

K. 36883
WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS that CLIFF SEWALD, hereinafter called the Grantor, for consideration hereinafter stated to the Grantor paid by NEIL TOFELL, hereinafter called Grantee, hereby grants, bargains, sells and conveys unto the Grantee and the 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, State of Oregon, said real property more fully described as follows, to-wit:

E1/2 of Section 35, Township 38 South, Range 11-1/2 East of the Willamette Meridian, lying South of the Bonanza-Dairy Highway and EXCEPTING THEREFROM that portion conveyed to Richard H. Hovey by deed recorded in Volume 91 at page 539, Deed records of Klamath County, Oregon.

The N1/2 SW1/4 SW1/4, NW1/4 SW1/4, and the SW1/4 NW1/4, lying South of the Dairy-Bonanza Highway and South of the existing Horsefly Irrigation Ditch, AND EXCEPTING FROM THE ENTIRE PARCEL a strip of land 20 feet in width for roadway off the East side, all in Section 36, Township 38 South, Range 11-1/2 East of the Willamette Meridian.

The Grantor hereby warrants that he is lawfully seized in fee simple of the above-described premises free of all encumbrances but subject to the following exceptions:

1. Grantor warrants that the taxes for the year 1983/84 have been paid as has the water assessment for 1984. However, the described premises has been specially assessed as farm land; and during years prior to the tax year of 1983/84, tax payments may have been deferred pursuant to ORS 308.370 to 308.403. These tax deferments plus earned interest are due and payable when said reason for the 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 Horsefly Irrigation District, and regulations, contracts, easements, water and irrigation rights in connection therewith.
 4. Rights of the public in and to any portion of the herein-described property lying within the boundaries of public roads or highways.
 5. Easement for drainage ditch, including the terms and provisions thereof, from Jesse L. Lilly, also known as Jesse J. Lilly and Belva Lilly, husband and wife, to State of Oregon, by and through its State Highway Commission, dated July 10, 1936, recorded July 23, 1936, in Volume 106 page 611, Deed records of Klamath County, Oregon.
 6. Reservations in deed from Horsefly Irrigation District, a public corporation to R. C. Prudhomme, dated January 15, 1941, recorded March 19, 1941, in Volume 136 page 233, as follows: "Saving and reserving unto grantor rights of way for ditches, drains on said land, or which may later be necessary in the operation of grantees irrigation system."
 7. Right of Way Agreement, including the terms and provisions thereof, between Milton Conquergood and Maude Conquergood, husband and wife, and The California Oregon Power Company, a California corporation, dated February 12, 1958, recorded February 18, 1958, in Volume 297 page 430, Deed records of Klamath County, Oregon.
 8. Right of Way Easement, including the terms and provisions thereof, from Tofell Brothers Farms, Inc., to Pacific Power & Light Company, a corporation, dated February 11, 1981, recorded February 23, 1981, in Volume M81 page 3135, Deed records of Klamath County, Oregon.
 9. All other reservations, restrictions, rights of way and easements upon record and those apparent upon the land.
- Grantor warrants to forever defend the above granted premises and every part and parcel thereof against the claims and demands of all persons whomsoever, except those claiming under the above-described numerical exceptions.
- The true and actual consideration paid for this transfer stated in terms of dollars is One hundred five thousand and no/100 dollars (\$105,000.00).

IN WITNESS WHEREOF, the undersigned Grantor has set

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his hand in execution of this instrument on the 20 day of
March, 1984.

Cliff Sewald
 CLIFF SEWALD, Grantor

STATE OF OREGON)
 County of Klamath) ss.

On the 20 day of March, 1984, personally
 appeared before me the above-named CLIFF SEWALD and acknowledged
 the foregoing instrument to be his voluntary act and deed.

Sever
 NOTARY PUBLIC FOR CALIFORNIA OREGON
 My Commission Expires: 8/5/87

GRANTOR:

Cliff Sewald
 P. O. Box 941
 Orland, CA 95963

GRANTEE:

Neil Tofell
 Route 1, Box 245
 Bonanza, Oregon 97623

After Recording Return to:

Leslie Klein, Attorney
 426 Main Street
 Klamath Falls, OR 97601

Tax Statements Sent to Until
Change Requested:

Leslie Klein, Attorney
 426 Main Street
 Klamath Falls, OR 97601

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STATE OF OREGON: COUNTY OF KLAMATH:ss
 I hereby certify that the within instrument was received and filed for
 record on the 20th day of March A.D., 1984 at 3:01 o'clock P. M.
 and duly recorded in Vol M84, of Deeds on page 4543.

EVELYN BLENN, COUNTY CLERK

Fee: \$ 12.00

by: Pat Smith, Deputy