Volume 248 page 249, records of Klamath County, Oregon. Affects SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 11.
11. Right of way for transmission line, including the terms and provisions thereof, given by J. E. Whitlatch and Nellie C. Whitlatch, husband and wife, to The California Oregon Power Company, a California corporation, dated September, 1953, recorded October 5, 1953, in Deed Volume 263, page 261, records of Klamath County, Oregon. Affects Lots 7, 8 and 9 of Riverside Tracts and NE $\frac{1}{4}$ NW $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 14.
12. Transmission line and access road easement, including the terms and provisions thereof, given by Ray C. McKray and Linda McKray, husband and wife, to United States of America, dated February 9, 1966, recorded February 18, 1966, in Deed Volume M66 page 1413 and re-recorded March 29, 1966, in Deed Volume M66 page 2735, records of Klamath County, Oregon. Affects SE $\frac{1}{4}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ of Section 14 and W $\frac{1}{4}$ NE $\frac{1}{4}$ Section 23.
13. Electric Transmission line easement, including the terms and provisions thereof, given by Ray C. McKray and Linda McKray, husband and wife, to Portland General Electric Company, an Oregon corporation, dated April 19, 1966, recorded April 21, 1966, in Deed Volume M66 page 8550, records of Klamath County, Oregon. Affects SE $\frac{1}{4}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ Section 14 and W $\frac{1}{4}$ NE $\frac{1}{4}$ Section 23.
14. Mortgage, including the terms and provisions thereof, executed by Steve Josse and Mary Ann Josse, husband and wife, to The State of Oregon, represented and acting by the Director of Veterans' Affairs, dated August 29, 1977, recorded August 30, 1977, in Mortgage Volume M77, page 15996, records of Klamath County, Oregon, to secure the payment of a promissory note dated August 29, 1977, in the amount of \$125,000.00, which mortgage Grantees herein hereby assume and agree to pay according to its terms and also hereby assume the obligation of Steve Josse and Mary Ann Josse, husband and wife, under the terms of the instrument creating the loan to indemnify the VA to the extent of any claim payment arising from the guaranty or insurance of the indebtedness above-mentioned, and consents to their release from their obligations under the loan instruments. The present balance due and owing is \$ 151,385.22 with interest paid to 12/29/79 to The State of Oregon, represented and acting by the Director of Veterans' Affairs.
15. Mortgage, including the terms and provisions thereof, executed by Steve Josse and Mary Ann Josse, husband and wife, to the State of Oregon, represented and acting by the Director of Veterans' Affairs, dated August 22, 1978, recorded August 22, 1978, in Volume M78, page 18601, Microfilm Records of Klamath County, Oregon, to secure the payment of a promissory note dated August 22, 1978, in the amount of \$26,042.00, which mortgage Grant ees herein hereby assume and agree to pay according to its terms and also hereby assume the obligation of Steve Josse and Mary Ann Josse, husband and wife, under the terms of the instrument creating the loan to indemnify the VA to the extent of any claim payment arising from the guaranty or insurance of the indebtedness above-mentioned, and consents to their release from their obligations under the loan instruments. The present balance due and owing is \$ see above with interest paid to see above to The State of Oregon, represented and acting by the Director of Veterans' Affairs.
16. Mortgage, including the terms and provisions thereof, executed by Steven C. Josse, aka Steve Josse and Mary Ann Josse, husband and wife, to Dan N. McDonald and Evelyn L. McDonald, husband and wife, dated August 29, 1977, recorded August 30, 1977, in Volume M77, page 15999, Microfilm Records of Klamath County, Oregon, to secure the payment of \$37,000.00.

By Agreement dated July 15, 1978, recorded August 22, 1978, in Volume M78, page 18608, Microfilm Records of Klamath County, Oregon, the lien of the above mortgage was subordinated to the mortgage shown as Exception No. 19 above, which Mortgage Grantees herein agree to assume and pay, the present balance due and owing is \$ 13,437.39 with interest paid to 9/29/78 to Dan N. McDonald and Evelyn L. McDonald, husband and wife.

17. Mortgage, including the terms and provisions thereof, executed by Steven C. Josse and Mary Ann Josse, husband and wife, to the United States of America, acting through the Farmers Home Administration, dated March 15, 1978, recorded March 15, 1978, in Volume M78, page 6971, Microfilm Records of Klamath County, Oregon, to secure the payment of \$54,000.00, which mortgage Grantees herein hereby assume and agree to pay according to its terms and also hereby assume the obligation of Steve C. Josse and Mary Ann Josse, husband and wife, under the terms of the instrument creating the loan to indemnify the VA to the extent of any claim payment arising from the guaranty or insurance of the indebtedness above-mentioned, and consents to their release from their obligations under the loan instruments. The present balance due and owing is \$ 53,896.44 with interest paid to 12/18/78, to The State of Oregon, represented and acting by the Director of Veterans' Affairs.

After recording return to
Mr. and Mrs. Merle Whiton
Rt 1 Box 10
Bonanza, OR 97623

Mail tax statements to Dept of Veterans Affair

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of Klamath County Title Co.
this 11th day of April A. D. 1979 at 10:40 clock A.M., and
filed recorded in Vol. M79, of Deeds on Page 7925

Wm D. MILNE, County Clerk

By Bernetha J. Hetch

Fee \$12.00