

Aspen Title #M27679  
WARRANTY DEED

PEGGY A. O'NEILL, also known as PEGGY ANN O'NEILL, Grantor conveys and warrants to PRIMARY SOURCE, INC., a California corporation, Grantee, the property described on Exhibit "A" attached hereto and by this reference incorporated herein, free of encumbrances except as specifically set forth herein:

The whole and actual consideration for this conveyance consists of other property or value given or promised.

Until a change is requested, send all tax statements to the following address:

Primary Source, Inc.  
P O Box Z  
Klamath Falls, OR 97601

Dated: July 31, 1984

Peggy A. O'Neill  
Peggy A. O'Neill

STATE OF OREGON )  
COUNTY OF KLAMATH ) ss:

On this 31<sup>st</sup> day of July, 1984, personally appeared the above named Peggy A. O'Neill, aka Peggy Ann O'Neill and acknowledged the foregoing to be her voluntary act and deed.

Before me:

Barlene V. Addington  
NOTARY PUBLIC FOR OREGON  
My Commission Expires: 3-22-85

THIS INSTRUMENT DOES NOT GUARANTY THAT ANY PARTICULAR USE MAY BE MADE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT. A BUYER SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

Return To Taxes:  
Primary Source, Inc.  
P.O. Box Z  
Klamath Falls, OR  
97601

## EXHIBIT "A"

PARCEL I

A tract of land situated in the E $\frac{1}{2}$ E $\frac{1}{2}$  of Section 28, Township 39 South, Range 10 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at a point on the North line of said Section 28, also being the centerline of Crystal Springs Road, from which the Northeast corner of said Section 28 bears South 89°54'41" East 457.69 feet; thence along the centerline of a drainage ditch, South 08°19'50" West 437.25 feet, South 32°08'50" East 525.15 feet, South 08°27'56" West 1184.39 feet and South 02°01'38" East 713.52 feet to the approximate intersection of said drain and the approximate shore line of Nuss Lake; thence continuing South 02°01'38" East 516.99 feet to a point in Nuss Lake; thence North 89°42'48" West 850.00 feet to the approximate shore line of Nuss Lake; thence continuing North 89°42'48" West 105.87 feet to the centerline of Hill Road; thence along the centerline of Hill Road, North 00°17'12" East 580.57 feet, along the arc of a curve to the right (Central angle = 22°34'30" and Radius = 477.47 feet) 188.13 feet, North 22°51'42" East 87.70 feet, along the arc of a curve to the left (Central angle = 39°42'10" and Radius = 636.61 feet) 441.14 feet, North 16°50'28" West 227.80 feet, along the arc of a curve to the right (Central angle = 17°10'00" and Radius = 572.96 feet) 171.67 feet and North 00°19'32" East 1611.54 feet to the North line of said Section 28 and the centerline of Crystal Springs Road; thence South 89°54'41" East 854.82 feet to the point of beginning.

PARCEL II

A parcel of land situated in the E $\frac{1}{2}$ E $\frac{1}{2}$  of Section 28 and the W $\frac{1}{2}$  of Section 27, all in Township 39 South, Range 10 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at the corner common to sections 21, 22, 27 and 28 of said Township and Range; thence North 89°54'41" West, along the north line of said section 28, also being the centerline of Crystal Springs Road, 457.69 feet; thence along the centerline of a drainage ditch, South 08°19'50" West 437.25 feet, South 32°08'50" East 525.15 feet, South 08°27'56" West 1184.39 feet and South 02°01'38" East 713.52 feet to the approximate intersection of said drain and the approximate shore line of Nuss Lake; thence continuing South 02°01'38" East 516.99 feet to a point in said Nuss Lake; thence North 87°52'51" East 2762.60 feet to the approximate easterly shore line of said Nuss Lake; thence continuing North 87°52'51" East 96.50 feet to a 5/8 inch iron pin on the westerly right of way line of U.S.B.R. F-1 Canal; thence northerly along said westerly right of way line to the southerly right of way line of said Crystal Springs Road; thence North 00°42'28" East 12.13 feet to a point on the north line of said Section 27; thence North 89°17'32" West 2363.91 feet to the point of beginning.

PARCEL III

A parcel of land situated in the SW $\frac{1}{4}$  of Section 27, the SE $\frac{1}{4}$  of Section 28, the NE $\frac{1}{4}$  of Section 33 and the NW $\frac{1}{4}$  of Section 34, all in Township 39 South, Range 10 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at a point in the centerline of Hill Road, said point being South 20°01'54" West a distance of 3883.23 feet from the northeast corner of said Section 28; thence South 89°42'48" East 105.87 feet to the approximate westerly shore line of Nuss Lake; thence continuing South 89°42'48" East 850.00 feet to a point in said Nuss Lake; thence North 87°52'51" East 2762.60 feet to the approximate easterly shore line of said Nuss Lake; thence continuing North 87°52'51" East 96.50 feet to a 5/8 inch iron pin on the westerly right of way line of the U.S.B.R. F-1 Canal; thence Southerly and westerly along the westerly and northerly right of way line of said F-1 Canal to the easterly right of way line of said Hill Road; thence North 89°42'48" West 30.00 feet to the centerline of said Hill Road; thence North 00°17'12" East 1780.39 feet to the point of beginning.

