WARRANTY DEED Vol. M& Page 46326 KNOW ALL MEN BY THESE PRESENTS, That: Fred W. Koehler and Alex D. general partners dba South Sixth Associates hersinafter called the grantor, for the consideration hereinafter stated; to grantor paid by..... Trendwest Development Company 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, stuated in the County of Klamath and State of Oregon, described as follows, to-wit: an bereit e scribel ere within opd miljert to the estimate part of screekingingingies interprise interprise interprise 2016 2007 nozhalbař 1.5891 "SEE ATTACHED LEGAL DESCRIPTION AS IT APPEARS ON THE REVERSE OF THIS DEED. "-11 (districtor) terlin pet -Eng 8 MOUNTAIN TITLE COMPANY INC. 5 (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 foth on the reverse of this deed or those apparent upon the land if any, as of the date of this deed. and 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 \$ ... 300,000.00 <sup>10</sup>However, the actual consideration consists of or includes other property or value given or promised which is the whole part of the consideration (indicate which).<sup>()</sup> (The sentence between the symbols <sup>()</sup>, 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 day of \_\_\_\_\_\_ October. it a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by 19.84.; order of its board of directors. (if executed by a corp affix corporate seal) Ď. Krental STATE OF OREGON, . do 30823 STATE OF OREGON untv Klamath County of October Nov 20 Personally appeared 10 who, being duly sworn. Personally appeared FOR above Rame NOTARY each for himself and not one for the other, did say that the former is the president and that the latter is the Fred W. Koehler, Jr .....secretary of .... STEL and acknowledged the foregoing instruand that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in be-halt of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed. nis NA ment to .be voluntary act and deed. Before me: COFFICIAL ary Public for Oregon (OFFICIAL SEAL) Notary Public for Oregon minision expires! My commission expires: Fred W. Koehler, Jr. and Alex D. Krental STATE OF OREGON. GRANTOR'S NAME AND ADDRESS County of ..... Trendwest Development Company P.O. Box 1089 I certify that the within instrument was received for record on the Klamath Falls, Oregon 97601 day of ....., 19....., GRANTEE'S NAME AND ADDRESS ACE RESERVED After recording return to: in book..... on page..... or as FOR file/reel\_number\_\_\_\_\_ RECORDER'S USE Per Grantee Record of Deeds of said county. Witness my hand and seal of NAME, ADDRESS, ZIP County affixed. Until a change is requested all tax statements shall be sent to the following Per Grantee Recording Officer By ... Deputy NAME, ADDRESS, ZIP OUNTAIN TITLE COMPAN

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Rights of the public in and to any portion of the herein described premises 1 lying within the limits of streets, roads or highways.

2915 The assessment roll and the tax roll disclose that the premises herein described have been specially assessed as Farm Use Land. If the land becomes disqualified for the special assessment under the statute, an additional tax may be levied and

in addition thereto a penalty may be levied if notice of disqualification is not

The premises herein described are within and subject to the statutory powers, including the power of assessment, of Enterprise Irrigation District.

Grant of Right of Way Deed, including the terms and provisions thereof, from B. W. Short to The California Oregon Power Co., recorded May 22, 1926 in Volume 69, page 577, Deed Records of Klamath County, Oregon, for transmission and distribution of electricity.

Reservations, restrictions and easements as contained in Deed to the State of Oregon, by and through its State Highway Commission, recorded November 30, 1972 in Volume M72, page 13764, Microfilm Records of Klamath County, Oregon.

Indenture of Access, including the terms and provisions thereof, by and between the State of Oregon, by and through its State Highway Commission and J. D. and Bonnie B. Finchum, recorded April 25, 1973 in Volume M73, page 4912 Microfilm Records of Klamath County, Oregon, which document shows correct location of access to highway in reference to document recorded in Volume M72, page 13764, Microfilm Records of Klamath County, Oregon.

The right, title and interest of the public and/or governmental agencies in and to that portion of the above described property lying within Unity Street and Simmers Ave., as disclosed by Klamath County Assessor's maps.

