

82297

SPECIAL WARRANTY DEED

Vol. 1787 Page 21934

KNOW ALL MEN BY THESE PRESENTS, That WESTERN BANK, an Oregon banking corporation

hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto State of Oregon by and through the Director of Veterans' Affairs hereinafter called grantee, and unto grantee's heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of Klamath, State of Oregon, described as follows, to-wit:

See exhibit "A" that follows.

SUBJECT TO EASEMENTS, RIGHTS OF WAY, MORTGAGES, LEASES AND OTHER AGREEMENTS AND LIENS OF RECORD AS OF THE DATE HEREOF.....MORE PARTICULARLY DESCRIBED IN EXHIBIT 'A' ATTACHED HERETO... Tax Account #0094748, 0094953, 0094962.

\*Except the terms and conditions of that certain farm lease dated March 26, 1987 by and between Western Bank as Lessor and Lee R. Sukraw as Lessee a memorandum of which was recorded in the Deed Records of Klamath County, State of Oregon, on April 15, 1987 in Volume M87, Page 6372, of said records. Grantor assigns all lessors rights under that lease to Grantee.

Acceptance of this Deed is not intended to merge the lien holders interest as shown in the mortgage recorded in Klamath County Oregon Deed Records Book M80 page 593.

(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 the grantor hereby covenants to and with the said grantee and grantee's heirs, successors and assigns that said real property is free from encumbrances created or suffered thereon by grantor and that grantor will warrant and defend the same and every part and parcel thereof against the lawful claims and demands of all persons claiming by, through, or under the grantor. \*

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 1,500.00.

① 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). ② (The sentence between the symbols ①, 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 27th day of November, 1987, if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

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 APPROVED USES.

WESTERN BANK, an Oregon banking corporation

BY: *Jeffrey R. McKinnon*  
JEFFREY R. MCKINNON--VICE PRESIDENT

STATE OF OREGON,

County of \_\_\_\_\_

ss.

STATE OF OREGON, County of COOS ) ss.  
November 27, 19 87

Personally appeared Jeffrey R. McKinnon

Name

who, being duly sworn, did say that he is the Vice president of Western Bank

and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and that he acknowledged said instrument to be its voluntary act and deed.

Before me:

*Jagaret Meuter*  
Notary Public for Oregon

My commission expires: 12-20-90

(If executed by a corporation, affix corporate seal)

(OFFICIAL SEAL)

Before me:

Notary Public for Oregon

My commission expires \_\_\_\_\_

WESTERN BANK

290 South Fourth Street

Coos Bay, Oregon 97420

GRANTOR'S NAME AND ADDRESS

STATE OF OREGON-DEPT OF VETERANS' AFFAIRS

OREGON VETS BLDG.-700 Summer St., N.E.

Salem Oregon 97310-1201

GRANTEE'S NAME AND ADDRESS

After recording return to:

ATC

NAME, ADDRESS, ZIP

Until a change is requested all tax statements shall be sent to the following address.

NAME, ADDRESS, ZIP

SPACE RESERVED FOR RECORDER'S USE

STATE OF OREGON,

County of \_\_\_\_\_

ss.

I certify that the within instrument was received for record on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., and recorded in book/reel/volume No. \_\_\_\_\_ on page \_\_\_\_\_ or as fee/file/instrument/microfilm/reception No. \_\_\_\_\_, Record of Deeds of said county.

Witness my hand and seal of County affixed.

NAME

TITLE

By \_\_\_\_\_ Deputy.

PARCEL 1

The ESE $\frac{1}{4}$  Section 29, Township 40 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon.

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PARCEL 2

The SW $\frac{1}{4}$  Section 28, Township 40 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon.

PARCEL 3

A portion of Lot 2, Section 28, Township 40 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at an iron pipe at the quarter section corner common to Sections 21 and 28, Township 40 South, Range 9 East of the Willamette Meridian; thence South 0° 6 $\frac{1}{4}$ ' West along the Westerly line of Lot 2 in said Section 28, 859.4 feet to a point; thence South 89° 28' East 483.8 feet to an iron pin and the true point of beginning of this description; thence East 328.2 Feet to an iron pin; thence South 0° 06' West 771.5 feet to an iron pin reference monument; thence South 0° 06' West 30.9 feet to centerline of the Lower Klamath Lake County Road as the same is presently located and constructed; thence following the centerline of said County Road North 69° 35' West 352.6 feet to a point; thence leaving the centerline of said County Road, North 0° 18  $\frac{3}{4}$ ' East 679.6 feet more or less to the true point of beginning.

## SUBJECT TO THE FOLLOWING:

1. Klamath County Taxes for Tax Key numbers 0094748, 0094953 and 0094962 , now or herein before due and payable which grantee hereby assumes and agrees to pay.
2. Rights of the public in and to any portion of the herein described premises lying within the limits of streets, roads or highways.
3. The premises herein described are within and subject to the statutory powers, including the power of assessment, of Klamath Irrigation District.
4. Regulations, including levies, assessments, water and irrigation rights and easements for ditches and canals, of Klamath Drainage District.
5. 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 timely given.
6. An Easement created by instrument, including the terms and provisions thereof, Dated: November 24, 1922  
Recorded: November 25, 1922  
Volume: 59, page 338, Deed Records of Klamath County, Oregon  
In favor of: Klamath Drainage District  
For: Irrigation and drainage canals, ditches and road purposes
7. Geothermal Lease and Agreement, including the terms and provisions thereof, Dated: June 30, 1971  
Recorded: September 7, 1971  
Volume: M71, page 9490, Microfilm Records of Klamath County, Oregon  
In favor of: Geothermal Resources International Inc.  
  
Said Agreement amended by instrument dated April 7, 1976, recorded May 2, 1976 in Volume M76, page 7672, Microfilm Records of Klamath County, Oregon.
8. Mortgage, including the terms and provisions thereof, given to secure an indebtedness with interest thereon and such future advances as may be provided therein.  
Dated: January 11, 1980  
Recorded: January 11, 1980  
Volume: M80, page 593, Microfilm Records of Klamath County, Oregon  
Amount: \$180,000.00  
Mortgagor: Daniel D. Thornton and Juliet Thornton, husband and wife  
Mortgagee: State of Oregon, represented and acting by the Director of Veterans' Affairs (L-P29727)
9. Unrecorded Lease, including the terms and provisions thereof, dated March 26, 1987, between Western Bank, as Lessor, and Lee R. Sukraw, as Lessee, a memorandum of which was recorded on April 15, 1987, volume M87, page 6372, microfilm records of Klamath County, Oregon.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title Company the 7th day  
of December A.D., 19 87 at 3:36 o'clock P.M., and duly recorded in Vol. M87  
of Deeds on Page 21934  
Evelyn Biehn, County Clerk  
By [Signature]

FEE \$15.00