

1. Rights of the public in and to any portion of the herein described premises lying within the limits of streets, roads or highways.
2. The premises herein described are within the subject to the statutory powers, including the power of assessment, of Klamath Project.
3. Regulations, levies, assessments, water and irrigation rights, and easements, ditches and canals of Langell Valley Irrigation District.
4. Reservations as contained in Patent recorded in Volume 182, page 379, Records of Klamath County, Oregon, as follows:
"subject to any vested and accrued water rights for mining, agricultural, manufacturing or other purposes and rights to ditches and reservoirs used in connection with such water rights as may be recognized and acknowledged by the local customs, laws and decisions of courts; and there is reserved from the lands hereby granted a right of way thereon for ditches or canals constructed by the authority of the United States." (Affects NE $\frac{1}{4}$ & NW $\frac{1}{4}$ Sec. 8)
5. Reservations as contained in Patent recorded in Volume 207, page 295, Records of Klamath County, Oregon, as follows:
"subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States." (Affects E $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 8 and W $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 9)
6. Grant of Right of Way, including the terms and provisions thereof, dated October 8, 1962, recorded December 30, 1962, and recorded in Volume 342, page 134, Records of Klamath County, Oregon.
In favor of: Pacific Power & Light Company, a Maine Corporation.
For: Pole and wire lines for transmission and distribution of electricity, right of way to be 15 feet wide.
(Not exact location shown)
7. Grant of Right of Way, including the terms and provisions thereof, recorded in Volume 342, page 138, Records of Klamath County, Oregon.
In favor of: Pacific Power & Light Company, a Maine Corporation.
For: Poles and wire lines
(Affects W $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 16)
8. An easement created by instrument, including terms and provisions thereof, dated December 31, 1962, recorded January 21, 1963, in Volume 342, page 542, Records of Klamath County, Oregon.
In favor of: Richard A. Smith and Geneva A. Smith.
For: Perpetual right to construct, reconstruct maintain and operate a feeder ditch or canal and roadway for ingress and egress 60 feet wide.
(Affects NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 8, NW $\frac{1}{4}$ NW $\frac{1}{4}$ and S $\frac{1}{2}$ NW $\frac{1}{4}$ of Sec. 9)
9. Reservations as contained in Patent recorded in Volume M69, page 6899, Records of Klamath County, Oregon, as follows: ...EXCEPTING AND RESERVING to the United States from the lands so granted:
1. A right-of-way thereon for ditches or canals constructed by the authority of the United States. Act of August 30, 1980, 26 Stat. 391; 43 U.S.C. 945;
2. A right-of-way for stock driveway purposes, in the S $\frac{1}{2}$ S $\frac{1}{2}$ of said Sec. 5, T. 40 S., R. 14 E. W. M., said right-of-way being 30 feet on each side of the centerline, more particularly identified and described in right-of-way OR 4175;
3. Such rights for power transmission line purposes as the Pacific Power & Light Company may have under the Act of March 4, 1911 (36 Stat. 1253) as amended (43 U.S.C. 961) pursuant to right-of-way Oregon 012979 as to the S $\frac{1}{2}$ NE $\frac{1}{4}$ of said Sec. 17, T. 40 S., R. 14 E. W. M.;
4. Such rights for a reservoir and ditch as the Willow Valley Irrigation District or its successors may have under the Act of March 3, 1891, as amended (26 Stat. 1102; 43 U.S.C. 948), as to the E $\frac{1}{2}$ SE $\frac{1}{4}$ said Sec. 17, T. 40 S., R. 14 E. W. M., Oregon."
(Affects SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 8, NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ and E $\frac{1}{2}$ SE $\frac{1}{4}$ of Sec. 17 and additional property)
10. An Easement created by instrument, including the terms and provisions thereof, Dated: September 23, 1969
Recorded: January 26, 1970
Volume: M70, page 638, Microfilm Records of Klamath County, Oregon
In favor of: Louise Kilgore Schmoie and Charles Kilgore and Silas W. Kilgore
For: The sole and exclusive right and easement to use, occupy and enjoy forever.
(Affects a strip of land 60 feet wide and 1380 feet long along and upon and parallel with the Northerly boundary of the W $\frac{1}{2}$ SW $\frac{1}{4}$, Section 9, Township 40 S. R. 14 E. W. M., and extending Westerly into the SE $\frac{1}{4}$, Section 8, Township 40 S., R. 14 E. W. M.)

