

30342

WHEN RECORDED MAIL TO:

Fidelity National Title Co.
9 4th Street
Petaluma, CA 94952

MAIL TAX STATEMENTS TO:

VICTOR S. TRIONE
MARK H. TRIONE

Vol. 788 Page 13101
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 _____ on page _____ or as
filing fee number _____, Rec-
ord of Deeds of said County.

Witness my hand and seal of County
affixed.

By _____ Title
Deputy

(Don't use this
space; reserved
for recording
label in coun-
ties where
used.)

WARRANTY DEED

FARM CREDIT BANK OF SPOKANE, successor in merger to
The Federal Land Bank of Spokane,
GRANTOR, conveys and warrants to
VICTOR S. TRIONE, as to an undivided one-half interest, and
MARK H. TRIONE, as to an undivided one-half interest,

GRANTEE, the following described real property situate in Klamath County, Oregon, free of encumbrances except as
specifically set forth below:

(SEE ATTACHED EXHIBIT "A")

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 1,100,000.00 However, the actual consideration consists of or includes other property or value given or promised which is (part of the whole) consideration XX

In construing this deed and where the context so requires, the singular includes the plural.

Dated this 4 day of AUGUST, 19 88

FARM CREDIT BANK OF SPOKANE, successor in merger to The Federal Land Bank of Spokane

By: Arly E. VanderPlaat, Manager

STATE OF OREGON, County of Klamath ss. August 4, 19 88
Personally appeared the above named Arly E. VanderPlaat

of FARM CREDIT BANK OF SPOKANE
and acknowledged the foregoing instrument to be its voluntary act and deed.

Before me: Patricia C. Reid
Notary Public for Oregon
My commission expires 3-11-89

(Official Seal)

MAIL TAX STATEMENTS AS DIRECTED ABOVE

Giacomini, Jones & Trotman
Attorneys at Law
635 Main Street
Klamath Falls, Oregon 97601
Telephone: 503/884-7728

EXHIBIT "A"

The following described real property situate in Klamath County, Oregon, to-wit:

Tract 1:

A piece or parcel of land being portions of Sections 31 and 32, Township 34 South, Range 7½ East of the Willamette Meridian and Sections 5 and 6 of Township 35 South, Range 7½ East of the Willamette Meridian, more particularly described as follows:
Beginning at the Southwesterly corner of Section 31, Township 34 South, Range 7½ East of the Willamette Meridian and running thence Northerly along the range line marking the Westerly boundary of the said Section 31, 3340.5 feet; thence Easterly parallel with and 3340.5 feet distant at right angles Northerly from the township line between Township 34 South, Range 7½ East of the Willamette Meridian and Township 35 South, Range 7½ East of the Willamette Meridian, 10,560 feet, more or less, to a point in the section line marking the Easterly boundary of the said Section 32, Township 34 South, Range 7½ East of the Willamette Meridian; thence Southerly along the said section line 3340.5 feet, more or less, to the Southeastery corner of the said Section 32; thence Southerly along the section line marking the Easterly boundary of the said Section 5, Township 35 South, Range 7½ East of the Willamette Meridian, 788.3 feet; thence Westerly, parallel with and 788.3 feet distant at right angles Southerly from the said township line between Township 34 South, Range 7½ East of the Willamette Meridian and Township 35 South, Range 7½ East of the Willamette Meridian, 10,560 feet, more or less, to a point in the range line marking the Westerly boundary of the said Section 6, Township 35 South, Range 7½ East of the Willamette Meridian; thence Northerly along the said range line 788.3 feet, more or less, to said point of beginning.

Tract 2:

A piece or parcel of land being portions of Sections 29, 30, 31 and 32, Township 34 South, Range 7½ East of the Willamette Meridian, more particularly described as follows:
Beginning at a point in the range line marking the Westerly boundary of the said Section 30, Township 34 South, Range 7½ East of the Willamette Meridian, which is 394.1 feet Southerly from the Southeastery corner of Section 24, Township 34 South, Range 6 East of the Willamette Meridian, as the same was established by Norman D. Price, U.S. Cadastral Engineer, between October 31, 1930, and June 22, 1931, and running thence Easterly to the Northwestern corner of the said Section 29, Township 34 South, Range 7½ East of the Willamette Meridian; thence Easterly along the Northerly boundary of the said Section 29, Township 34 South, Range 7½ East of the Willamette Meridian, 4905.3 feet, more or less, to a point in a line parallel with and 70 feet distant at right angles Southeastery from the center line of Dixon and McQuiston Lower Levee as the same is now located and constructed; thence South 44°40' West, along said parallel line 349.8 feet; thence South 12°30' East, leaving said parallel line 2622.3 feet, more or less, to a point in the section line marking the Easterly boundary of the said Section 29; thence Southerly along the said section line and the section line marking the Easterly boundary of said Section 32, Township 34 South, Range 7½ East of the Willamette Meridian, 4588 feet, more or less, to a point 3340.5 feet Northerly from the Southeastery corner of the said Section 32; thence Westerly parallel with and 3340.5 feet distant at right angles Northerly from the township line between Township 34 South, Range 7½ East of the Willamette Meridian and Township 35 South, Range 7½ East of the Willamette Meridian, 10,560 feet, more or less, to a point in the range line marking the Westerly boundaries of the said Sections 30 and 31, Township 34 South, Range 7½ East of the Willamette Meridian; thence Northerly along said range line, 7131 feet, more or less, to the said point of beginning.

