

## WARRANTY DEED

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JAMES RUSSELL DeBAUN, Trustee, and/or Successor Trustee under written Declaration of Trust dated September 7, 1972, GRANTOR, conveys and warrants to PATRICK A. GRAHAM and JOSEF RIVERS, it being the intention of grantees that grantees herein do not take the title in common, but with the right of survivorship; that is, that the fee shall rest in the survivor of the grantees, GRANTEES, the following described real property free of encumbrances except as specifically set forth herein:

"PARCEL 1: The N $\frac{1}{2}$ SW $\frac{1}{4}$  of Section 25, Township 36 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon, EXCEPTING THEREFROM all subsurface rights as reserved in Deeds recorded in Volume M75, page 1496, and Volume M75, page 15175, Microfilm Records of Klamath County, Oregon."

"PARCEL 2: The S $\frac{1}{2}$ SW $\frac{1}{4}$  of Section 25, Township 36 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon."

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

SUBJECT TO contracts and/or liens for irrigation and/or drainage, the schedule of exclusions from coverage, together with any schedules contained in standard title policies, reservations, easements, restrictions and rights of way of record and those apparent on the land.

ALSO SUBJECT TO rights of the public in and to any portion of the herein described premises lying within the limits of streets, roads or highways.

ALSO SUBJECT TO reservations as contained in Deed of Tribal Property recorded in Volume 301, page 246, Records of Klamath County, Oregon, to wit:

"There is reserved from the lands hereby conveyed a right of way to Oregon State Highway Department for the Klamath Falls-Lakeview Highway, approved by John H. Edwards, Assistant Secretary of the Interior, on October 8, 1927 under the provisions of the Act of March 3, 1901." (31 Stat. L. 1058-1084)

Title to the above described property is conveyed subject to any existing easements for public roads and highways for public utilities and for railroads and pipe lines and for any other easements or rights of way of record. (affects all of Section 25 and other property)

ALSO SUBJECT TO: reservations for State Highway, existing easements for public roads, highways, public utilities and for railroads, pipelines and other easements or rights of way of record, including the terms and provisions thereof, contained in Deed dated September 10-, 1958, recorded September 10, 1958 in Volume 303, page 303, Deed Records of Klamath County, Oregon.

ALSO SUBJECT TO reservations as contained in Warranty Deed recorded in Volume 357, page 397, Records of Klamath County, Oregon, to wit:

"Reserving unto Grantors herein a one-half interest in all mine and mineral rights in the within described premises for a period of 15 years, and for such period

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thereafter as minerals may be produced in paying quantities. If no minerals in paying quantities have been produced from said premises within said 15 year period, all rights reserved in Grantors shall cease and terminate and the one-half interest in all mine and mineral rights herein reserved shall revert to Grantees, fee and clear of any claim whatever of Grantors." (affects all of Section 25 and other property)

ALSO SUBJECT TO transmission line easement, including the terms and provisions thereof, to the United States of America, recorded September 27, 1965 in Volume M65, page 2005, Microfilm Records of Klamath County, Oregon, which provided for the Portland General Electric Company to have the right to use the easement provided for therein for access to and from its adjacent transmission line right of way.

ALSO SUBJECT TO an easement created by instrument, including the terms and provisions thereof,  
 Dated: June 20, 1967  
 Recorded: June 21, 1967  
 Volume: M67, page 4669, Microfilm Records of Klamath County, Oregon  
 In Favor Of: Pacific Northwest Bell Telephone Company,  
 a Washington corporation  
 For: Access road right of way

ALSO SUBJECT TO: the terms and provisions of instruments recorded February 5, 1975 in Volume M75, page 1496 and recorded December 2, 1975 in Volume M75, page 15175, Microfilm Records of Klamath County, Oregon, Clifford J. Emmich, grantor and James R. DeBaun, Trustee, grantee, to wit:

"grantor reserves all subsurface rights heretofore not reserved." (affects N $\frac{1}{2}$ S $\frac{1}{2}$  of Section 25)

ALSO SUBJECT TO the effect, if any, of an easement including the terms and provisions thereof,  
 Dated: December 4, 1977  
 Recorded: January 18, 1978  
 Volume: M78, page 966, Microfilm Records of Klamath County, Oregon  
 For: Access easement and right to draw and pump water from a spring  
 Grantor: James R. DeBaun, Trustee and/or any successor Trustee under written Declaration of Trust dated September 2, 1972  
 Grantee: James R. DeBaun, Trustee and/or any successor Trustee under written Declaration of Trust dated September 2, 1972

The true and actual consideration is \$32,500.00.

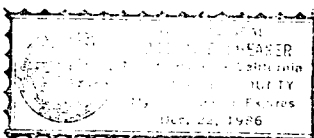
*James Russell DeBaun*  
 JAMES RUSSELL DeBAUN, Trustee

STATE OF CALIFORNIA/County of *Josephine* ss.

Personally appeared the above-named JAMES RUSSELL DeBAUN, Trustee, and acknowledged the foregoing instrument to be his voluntary act and deed.

BEFORE ME:

*Dorothy F. Siler*



*Dorothy F. Siler*  
 NOTARY PUBLIC FOR CALIFORNIA  
 My Commission Expires:

*June 9 - 1986*

Grantors Name and Address  
 James Russell DeBaun, Trustee  
 4319 Radford #2  
 Studio City, CA 91604

Grantees Name and Address  
 Patrick A. Graham & Josef Rivers  
 1674 Aptos Creek Rd.  
 Aptos, CA 95003

After Recordation, Return  
To:  
 Mountain Title Company  
 407 Main Street  
 Klamath Falls, OR 97601

Until a Change of Address  
is Requested, Tax Statements  
Should be Sent to:  
 James R. DeBaun, Trustee  
 4319 Radford #2  
 Studio City, CA 91604

STATE OF OREGON/County of Klamath) ss.

I certify that the within instrument was received for  
 record on the 16th day of June, 1986, at 3:52  
 o'clock P.M., and recorded in Book 486 on Page 10453  
 or as File/Reel Number 62612, Record of Deeds of  
 said County.

WITNESS my hand and seal of County affixed.

Evelyn Biehn, County Clerk  
Recording Officer

BY: Ann Smith

Fee: \$14.00