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K-38171

BARGAIN AND SALE DEED

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The STATE OF OREGON, by and through the Director of Veterans' Affairs, does hereby grant, bargain, sell and convey unto Paul Garcia, grantee, the following described premises situated in Klamath County, State of Oregon, to wit:

The W $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 36, Township 35, South, Range 11 East of the Willamette Meridian, Klamath County, Oregon.

TOGETHER WITH an easement appurtenant to the above described property by and between Joseph R. Lussier, Jr. and Jeanette Baxley and Andy E. Rippey Sr. and Mildred M. Rippey, husband and wife, dated April 13, 1977, recorded June 17, 1977 in Volume M77, Page 10705, Deed Records of Klamath County, Oregon.

TOGETHER WITH the following described mobile home which is firmly affixed to the property.

1977 Sequoia, 24' x 60' Serial #247-274D-S-3723, X134785

Excepting and reserving to itself, its successors, and assigns, all minerals, as defined in ORS 273.775(1), and including soil, clay, stone, sand and gravel and all geothermal resources, as defined in ORS 273.775(2) together with the right to make such use of the surface as may be reasonably necessary for prospecting for, exploring for, mining, extracting, reinjecting, geothermal resources; provided, however, that the rights hereby reserved to use the surface for any of the above activities shall be subordinate to that use of the surface of the premises deeded herein, or any part thereof, being made by the owner thereof on the date the State of Oregon leases its reserved minerals or geothermal resources; in the event of such use of the premises by a surface rights owner would be damaged by one or more of the activities described above then such owner shall be entitled to compensation from the State's lessee to the extent of the diminution in value of the surface rights owner's interest.

SUBJECT TO:

1. Rights of the public in and to any portion of the herein described premises lying within the limits of any roads or highways.
2. Reservations and Restrictions, including the terms and provisions thereof, by and between United States of American, Department of the Interior, acting by and

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through the Area Director of the Portland Area Office of the Bureau of Indian Affairs to Edwin J. Walker, dated February 19, 1959, recorded May 15, 1959, in Volume 312 page 436, Deed Records of Klamath County, Oregon, as follows: "Sale subject to 60-foot rights-of-way for Indian Service Roads Nos. S-59 (1) and S-60 approved by M. M. Zollar, Superintendent, Klamath Agency, Oregon, pursuant to the provisions of the Act of February 5, 1948 (62 Stat. 18; 25 U.S.C. 323-328); Public Law 587, August 13, 1954 (68 Stat. 772, Section 17); and Departmental Regulations (25 CFR 161, 22 FR 248), and subject to prior valid existing rights or adverse claims."

TO HAVE AND TO HOLD said real property unto said grantee, his heirs and assigns forever.

SUBJECT TO: PREMISES ARE SUBJECT TO AN OUTSTANDING RIGHT OF REDEMPTION UNTIL THE 1ST OF JULY, 1986. If redeemed, Buyer will promptly vacate the subject real property and surrender possession to Redemptioner and the provisions of ORS 23.520 to ORS 23.600 and ORS 407.375 (5) will apply.

The Seller shall receive all monies paid by Redemptioner to redeem subject real property under ORS 23.560 (2).

"THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY USES."

IN WITNESS WHEREOF, the Director of Veterans' Affairs has caused these presents to be executed this 31st day of October, 1985.

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The true and actual consideration for this transfer is \$10,000.00. The foregoing recital of consideration is true as I verily believe.

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STATE OF OREGON
Jon A. Mangis
Director of Veterans' Affairs

By: Curt R. Schnepf
Curt R. Schnepf, Manager
Accounts Services

STATE OF OREGON)
)ss
County of Marion)

Before me, a Notary Public, personally appeared the above-named Curt R. Schnepf, authorized to act on behalf of the duly appointed and acting Director of Veterans' Affairs for the STATE OF OREGON, and acknowledged the foregoing instrument to be his voluntary act and deed.

Witness my hand and official seal the day and year last above written.

Debbie Trammell
Notary Public for Oregon
My Commission expires: 7/17/88

Return to:

Paul Garcia
P. O. Box 5112
Klamath Falls, OR 97601

Tax Statements to:
Same as above

STATE OF OREGON: COUNTY OF KLAMATH ss.

Filed for record at request of _____
of January _____ A.D. 19 96 at 3:04 o'clock P M. and duly recorded in Vol _____
Deeds on Page 476
By Evelyn Biehn, County Clerk
FEE 513.00