

KNOW ALL MEN BY THESE PRESENTS, That CLYDE B. CARNER AND AUDREY M. CARNER, his wife, hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by HOLIDAY TREE FARMS, a co-partnership, 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:

See exhibit A attached hereto, and by this reference incorporated herein.

(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 Except as set forth above in exhibit A.

and that grantor will warrant and forever defend the above granted 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 \$825,000.00

However, the actual consideration consists of or includes other property or value given or promised which is ~~the whole~~ consideration (indicate which).[ⓐ]

In construing this deed and where the context so requires, the singular includes the plural.

WITNESS grantor's hand this 14 day of April, 19 83.

CLYDE B. CARNER

AUDREY M. CARNER

STATE OF OREGON, County of Klamath ss.

Personally appeared the above named CLYDE B. CARNER AND AUDREY M. CARNER, his wife,

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

(OFFICIAL SEAL)

Before me, Notary Public for Oregon
My commission expires 8-5-83

NOTE—The sentence between the symbols ⓐ, if not applicable, should be deleted. See Chapter 462, Oregon Laws 1967, as amended by the 1967 Special Session.

CLYDE B. CARNER
AUDREY M. CARNER

GRANTOR'S NAME AND ADDRESS

HOLIDAY TREE FARMS,
a co-partnership

GRANTEE'S NAME AND ADDRESS

After recording return to:

CLYDE B. CARNER AND AUDREY M. CARNER
RT. 2 Box 789A
KLAMATH FALLS, OR 97601
NAME, ADDRESS, ZIP

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

HOLIDAY TREE FARMS
800 N.W. Cornell
Corvallis, OR 97330
NAME, ADDRESS, ZIP

STATE OF OREGON,

County of ss.

I certify that the within instrument was received for record on the day of 19 at o'clock M., and recorded in book reel volume No. on page or as document fee file instrument/microfilm No. Record of Deeds of said county.

Witness my hand and seal of County affixed.

By

Deputy

DESCRIPTION OF PROPERTY

5781

The following described real property situate in Klamath County, Oregon:

Township 39 South, Range 11 E.W.M.

Section 30: Lot 4

Section 31: Lots 4, 5, 6, 11, 12, 13, 14 and 15

Section 32: Lots 9 & 10

Township 40 South, Range 12 E.W.M.

Section 5: Lots 3 & 4, S $\frac{1}{4}$ NW $\frac{1}{4}$ and W $\frac{1}{4}$ SW $\frac{1}{4}$

Section 6: Lots 1, 2 & 3, S $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ and E $\frac{1}{4}$ SE $\frac{1}{4}$

Township 39 South, Range 11 $\frac{1}{2}$ E.W.M.

Section 25: Lots 6, 7, 8 and 9

Section 36: NE $\frac{1}{4}$ NE $\frac{1}{4}$ and W $\frac{1}{4}$ NE $\frac{1}{4}$

SAVING AND EXCEPTING the following described land: Beginning at a point in the line marking the Western boundary of the W $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 36 Township 39 S.R. 11 $\frac{1}{2}$ E.W.M., from which the quarter section corner at the Northwest corner of said NE $\frac{1}{4}$ of said Section 36 bears North 0°09' East 1,013.14 feet distant, and running thence South 0°09' West 1,632.3 feet, more or less, to the Southwest corner of the said W $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 36; thence East 1,324.2 feet, more or less, to the Southeast corner of said W $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 36; thence North 0°04' West along the Easterly boundary of said W $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 36, 530.5 feet; thence West 697.7 feet; thence North 29°35' West 1,269.5 feet, more or less, to the point of beginning, and containing 24.13 acres, more or less.