EXCEPTING THEREFROM any portion of the above-described parcel lying Northerly of the South line of that property described as Parcel 2 in Deed from Puckett & Scherer, a co-partnership, to d'Artenay Brothers, a co-partnership, recorded August 2, 1961, in Deed Volume 331 at Page 367, Klamath County Deed Records.

Tract 3:

The E $\frac{1}{2}$ SE $\frac{1}{4}$, the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and the E $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 24, Township 34 South, Range 6 East of the Willamette Meridian.

Tract 4:

That portion of land lying between the range line of Ranges 6 and 7 $\frac{1}{2}$ East and the center line of the 4 Mile Canal, being more fully described as follows:

Starting from the section corner common to Sections 19, 30, 24 and 25, Township 34 South, Ranges 6 and 7 $\frac{1}{2}$ East of the Willamette Meridian; thence Northerly North 0°32' East a distance of 3874.8 feet; thence Easterly North 90° East a distance of 98.0 feet, more or less, to the center line of the 4 Mile Canal; thence Southerly along the said center line of the 4 Mile Canal, as the same is now located and constructed, South 0°03' West a distance of 4084.8 feet; thence Westerly North 88°57' West a distance of 134.5 feet, more or less, to a point on the section line between Sections 25 and 30; thence Northerly North 0°32' East, a distance of 207.6 feet, more or less, to the point of beginning.

Tract 5:

That portion of the property lying North of the South boundary of the 7 Mile Ranch as the same is now located and deeded to a line 8 feet North of the North edge of the East-West Canal along the South side of the 7 Mile Ranch, more fully described as follows:

Starting from the section corner common to Sections 19, 30, 24 and 25, Township 34 South, Ranges 6 and 7 $\frac{1}{2}$ East of the Willamette Meridian; thence South 0°32' West a distance of 394.1 feet to the point of beginning; thence Easterly South 89°50' East a distance of 10,160.7 feet; thence Northerly North 0°00' East to a point in line with a line 8.0 feet North and parallel with the North edge of the East-West Canal on the 7 Mile Ranch, as the same is now located and constructed; thence Westerly, along the said parallel line North 88°57' West a distance of 10,162.4 feet, more or less, to a point on the section line between Sections 25 and 30; thence Southerly South 0°32' West a distance of 186.5 feet to the point of beginning.

EXCEPTING THEREFROM any portion of the above-described parcel conveyed to Tulana Farms by Deed recorded February 20, 1947, in Deed Volume 202 at Page 411, Klamath County Deed Records.

TOGETHER WITH an easement for a 60-foot roadway for ingress and egress with the right to maintain same along the Westerly line of Sections 6, 7, 18 and 19, Township 34 South, Range 7 $\frac{1}{2}$ East of the Willamette Meridian, as shown by easement recorded in Deed Volume 215 at Page 11, Klamath County Deed Records and further conveyed by grantee to the vestees herein by documents recorded in Deed Volume 346 at Page 73 and Deed Volume 346 at Page 74, Klamath County Deed Records.

EXCEPTING FROM ALL of the above-described parcels, any rights of way for ditches and canals, of the Meadows Drainage District and the United States.

Tract 6:

A parcel of land situated in Sections 19 and 30, Township 34 South, Range 7 $\frac{1}{2}$ East of the Willamette Meridian, being more particularly described as follows:

Beginning at a point in the center line of Four Mile Canal from which a 1" iron pipe with a 2" bronze cap (set by M.D. Price in 1931) marking the section corner common to Sections 19, 24, 25 and 30, Township 34 South, Range 6 and 7 $\frac{1}{2}$ East, bears South 73°24'13" West 134.35 feet, more or less; thence South 88°59'26" East 61.97 feet, more or less, to a $\frac{1}{2}$ " rebar; thence South 4°34'08" East 80.14 feet to a $\frac{1}{2}$ " rebar; thence South 39°58'12" East 137.90 feet to a $\frac{1}{2}$ " rebar; thence South 1°08'24" West 61.14 feet to a $\frac{1}{2}$ " rebar, which point is 8.0 feet North of an East-West Canal; thence Westerly 155.72 feet, more or less, along a line 8.0 feet North of said East-West Canal and a projection thereof to the center line of Four Mile Canal; thence Northerly 247.78 feet, more or less, along the center line of Four Mile Canal to the point of beginning.