Reservations and restrictions as contained in instrument recorded June 22, 1982 in Volume M82, page 7939, Microfilm Records of Klamath County, Oregon, to wit: "The prescriptive right of way of the Enterprise Irrigation District Canal,

and a 15-foot access easement lying Northerly of the following described line; beginning at the point of beginning of the above described tract of land; thence North 64° 39' 30" East 288.18 feet; ALSO a 13-foot easement for slope, irrigation and drainage along the State Highway right of way and any easements or rights of way of record."

Irrigation Easement as evidenced on Survey #3508 on record in the County Surveyors office, Klamath County, Oregon.

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Subject to high liability approval by Safeco Title Insurance Company and such additions or deletions as may be required thereby.

CALIFORNIA STATE OF SS. SAN DIEGO COUNTY OF. OCTOBER 22 ON 1984 before me, the undersigned, a Notary Public in and for said State, personally appeared EX D. KRENTAL MARTHA L. BARNARD ROTARY OTARY PUBLIC - CALIFORNIA SAN DIEGO COUNTY , known to me, to be the person\_\_\_\_ whose name\_ is subscribed to the within Instrument, n Expires Jan. 30, 1987 and acknowledged to me that \_\_\_he\_\_\_ executed the same. WITNESS my hand and official seal. rich of ACKNOWLEDGMENT-General-Welcotts Forth 231-"This instrument does not guarantee that any particular use may be made of the property described in this instrument. A buyer should escele with the appropriate city or county planning department to verify approved uses."

## DESCRIPTION

The following described real property in Klamath County, Oregon:

Beginning at a point 1100.3 feet East of the Northwest corner of the NELSW2 of Bection 1, Township 39 South, Range 9 East of the Willamette Meridian, Klamath endounty, Oregon; thence East 645.2 feet more or less to the Southwest corner of Land described in Deed recorded March 30, 1937 in Deed Volume 108, page 314; Lathence South 1659 feet to the North line of the Dalles-California Highway; Thence North 46° 07' West along said Highway, 893 feet; thence North 1041.7 feet to the place of beginning.

## EXCEPTING THEREFROM the following:

A tract of land situated in the  $S_2^3$  of Section 1, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a point on the Northeasterly right of way line of Highway 140, said point being 44 feet of center line at Engineer's Station 160+31.05, from which the  $\frac{1}{4}$  corner common to Section 1, Township 39 South, Range 9 East of the Willamette Meridian, and Section 6, Township 39 South, Range 10 East of the Willamette Meridian bears North 61° 33' 14" East 2918.09 feet; thence North 46° 04' 33" West along said Northeasterly right of way line, 200.00 feet; thence North 43° 55' 27" East 81.07 feet to the centerline of the Enterprise Irrigation District Canal; thence along said canal centerline North 77° 39' 16" East 356.49 feet; thence South 00° 00' 23" East 150.00 feet; thence South 64° 39' 30" West 288.18 feet to the point of beginning with bearings based on and reference being Survey No. 3508, as recorded in the office of the Klamath County Surveyor.

## PARCEL 2:

PARCEL 1:

A tract of land situated in the  $S^{1}_{2}$  of Section 1, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a point on the Northeasterly right of way line of Highway 140, said point being 44 feet of center line at Engineer's Station 160+31.05, from which the ½ corner common to Section 1, Township 39 South, Range 9 East of the Willamette Meridian, and Section 6, Township 39 South, Range 10 East of the Willamette Meridian bears North 61° 33' 14" East 2918.09 feet; thence North 46° 04' 33" West along said Northeasterly right of way line, 200.00 feet; thence North 43° 55' 27" East 81.07 feet to the centerline of the Enterprise Irrigation District Canal; thence along said canal centerline North 77° 39' 16" East 356.49 feet; thence South 00° 00' 23" East 150.00 feet; thence South 64° 39' 30" West 288.18 feet to the point of beginning with bearings based on and reference being Survey No. 3508, as recorded in the office of the Klamath County Surveyor.

> STATE OF OREGON, ) County of Klamath ) Filed for record at request of

on this 26thday of February A.D. 19 85 \_ M, and duly o'clock \_P\_ 4:19 at\_ Deeds M85 of recorded in Vol. 2914 Page

EVELYN BIEHN, County Clerk By Thm emile Deputy

13.00

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2916

MTC NO. 13783