The Northerly 24.13 acres of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 36 Township 39 S.R. 11 $\frac{1}{2}$ E.W.M., described as follows: Beginning at a point in the line marking the Easterly boundary of said SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 36, Township 39 S.R. 11 $\frac{1}{2}$ E.W.M., from which the one-quarter corner on the East line of said Section 36 bears South 0°07' East 530.5 feet distant and running thence West, parallel with the Southerly line of said SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 36, 1,323.7 feet, more or less, to a point in the Westerly boundary of said SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 36; thence North 0°04' West along the said boundary line 793.6 feet, more or less, to the Northwest corner of said SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 36; thence North 89°55' East along the North boundary of said SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 36; 1,323 feet, more or less, to the Northeast corner thereof; thence South 0°07' East, along the East line of said SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 36, 793.9 feet, more or less, to the point of beginning.

SUBJECT TO:

1. 1982-83 taxes and taxes subsequent thereto, possibly prior years pursuant to ORS 308.370 to 308.403, plus earned interest when due and payable if said deferment no longer exists.
2. Acreage and use limitations under provisions of United States statutes and regulations issued thereunder.
3. Liens and assessments of Klamath Project and Poe Valley Irrigation District, and regulations, contracts, easements, water and irrigation rights in connection therewith.
4. Any unpaid charges or assessments of the Poe Valley Irrigation District.
5. Rights of the public in and to any portion of the herein described property lying within the boundaries of public roads or highways.
6. Pumping contract, including the terms and provisions thereof, between the United States of America and Henry V. Holzouser and Irwin Holzouser, dated October 8, 1934, recorded October 16, 1934, in Volume 103 page 599, Deed Records of Klamath County, Oregon.
7. Pumping contract, including the terms and provisions thereof, between the United States of America and Henry V. Holzouser and Lorenzo B. Holzouser, dated May 17, 1939, recorded June 24, 1939, in Volume 123 page 39, Deed Records of Klamath County, Oregon.
8. Right of way for transmission line, including the terms and provisions thereof, given by H. V. Holzouser and L. B. Holzouser, a single man, to the California Oregon Power Company, by deed dated February 21, 1941, recorded June 19, 1941, in Volume 138 page 590, Deed Records of Klamath County, Oregon, across Lots 7, 8 and 9 in Section 25 Township 39 S.R. 11½ E.W.M.
9. Reservations and restrictions in deed from H. V. Holzouser, a single man, also known as Henry Holzouser, to L. E. Holzouser and Edith Holzouser, his wife, dated March 5, 1947, recorded March 6, 1947, in Volume 203 page 187.

5783

Deed Records of Klamath County, Oregon, as follows: "Each of the parties to this transfer reserve the right to use a certain drain ditch lying on the West boundary line of the above-described land and on the East boundary line of the land owned by the grantor."

10. Right of way for transmission line, including the terms and provisions thereof, given by H. V. Holzhouser, a single man, to the California Oregon Power Company, dated April 9, 1948, recorded May 4, 1948, in Volume 220 page 169, Deed Records of Klamath County, Oregon. Across SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 25 Twp. 39 S.R. 11 $\frac{1}{2}$ E.W.M.
11. Pumping agreement, including the terms and provisions thereof, between the United States of America and L. E. Holzhouser and Edith Holzhouser, his wife, dated November 13, 1947, recorded May 10, 1948 in Volume 220 page 273, Deed Records of Klamath County, Oregon.
12. Mortgage, including the terms and provisions thereof, executed by Clyde B. Carner and Audrey M. Carner, husband and wife, to the State of Oregon, represented and acting by the Director of Veterans' Affairs, dated July 27, 1981, recorded July 27, 1981, in Volume M81 page 13454, Mortgage Records of Klamath County, Oregon, to secure the payment of a promissory note dated July 27, 1981.
13. Mortgage, including the terms and provisions thereof, executed by Clyde B. Carner and Audrey M. Carner, husband and wife, to Ralph L. Cook and Virginia D. Cook, husband and wife, dated July 27, 1981, recorded July 27, 1981 in Volume M81 page 13457, Mortgage Records of Klamath County, Oregon.

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record
this 15th day of April A. D. 19 83 at 10:32 AM
duly recorded in Vol. M83, of 2 Deeds on page 5780
By EVELYN BIEHN, Clerk

Fee \$16.00