SUBJECT TO:

1. Terms and conditions of special assessment as farm use and the right of Klamath County, Oregon, to additional taxes in the event said use should be changed, which obligations Grantee assumes and agrees to pay and perform.
2. The requirements and provisions of ORS Chapter 481 pertaining to the registration and transfer of ownership of mobile homes and any interest or liens disclosed thereby. (Affects Parcel 3.)
3. Regulations, including levies, assessments, drainage rights and easements of Meadows Drainage District.
4. Rights of the public in and to any portion of the herein described property lying within the boundaries of public roads or highways.
5. Agreement between California-Oregon Power Company, first party, and Fort Klamath Meadows Co., second party, dated October 26, 1921, recorded August 14, 1922, in Volume 59, Page 59, Deed Records of Klamath County, Oregon, relative to raising and/or lowering the waters of Upper Klamath Lake.
6. Right of Way and easement, including the terms and provisions thereof, given by Fort Klamath Meadows Company to the California-Oregon Power Company by instruments, recorded January 10, 1929, in Volume 85, Page 125, Deed Records of Klamath County, Oregon, relative to raising/or lowering the waters of Upper Klamath Lake.
7. Agreement relative to flowage and seepage and raising and/or lowering the waters of Upper Klamath Lake between Earnest O. Plantz and the United States of America, dated October 28, 1935, recorded November 2, 1935, in Volume 105, Page 333, Deed Records of Klamath County, Oregon.
8. Easement, including the terms and provisions thereof, by and between William Nelson Plantz and United States of America, dated August 27, 1937, recorded September 7, 1937, in Volume 111, Page 565, Deed Records of Klamath County, Oregon.
9. Right of Way for transmission line, including the terms and provisions thereof, given by Fort Klamath Meadows Company to the California-Oregon Power Company, by deed recorded January 18, 1940, in Volume 126, Page 465, Deed Records of Klamath County, Oregon.
10. Reservations and restrictions in deed from Fort Klamath Meadows Company to R.S. Dixon and A.F. McQuiston, recorded April 25, 1944, in Volume 164, Page 281, and recorded January 8, 1945, in Volume 172, Page 89 and Page 93, Deed Records of Klamath County, Oregon, relative to use of seepage or surplus or waste water and the right to enlarge and use all canals and ditches.
11. Easements and rights reserved in deed from Meadows Drainage District to A. F. McQuiston and R. S. Dixon, recorded April 4, 1946, in Volume 187, Page 212, Deed Records of Klamath County, Oregon.
12. Reservations and restrictions in deed from A.F. McQuiston, et al, to Clifford J. Shuck, et al, dated November 13, 1947, recorded December 15, 1947, in Volume 215, Page 3, Deed Records of Klamath County, Oregon, as follows: "... reserving, however, unto grantors the perpetual easement and right of way over and across the Northerly 100 feet of said 140 acre tract".
13. Easement, including the terms and provisions thereof, given by A.F. McQuiston, et al, to Clifford J. Shuck, et al, dated December 5, 1947, recorded December 15, 1947, in Volume 215, Page 11, Deed Records of Klamath County, Oregon.
14. Reservations and restrictions in agreement, including the terms and provisions thereof, between Lloyd G. Nicholson, et ux, J. Emmitt Sisemore, a single man, L. Orth Sisemore, et ux, et al, and J. P. McAuliffe and Nora McAuliffe, husband and wife, dated November 19, 1952, recorded January 17, 1953, in Volume 258, Page 595, Deed Records of Klamath County, Oregon, regarding Melhase Ditch.
15. Reservation of oil, gas and minerals, including the terms and provisions thereof, in Deed from R. S. Dixon, et ux, to Puckett & Scherer, a co-partnership, dated October 17, 1955, recorded May 15, 1957, in Volume 291, Page 600, Deed Records of Klamath County, Oregon.

EXHIBIT "A"

16. Reservations and restrictions in deed from Puckett & Scherer, a co-partnership, to d'Artenay Brothers, a co-partnership consisting of Francis A. d'Artenay and John P. d'Artenay, dated July 7, 1961, recorded August 2, 1961, in Volume 331, Page 367, Deed Records of Klamath County, Oregon.

17. Rights of Way for transmission line, including the terms and provisions thereof, given by John P. d'Artenay, et al, to Pacific Power & Light Company, a Maine corporation, dated September 17, 1964, recorded February 18, 1965, in Volume 359, Page 425, Deed Records of Klamath County, Oregon.

18. Right of Way for transmission line, including the terms and provisions thereof, given by John P. d'Artenay, et al, to Pacific Power & Light Company, a California corporation, dated March 16, 1966, recorded March 29, 1966, in Volume M-66, Page 2717, Deed Records of Klamath County, Oregon.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County Title Co. the 15th day
of Aug. A.D., 19 88 at 8:33 o'clock A.M., and duly recorded in Vol. M88,
of Deeds on Page 13101.
Evelyn Biehn, County Clerk
By Roseline Muehlenberg

FEE \$23.00