

4786

-WARRANTY DEED- V. M-8/ Page 17072

BILL B. HARP and ROSELYN M. HARP, also known as ROSLYN HARP and ROSELYN HARP, husband and wife, Grantors, convey and warrant to EDELWEISS, INC., a corporation, Grantee, the following described real property situate in Klamath County, Oregon, free of all encumbrances, except as specifically set forth herein:

PARCEL I: In Township 41 South, Range 10 East of the Willamette Meridian, in the County of Klamath, State of Oregon:

Section 12: Lots 8, 9 and that portion of Lot 7 lying South of and adjacent to Southern Pacific Railroad right of way in Township 41 South Range 11 East of the Willamette Meridian, in the County of Klamath, State of Oregon

Section 7: A portion of Lot 11 described as follows: Beginning at the quarter section corner on the West boundary of Section 7; thence due East 660 feet; thence due South 132 feet to the left or North bank of Lost River; thence following the meander line of said river up stream to its intersection with the West boundary line of Section 7; thence North following said West boundary line to the POINT OF BEGINNING.

PARCEL II: The N $\frac{1}{2}$ SE $\frac{1}{4}$ and Lots 4 and 5 of Section 7, Township 41 South, Range 11 East of the Willamette Meridian, EXCEPTING THEREFROM, those portions deeded to United States of America in Deed Volume 38 at page 277 and 278 and Deed Volume 58 at page 434

SUBJECT TO AND EXCEPTING:

- (1) 1981-82 taxes, a lien in an amount to be determined, but not yet payable; (2) 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; (3) Regulations, including levies, assessments, water and irrigation rights and easement for ditches and canals, of Klamath Irrigation District; (4) Rights of the public and of governmental bodies in that portion of the above-described property lying below the high water mark of Lost River and the ownership of the State of Oregon in that portion lying below the high water mark thereof; (5) Reservations contained in that certain patent for the U.S.A. to Thomas Weedon recorded in Book 2, page 58 of Klamath County, Oregon, Deed Records; (6) Waiver of riparian rights, including the terms and provisions thereof, given to the U.S.A. by Fred L. Pope. Said waiver being recorded in Book 18, page 362, Deed Records of Klamath County, Oregon (affects Parcel 1); (7) Subject to a private use easement over the Easterly boundary of the herein described property as disclosed by instrument recorded May 1, 1974 in Book M-74, page 5405 (affects Parcel I); (8) Reservations and restrictions in Patent to James F. Kennedy dated November 20, 1880, recorded January 8, 1901 in Deed Book 13

WILLIAM P. BRANDSNESS

A PROFESSIONAL CORPORATION

ATTORNEY AT LAW

411 PINE STREET

KLAMATH FALLS, OREGON 97601

1. WARRANTY DEED

17073

page 328 (affects Parcel II); (9) Mutual Agreement for right of ways for irrigation ditches between Edgar Ball and other land owners under boundaries of Little Klamath Water Ditch Company, dated January 13, 1886, recorded March 5, 1909, in Deed Book 25, page 573 (affects Parcel II); (10) Deed, reservations and restrictions from William C. Bailey, et ux., to United States of America, dated March 30, 1922 in Deed Book 58, page 434, includes a release of damages given to United States of America for controlling level of waters and other matters (affects Parcel II); (11) Rights of ways given to The Pacific Power & Light Company by William Clarence Bailey, et ux., as follows: dated March 31, 1930, recorded April 30, 1930 in Deed Book 91 page 211 and dated September 18, 1944, recorded October 13, 1944, in Deed Book 169, page 602; (12) Release of water and riparian rights as set forth in Quitclaim Deed from J. Frank Adams, et ux., to United States of America, of rights in water and stream and lake bed, dated February 1, 1906, recorded October 16, 1906 in Deed Book 21, page 315 (affects Parcel II); (13) Grantors hereto do not warrant that this parcel of real property has a legal access; (14) Reservations, restrictions, easements and rights of way of record and those apparent upon the land.

The true and actual consideration for this transfer is Four Hundred Twenty Thousand and NO/100ths (\$420,000.00) DOLLARS.

Until a change is requested, all tax statements shall be mailed to Wm F. Sargeson: 363 Read Dr. Lafayette Ca 94549.

DATED this 16th day of September, 1981.

Bill B. Harp
Roselyn M. Harp

STATE OF OREGON)
County of Klamath) ss. Sept. 16, 1981.

Personally appeared the above-named BILL B. HARP and ROSELYN M. HARP, also known as ROSLYN HARP and ROSELYN HARP, and acknowledged the foregoing instrument to be their voluntary act. Before me:

Mary Lou Louder
Notary Public for Oregon
My Commission expires: 11/16/84

STATE OF OREGON,)
County of Klamath)
And for record of request of

this 24th day of Sept. A.D. 1981
11:24 o'clock A. M. and duly
recorded in Vol. M-81 of Deeds
17072

EVELYN BIEHN, County Clerk

Evelyn Biehn Deputy
\$8.00

AFTER RECORDING RETURN TO:
Transamerica (Mary Lou)

WILLIAM P. BRANDSNESS
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2. WARRANTY DEED