



FRONTIER

#396 91959

WARRANTY DEED

Vol. 178 Page 21176



KNOW ALL MEN BY THESE PRESENTS, That NEVADA ROGUE, INC.

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by RICHARD R. KOPCZAK, 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, to-wit:

PARCEL ONE

A parcel of land situated in Section 33, Township 35 South, Range 7 East of the Willamette Meridian in the County of Klamath, State of Oregon, described as follows:

Government Lots 18, 23, 26, 31 and that portion of Government Lots 17 and 24 lying Westerly of Southern Pacific Railroad.

TOGETHER WITH a perpetual non-exclusive roadway easement twenty feet in width for ingress and egress over and upon a parcel of land situated in Government Lot 17 of Section 33, Township 35 South, Range 7 East of the Willamette Meridian, in the County of Klamath, State of Oregon, said easement lying ten (CONTINUED ON REVERSE)

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.

And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances as set forth herein and apparent upon the land,

and that

grantor will warrant and forever defend the said 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 \$ 160,000.00.

However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration (indicate which) (The sentence between the symbols @, if not applicable, should be deleted. See ORS 93.030.)

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 31st day of October, 1980; 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.

NEVADA ROGUE, INC.

(If executed by a corporation, affix corporate seal)

By: George A. Pondella, Jr. president

Marcia A. Magness by power of attorney

STATE OF OREGON, County of Klamath

October 31, 1980

STATE OF OREGON,

County of Klamath ss.

October 31, 1980

Personally appeared George A. Pondella, Jr. and Marcia A. Magness, who, being duly sworn,

each for himself and not one for the other, did say that the former is the president and that the latter is the secretary of

Nevada Rogue, Inc., 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 each of them acknowledged said instrument to be its voluntary act and deed.

Personally appeared the above named George A. Pondella, Jr. attorney in fact for Marcia A. Magness

and acknowledged the foregoing instrument to be his voluntary act and deed.

Before me, John B. Blubaugh Notary Public for Oregon

(OFFICIAL SEAL)

My commission expires: 8-23-81

Before me, John B. Blubaugh Notary Public for Oregon

My commission expires: 8-23-81

(OFFICIAL SEAL)

GRANTOR'S NAME AND ADDRESS

GRANTEE'S NAME AND ADDRESS

After recording return to:

Richard R. Koczak

P.O. Box 361

Chiloquin, Or. 97624

NAME, ADDRESS, ZIP

Until a change is requested all tax statements shall be sent to the following address.

same as above

NAME, ADDRESS, ZIP

STATE OF OREGON, County of KLAMATH ss.

I certify that the within instrument was received for record on the 31st day of October, 1980, at 10:00 o'clock A.M. and recorded in book/reel/volume No. 178 on page 21176 of as document/fee/file/instrument/microfilm No. 178-21176 Record of Deeds of said county.

Witness my hand and seal of County affixed.

NAME TITLE

By George A. Pondella, Jr. Deputy

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NEVADA ROGUE, INC.

THAT THESE PRESENTS THAT

feet on either side of the following described center line: Beginning at a point on the Westerly right of way line of U. S. Highway No. 97 from which the East one-quarter corner of said Section 33 bears North 86°30'50" East, 293.77 feet; thence leaving said right of way line South 87°19'13" West, 64.84 feet; thence South 59°57'03" West, 153.94 feet; thence South 77°35'53" West, 38.89 feet to the Easterly right of way line of the Southern Pacific Railroad and the terminus of this easement.

SUBJECT TO:

Regulations, including levies, assessments, water and irrigation rights and easements for ditches and canals of Modoc Irrigation District.

As disclosed by the assessment and tax roll, the premises herein have been specially assessed for farm use. If the land becomes disqualified for this special assessment under the statutes, an additional tax, plus interest and penalty, will be levied for the number of years in which this special assessment was in effect for the land.

The rights of the public in and to that portion of the above property lying within the limits of public roadways.

Reservations and restrictions, including the terms and provisions thereof, as disclosed by Deed of Tribal Property recorded April 2, 1957 in Volume 290, Page 565, Klamath County Deed Records, to wit:

The lands hereby conveyed are subject to a lien, prior and superior to all other liens for the amount of costs and charges due to the United States for and on account of construction, operation, and maintenance of the irrigation system or acquisition of water rights by which said lands have been or are to be reclaimed and the lien so created is hereby expressly reserved in accordance with the provisions of the Act of March 7, 1928 (45 Stat. 200-210), as supplemented by the Act of July 1, 1932 (47 Stat. 564 and 565).

All subsurface rights, except water, are hereby reserved, in trust, for the heirs of Sam Allen, deceased Klamath allottee No. 3. (Affects Government Lots 18 and 23 of Parcel One)

Reservations and restrictions, including the terms and provisions thereof, as disclosed by Deed of Tribal Property recorded October 7, 1957 in Volume 294, Page 615, Klamath County Deed Records, to wit:

The lands hereby conveyed are subject to a lien, prior and superior to all other liens for the amount of costs and charges due to the United States for and on account of construction, operation, and maintenance of the irrigation system or acquisition of water rights by which said lands have been or are to be reclaimed and the lien so created is hereby expressly reserved in accordance with the provisions of the Act of March 7, 1928 (45 Stat. 200-210), as supplemented by the Act of July 1, 1932 (47 Stat. 564 and 565).

All subsurface rights, except water, are hereby reserved, in trust, to the grantor, pursuant to the provisions of the Act of August 13, 1954 (68 Stat. 720) (Affects Government Lots 26 and 31 of Parcel One)

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of Frontier Title Co.

this 31st day of October A. D. 19 80 at 3:27 o'clock P. M.

duly recorded in Vol. M80, of Deeds on Page 21176

Wm D. MILNE, County Clerk

By Bernetha H. Fletcher

Fee \$7.00