

THIS INDENTURE BETWEEN RIVER SPRINGS RANCH, LTD., an Oregon Business Trust, hereinafter called Grantor, and FRED G. HESS and EDITH M. HESS, husband and wife, hereinafter called Grantees:

R E C I T A L S:

A. On October 1, 1983 Dale W. Ruisch and Nellie Ruisch, husband and wife, sold to Grantee, under a Contract of Sale, the following described real property. On July 25, 1984 Dale W. Ruisch and Nellie Ruisch, conveyed their interest in said Contract of Sale to Fred G. Hess and Edith M. Hess, husband and wife, by Assignment of Contract of Sale by Sellers, which Assignment was recorded on August 2, 1984 in Vol. M-84 of Deed at Page 13143. Said Contract is in default and subject to immediate foreclosure.

B. That foreclosure has been commenced in the Circuit Court of the State of Oregon for the County of Klamath entitled "Complaint - Strict Foreclosure of Land Contracts", Case No. 85-803CV.

C. Grantor has requested Grantees to accept an absolute deed of conveyance of said property in satisfaction of the indebtedness and Grantees have acceded to said request.

W I T N E S S E T H:

NOW, THEREFORE, in consideration of the cancellation of the indebtedness evidenced by said Contract of Sale and relinquishment of any claims whatsoever, Grantor does hereby grant, bargain, sell and convey to Grantees the following described property, to-wit:

A parcel of land situated in Sections 21 and 28 T. 40 S., R. 10 E.W.M., Klamath County, Oregon, being more particularly described as follows:

Beginning at a point, being the intersection of centerlines for a 20 foot wide road easement and the U.S.B.R. No. 5-H Drain, from which an aluminum survey cap marking the section corner common to Sections 20, 21, 28 and 29, T. 40 S., R. 10 E.W.M. bears S9°24'03"W, 1052.30 feet; thence along the centerline of said 20 foot wide easement the following courses and distances: 1) N55°04'31"E, 481.98 feet; 2) N49°46'20"E, 108.36 feet; 3) N38°36'01"E, 66.77 feet; 4) N40°46'40"W, 32.49 feet to a point on the centerline of the U.S.B.R. No. 5 Drain; thence leaving said easement centerline and continuing along said No. 5 Drain the following courses and distances: 1) N53°44'39"E, 44.23 feet; 2) N86°20'21"E, 426.98 feet; 3) N32°05'57"E, 46.23 feet; 4) N1°16'58"E, 154.64 feet; 5) N37°38'55"W, 325.72 feet; 6) N11°06'48"E, 250.00 feet; 7) N25°36'48"E, 160.00 feet; 8) N12°53'12"W, 130 feet, more or less, to the confluence of Lost River; thence downstream along the right bank of said Lost River to the centerline of an irrigation ditch, being the Southeast corner of a 14 acre parcel of land as described in Volume M80, Page

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9392, Klamath County Deed Records; thence Westerly along said centerline and the South boundary of said 14 acre parcel the following courses and distances: S50°01'W, 59 feet; N87°58'24"W, 393.05 feet; S77°03'52"W, 29.04 feet; N88°01'46"W, 413.75 feet; N66°51'57"W, 93.41 feet; N74°15'24"W, 346.81 feet; S79°52'31"W, 19.91 feet; N88°23'49"W, 425.37 feet; N46°56'52"W, 324.75 feet; N52°06'36"W, 88.07 feet to the South line of Parcel 1 as described in Volume M76, Page 4925, Klamath County Deed Records; thence along said South line, WEST, 69.28 feet, more or less, to the True Point of Beginning of Parcel 2 as described in Volume M76, Page 4925, Klamath County Deed Records; thence Southerly along the East line of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 21 and the West line of the E $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 28 to the Northeast corner of a parcel of land as described in Volume M80, page 9389, Klamath County Deed Records, said NE corner being on the centerline of an irrigation ditch; thence along said centerline S54°34'W, 239.16 feet, more or less; thence leaving said centerline, N81°32'41"W, 46.22 feet, more or less, to a point on the centerline of said U.S.B.R. 5-H Drain; thence along said 5-H Drain centerline, N8°13'49"E, 720 feet, more or less, to an angle point in said 5-H Drain; thence continuing along said 5-H Drain centerline, N57°27'52"W, 1202.90 feet to the point of beginning.

TOGETHER WITH: A non-exclusive 30 foot wide road easement, for ingress and egress over and across the following described centerline: beginning at the intersection of the Northeasterly right-of-way line of State Highway No. 39 (Merrill Hwy) and the West line of said Section 28; thence Northerly along said West line of Section 28 to an aluminum survey cap marking the section corner common to said Sections 20, 21, 28 and 29; thence along the East line of said Section 20, N0°15'47"W 1005.37 feet to a point on the centerline of a 20 foot wide road easement, said point being the Southwest corner of Parcel No. 3 of Minor Land Partition No. 34-82; thence along said 20 foot wide road easement centerline N82°24'23"E 161.50 feet; thence continuing along said centerline N55°04'31"E 20.01 feet to a common point of the above-described parcel and Parcel No. 2 of Minor Land Partition No. 34-82.

ALSO TOGETHER WITH: A non-exclusive easement 30 feet wide lying South of and adjacent to the South boundary of the U.S.B.R. #5 Drain, said South boundary of drain being also the Northerly boundary of the above-described property. Said easement running from the West boundary of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 20 to the East boundary of SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21, Township 40 South, Range 10 E.W.M.

The Grantor covenants that by this conveyance it is conveying all its right, title and interest to said premises, including but not limited to any redemption rights and that it is not acting under any misrepresentations, duress or undue influence by Grantees.

The true and actual consideration for this transfer is cancellation of the debt in the above-described .

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This instrument does not guarantee 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.

IN WITNESS WHEREOF the Grantor above-named has executed this instrument.

DATED this 14 day of JANUARY 1986 ~~December, 1985~~.

RIVER SPRINGS RANCH, an Oregon Business Trust

By: Keith E. McClung Trustee

STATE OF OREGON)
) ss. January 14, 1986.
)
County of Klamath)

Personally appeared the above-named KEITH McCLUNG, authorized representative of Grantor, and acknowledged the foregoing instrument to be his voluntary act. Before me:

Barbara L. Fisher
Notary Public for Oregon
My Commission Expires: 2-5-89



STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of _____ the 21st day
of January A.D. 19 86 at 1:18 o'clock P M., and duly recorded in Vol. M86
of _____ Deeds on Page 1001.

FEE \$13.00

Evelyn Biehn, County Clerk
By Pam Smith

Ret.
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