

K-33520

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DEED

Vol. 780 Page 18794

KNOW ALL MEN BY THESE PRESENTS: that LOTUS LAND & CATTLE COMPANY, a Limited Partnership, hereinafter called Grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto:

LOS GATOS EUREKA BUILDING, a partnership

hereinafter called Grantee, and unto Grantee's heirs, successors, and assigns, all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of Klamath, State of Oregon, described as follows, to wit:

See Exhibit "A" attached hereto
and incorporated herein by this
reference.

The have and to hold the same unto the said grantee and grantee's heirs, successors, and assigns, forever.

The true and actual consideration paid for this transfer stated in terms of dollars is \$ Distribution of Partnership Interest.

IN WITNESS WHEREOF, the General Partners of the grantor executed this instrument this 28th day of December, 1979, 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.

LOTUS LAND & CATTLE COMPANY
A Limited Partnership

By Edd M. Bauck

By H. Francis Bauck

80 SEP 30 PM 3 30

PARCEL 1:

The South 1/2 of Section 36, Township 33 South, Range 6 E.W.M., Klamath County, Oregon, less 0.56 acre road, and less the Westerly portion as described in Deed Volume M71 page 3664, Deed records of Klamath County, Oregon. ALSO lots 1, 2, 3, 8 and 9, less that portion of Lots 2 and 3 lying West of the centerline of the channel of Seven Mile Creek, all in Section 1, Township 34 South, Range 6 E.W.M., Klamath County, Oregon. ALSO, all that portion of Lots 7 and 10 of said Section 1, lying East of said Seven Mile Creek, and more particularly described as follows: Beginning at the Northeast corner of said Lot 7; thence West along the North boundary of said Lot 7, 17.40 chains, more or less, to the centerline of said Seven Mile Creek; thence Southerly along the centerline of said Seven Mile Creek as follows: South 34° 35' East, 1.50 chains; South 15° 58' West, 4.60 chains; South 34° 39' East 4.48 chains; South 22° 46' West 4.60 chains; South 28° 01' East 6.51 chains; South 03° 33' West 3.00 chains; South 27° 48' East 3.26 chains; South 45° 10' East 5.77 chains; South 58° 30' East 5.80 chains; South 29° 02' 30" East 4.04 chains; North 61° 10' East 1.70 chains to the East line of said Lot 10; thence North 00° 07' East along the East line of said lots 10 and 7, 35.08 chains, more or less, to the point of beginning.

EXCLUDING AND EXCEPTING THEREFROM

A tract of land situated in Government Lots 1 and 8 of Section 1, Township 34 South, Range 6 E.W.M., Klamath County, Oregon, more particularly described as follows:

BEGINNING at a 1/2-inch iron pin on the East line of said Section 1 from which the Northeast closing corner of said Section 1, as marked by a 1931 G.L.O. brass cap monument, bears North 00° 03' 52" West 329.90 feet; thence South 88° 21' 24" West 108.64 feet to a 1/2-inch iron pin; thence South 00° 21' 23" East 127.40 feet to a 1/2-inch iron pin on the Northerly edge of an existing fence; thence North 86° 02' 20" East along said Northerly edge of fence, 19.96 feet to a 1/2-inch iron pin by the west wall of an existing barn; thence South 00° 20' 19" East 61.99 feet to a 1/2 inch iron pin on the Southerly edge of an existing fence; thence South 88° 46' 32" East along said Southerly edge of fence 44.40 feet to a 1/2-inch iron pin on the Southwest side of an existing fence corner; thence South 01° 58' 20" East 11.63 feet to a 1/2-inch iron pin on the Northwest side of an existing fence corner; thence South 63° 46' 09" West 158.62 feet to a 1/2-inch iron pin on the Northwest side of an existing fence corner; thence South 01° 03' 26" West 1102.62 feet to a 1/2-inch iron pin on the Southwest side of an existing fence corner; thence South 89° 08' 38" East 206.94 feet to a 1/2 inch iron pin in an existing fence line and being on the East line of said Section 1; thence North 00° 03' 52" West 1379.33 feet to the point of beginning, containing 5.61 acres, with bearings based on the East line of said Government Lots 1 and 8 as being North 00° 03' 52" West TOGETHER WITH a non-exclusive easement with the following described property; Beginning at the point of beginning of the above-described tract of land; thence South 88° 21' 24" West 108.64 feet; thence South 00° 21' 23" East 103.03 feet; thence South 86° 25' 34" West 66.87 feet to a point in an existing fence; thence North 00° 03' 53" West generally along said existing fence, 251.09 feet to a fence corner; thence South 89° 28' 55" East, generally along an existing fence, 174.83 feet to the East line of said Section 1; thence South 00° 03' 52" East 139.20 feet to the point of beginning, excepting that portion within ten feet of the existing shop and storage building as shown on recorded survey No. 3146, as recorded in the office of the Klamath County Surveyor.

TOGETHER with a non-exclusive easement in Parcel 1 for ranching and irrigation purposes incidental and appurtenant to the above exception to Parcel 1.

RESERVING FROM THE ABOVE EXCEPTION for the benefit of the grantee, their heirs, successors and assigns the following:

(1) A non-exclusive easement for the placement of a pump for irrigation purposes and use of the existing irrigation facilities for the extraction and conveyancing of irrigation water for agricultural purposes from Four Mile Canal along with a right of ingress and egress for the purposes of repairing, replacing, and maintaining said facilities. All costs of use and repair shall be the responsibility of the grantee, their heirs, successors, and assigns. Said general easement is not to interfere with the use of the excluded and excepted parcel.