RESERVING to the Grantor, her successors and assigns, a nonexclusive easement appurtenant over and across the following described portion of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ , Section 28, T39S, R10EWM, Klamath County Oregon:

Beginning at a point at the intersection of the northerly right of way line of said F-1 Canal and the easterly right of way line of Hill Road, said point being N 07° 09' 11" E 283.17 feet from the E 1/16 corner of the south line of said section 28; thence N 00° 17' 12" E, along the easterly right of way line of said Hill Road, 235.00 feet; thence S 89° 42' 48" E 80 feet; thence S 00° 17' 12" W 312.07 feet to the northerly right of way line of said F-1 Canal; thence, along said right of way line, 111.15 feet to the point of beginning, with bearings based on survey No. 1124 as recorded in the office of the Klamath County Surveyor.

for ingress and egress to and from Hill Road to and from each and every part and parcel of those premises owned by Grantor lying southerly and easterly of the U.S.B.R. F-1 Canal in Sections 27, 33 and 34, all in said T39S, R10EWM.

When any party proposes to utilize said easement, such party shall at its expense, construct and install a road over said easement to County standards from its point of origin at Hill Road to its terminus, including the required canal crossing.

SUBJECT TO THE FOLLOWING:

1. AS disclosed by the assessment roll and the 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.

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

3. Regulations, including levies, assessments, water and irrigation rights and easements for ditches and canals, of Klamath Basin Improvement District.

Subject to the terms and provisions of that certain instrument recorded July 24, 1970 in Volume M70 at page 6187 as "Notice to persons intending to Plat Lands within the Klamath Basin Improvement District."

4. By an instrument recorded in Book 183 at page 197, Deed Records of Klamath County, Oregon, an easement and right of way was given to the California Oregon Power Company by Glenn Dehlinger et ux. This right of way and easement was over the NE $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 33 and the N $\frac{1}{2}$ NW $\frac{1}{4}$  of Section 34, Twp 39 S., R 10 EWM.

5. Reservations contained in deed from the State of Oregon to F. W. Lambert and J. T. Alexander recorded in Book 34 at page 442, Deed Records of Klamath County, Oregon.

6. Notice of claim of right to appropriate the waters of a spring in the SW $\frac{1}{4}$ SE $\frac{1}{4}$  of Sec. 22, Twp 39 S., R. 10 EWM was recorded January 5, 1896 in Book 1 at page 68, Record of Water Rights, by L. A. Lewis, Articles of Incorporation of Crystal Springs Irrigation and Power Company recorded February 14, 1898 in Book 1 at page 71, Record of Incorporation, by L. S. Lewis, H. D. Stout and C. C. Lewis, the business of the Company being in particular the development of the waters of Crystal Springs in Twp 39 S., R 10 EWM.

Notice of appropriation of waters of 1000 inches of water under six inches pressure from Crystal Springs recorded February 28, 1898, in Book 1 at page 73, Record of Incorporations, by said Crystal Springs Irrigation and Power Company by mesne conveyances this water right now vests in the assureds herein.

7. A contract between L. O. Mills and U. E. Reeder, recorded June 25, 1936 in Book 106 at page 506 of Deed Records of Klamath County, Oregon, as to divisions of water of Crystal Springs.

8. Saving and excepting from the lands above described that portion conveyed by L. O. Mills, et ux., to Klamath County, Oregon, a public corporation, by deed recorded in Book 157 at page 322, Deed Records of Klamath County, Oregon, described as follows:

"A strip of land 30 feet wide along the North side of the following described property: THE NE $\frac{1}{4}$ NE $\frac{1}{4}$  OF Section 28 and the NW $\frac{1}{4}$  OF Section 27, both lying in Township 39 South, Range 10 East of the Willamette Meridian. Said tract contains 2.7 acres, more or less."

9. Rights of the public in and to any portion of the above described property lying within the limits of roads, highways and utilities.

10. Rights of way, including the terms and provisions thereof, from Glenn Dehlinger and Dorothy L. Dehlinger to The California Oregon Power Company, a corporation, recorded April 1, 1957 in Book 290 at page 552, Deed Records of Klamath County, Oregon. (Affects NE $\frac{1}{4}$ NE $\frac{1}{4}$  of Sec. 33, Twp 39 S., R 10 EWM)

11. Agreement, including the terms and provisions thereof, dated August 6, 1976, recorded August 13, 1976 in Book M76 at page 12945, Microfilm Records, between J. K. O'Neill and PEGGY A. O'Neill and Elizabeth E. Sharp and Facilities Leasing Corporation, to modify Crystal Springs Agreement. (Affects NW $\frac{1}{4}$  Sec. 27, Twp 39 S., R 10 EWM)

12. An easement created by instrument, including the terms and provisions thereof,  
Recorded : October 15, 1981 Book: M-81 Page: 18114  
In favor of : Federal Land Bank  
For : 16 foot easement for irrigation waters.

13. Subject to a 50 foot drainage easement as disclosed by minor land Partition 28-83 (Affects Parcel 1)

14. Subject to a 30 foot drainage easement as disclosed by minor land Partition 28-83 (Affects Parcel 2)

STATE OF OREGON: COUNTY OF KLAMATH:ss

I hereby certify that the within instrument was received and filed for record on the 1st day of August A.D., 1984 at 3:53 o'clock P M, and duly recorded in Vol M84, of Deeds on page 13085.

Fee: \$ 16.00

EVELYN BIEHN, COUNTY CLERK

by: Pam Smith, Deputy