"EXHIBIT A"

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11. An Easement created by instrument, including the terms and provisions thereof,
Dated: January 16, 1970
Recorded: January 26, 1970

Volume: M70, page 639, Microfilm Records of Klamath County, Oregon
In favor of: Richard A. Smith and Geneva A. Smith
For: the sole and exclusive right and easement to use, occupy and enjoy forever
(Affects a strip of land 60 feet wide and 1380 feet long lying along and upon and
parallel to the Southerly boundary line of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and extending into the
NW $\frac{1}{4}$ SE $\frac{1}{4}$, all in Section 9, Township 40 S., Range 14, E. W. M.)

13. Mortgage, including the terms and provisions thereof, given to secure an
indebtedness with interest thereon and such future advances as may be provided
therein.
Dated: February 1, 1976
Recorded: February 4, 1976

Volume: M76, page 1640, Microfilm Records of Klamath County, Oregon
Amount: \$225,000.00
Mortgagor: Robert L. Laughlin and Stuart S. Frye
Mortgagee: Richard A. Smith and Geneva A. Smith
(Affects all Parcel 3 Except NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 19)

14. Supplemental Mortgage, including the terms and provisions thereof, given to
secure an indebtedness with interest thereon and such future advances as may be
provided therein.
Dated August 10, 1976
Recorded: August 23, 1976

Volume: M76, page 13024, Microfilm Records of Klamath County, Oregon
Amount: \$225,000.00
Mortgagor: Robert L. Laughlin and Stuart S. Frye
Mortgagee: Richard A. Smith and Geneva A. Smith (Affects SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 16)

15. Financing Statement

Filed: August 27, 1976
Clerk's File No.: 18227
Debtor: Stuart S. Frye and Carolyn U. Frye, husband and wife
Secured Party: Connecticut Mutual Life Insurance Company

16. Financing Statement

Filed: August 27, 1976
Clerk's File No.: 18228
Debtor: Robert L. Laughlin and Susan H. Laughlin, husband and wife
Secured Party: Connecticut Mutual Life Insurance Company

17. Mortgage and Security Agreement including the terms and provisions thereof,
given to secure an indebtedness with interest thereon and such future
as may be provided therein.
Dated: August 17, 1976
Recorded: August 27, 1976

Volume: M76, page 13396, Microfilm Records of Klamath County, Oregon
Amount: \$155,000.00
Mortgagor: Stuart S. Frye and Caroline U. Frye, husband and wife, and Robert L.
Laughlin and Susan H. Laughlin, husband and wife
Mortgagee: Connecticut Mutual Life Insurance Company
(Affects E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$,
N $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 9, NE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 16).

18. The assessment roll and the tax roll disclose that the premises herein described have
been specially assessed as Farm Use Land. If the land becomes disqualified for the
special assessment under the statute, an additional tax may be levied for the last
10 years or lesser number of years in which the farm use assessment was in effect for
the land and in addition thereto a penalty may be levied if notice of disqualification
is not timely given.

DESCRIPTION

All that certain real property situate in the County of Klamath, State of Oregon, described as follows:

PARCEL 1

In Township 40 South, Range 14 East of the Willamette Meridian:
 Section 8: Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$; Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$

PARCEL 2

In Township 40 South, Range 14 East of the Willamette Meridian:
 Section 8: East $\frac{1}{2}$ of the Northeast $\frac{1}{4}$; Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$; Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$; Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$; Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$
 Section 9: North $\frac{1}{2}$; East $\frac{1}{2}$ of the Southwest $\frac{1}{4}$; Southeast $\frac{1}{4}$
 Section 16: Northeast $\frac{1}{4}$; East $\frac{1}{2}$ of the Northwest $\frac{1}{4}$

PARCEL 3

In Township 40 South, Range 14 East of the Willamette Meridian:
 Section 8: East $\frac{1}{2}$ of the Southeast $\frac{1}{4}$; Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$
 Section 9: West $\frac{1}{2}$ of the Southwest $\frac{1}{4}$
 Section 16: West $\frac{1}{2}$ of the Northwest $\frac{1}{4}$; Southwest $\frac{1}{4}$
 Section 17: Northeast $\frac{1}{4}$; East $\frac{1}{2}$ of the Southeast $\frac{1}{4}$

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of Mountain Title Co.

this 31st day of July A. D. 1980 at 2:17 o'clock P M., ar

uly recorded in Vol. M80, of Deeds on Page 14251

Wm D. MILNE, County Clerk

By Bernetha H. Ketsch

Fee \$14.00