(2) Further reserving - for grantee a non-exclusive easement of ingress and egress for ranching and irrigation purposes as to the exception incidental and appurtenant to Parcel 1.

PARCEL 2:

A tract of land situated in Government Lots 20, 21, 22 and 25 of Section 6, Township 34 South, Range 7-1/2 E.W.M., Klamath County, Oregon, more particularly described as follows:

Beginning at a PK nail on a fence post from which the North 1/16 corner common to said Section 6 and Section 1, Township 34 South, Range 6 E.W.M., Klamath County, Oregon, bears South 35° 49'22" West 516.81 feet; thence South 00° 12'47" West 287.54 feet to a PK nail on a fence post; thence South 01° 02'38" East 120.71 feet to a PK nail on a fence post; thence South 02° 26'25" West 287.52 feet to a PK nail on a fence post; thence South 18° 02'14" East 1131.66 feet to a PK nail on a fence post; thence South 83° 43'23" East 48.62 feet to a PK nail on a fence post; thence North 83° 31'40" East 16.38 feet to a PK nail on a fence post; thence South 43° 54'16" East 58.37 feet to a PK nail on a fence post; thence North 73° 09'13" East 629.63 feet to a PK nail on a fence post; thence North 71° 53'47" East, generally along an existing fence 709.12 feet to a 5/8 inch iron pin on the Northeast side of a fence corner; thence North 31° East 75 feet, more or less, to the centerline of the Seven Mile Canal; thence Northwesterly along the centerline of said Seven Mile Canal to a point that bears North 00° 12'47" East from the point of beginning; thence South 00° 12'47" West 195 feet, more or less to the point of beginning, containing 47 acres, more or less, with bearings based on the West line of said Government Lot 20 as being North 00° 03'52" West.

Excluding and excepting a non-exclusive easement for ingress and egress for irrigation and ranch purposes and for the use of scales, shipping corrals, and other livestock gathering facilities and improvements.

HOWEVER, reserving to the grantee an easement for ingress and egress and ranching purposes and the use of scales, shipping corrals, and other livestock gathering facilities and improvements on the remaining lands of grantor. Grantee and grantor to bear all costs for the maintenance and improvement in and to the scales, shipping corrals and livestock gathering facilities and improvements located in their respective properties.

PARCEL 3:

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A tract of land situated in Sections 6, 7, 18, 19, 20, 29 and 30, Township 34 South, Range 7-1/2 E.W.M., Klamath County, Oregon, more particularly described as follows:

That tract of land described in Deed Volume M75 page 15603, Parcels 1, 2, 4 and 5, as recorded in the office of the Klamath County Deed records, EXCEPTING THEREFROM, that portion lying Northerly and Westerly of the following described lines: Beginning at the corner common to Sections 13 and 24, Township 34 South, Range 6 E.W.M., and said Section 18 and 19, as marked by a 1931 G.L.O. brass cap monument; thence South 00° 23'47" West along the West line of said Section 19, 1557.50 feet to the Northwest corner of that tract of land as described in Deed Volume 331 page 367 of the said Klamath County Deed records; thence East 98:00 feet to the Northeast corner of said Deed Volume 331 page 367 and being the centerline of Four Mile Canal; thence South 00° 04'38" East along the East line of said Deed Volume 331 page 367, to the intersection of the centerlines of Four Mile Canal and an existing canal, said intersection being the true point of beginning of this description; thence South 74° 27'51" East along the centerline of said canal, 3243.55 feet, to its intersection with the centerline of the Dixon and McQuiston Canal; thence, along the centerline of said Dixon and McQuiston Center Canal, North 13° 18'22" East 681.05 feet, North 23° 53'22" West 156.11 feet and North 00° 13'57" West 16,175 feet, more or less, to its intersection with the centerline of the Seven Mile Canal, with bearings based on survey No. 3146, as recorded in the office of the Klamath County Surveyor. The remaining tract containing 1100 acres, more or less.

EXCLUDING and excepting a non-exclusive easement for ingress and egress for irrigation and ranching purposes.

STATE OF CALIFORNIA

COUNTY OF El Dorado } SS.

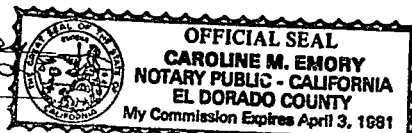
On August 1, 1980

before me, the undersigned, a Notary Public in and for said State, personally appeared Eddie M. Bacchi

to be one of the partners of the partnership known to me that executed the within instrument, and acknowledged to me that such partnership executed the same.

WITNESS my hand and official seal.

Signature Caroline M. Emory



Form 3215 Partnership

STATE OF OREGON,

County of Klamath } SS.

FORM NO. 23 — ACKNOWLEDGMENT
STEVENS-NESS LAW PUB. CO., PORTLAND, ORE.

BE IT REMEMBERED, That on this 8th day of September, 19 80, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named H. Francis Bacchi

known to me to be the identical individual described in and who executed the within instrument and acknowledged to me that he executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Mildred E. Lewis
Notary Public for Oregon.
My Commission expires 7/19/82

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STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of Klamath County Title Co.

this 30th day of September A. D. 19 80 at 3:30 clock P. M., and
fully recorded in Vol. M80, of Deeds on Page 18794

Wm D. MILNE, County Clerk

By Bernice A. Hetch

Fee \$17.50

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