

99932

MITC-21297K

WARRANTY DEED

Vol. 7289 Page 7908

KNOW ALL MEN BY THESE PRESENTS, That DAVID DINERMAN and SARA MORRIS, not as tenants in common, but with the right of survivorship hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by WALTER SEPUT, the grantee, does hereby grant, bargain, sell and convey unto the said grantee and and grantee's heirs, successors and assigns, the certain real property with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Klamath and State of Oregon, described as follows, to-wit:

SEE ATTACHED LEGAL DESCRIPTION OF WHICH IS MADE A PART HEREOF BY THIS REFERENCE.

SUBJECT TO: Mortgage, including the terms and provisions thereof, dated October 21, 1975, and recorded October 23, 1975, in Volume M75, page 13260, Microfilm Records of Klamath County, Oregon, in favor of The Federal Land Bank of Spokane, as Mortgagee which the herein named Grantor hereby agrees to assume and pay in full.

"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."

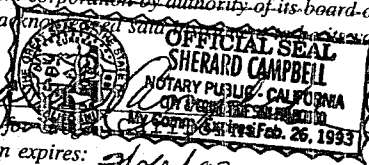
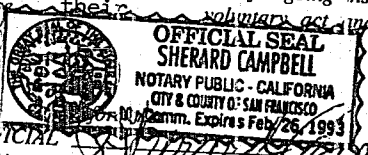
To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever. And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple and the above granted premises, free from all encumbrances except all those of record and those apparent upon the land, if any, as of the date of this deed and that grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances. The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ exchange. 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). (The sentence between the symbols, 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 4th day of May, 19 89; 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.

DAVID DINERMAN  
SARA MORRIS  
STATE OF OREGON, California  
County of San Francisco  
May 5, 19 89  
Personally appeared David Dinerman and Sara Morris who, being duly sworn, each for himself and not one for the other, did say that the former is the president and that the latter is the secretary of \_\_\_\_\_ a corporation, 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 each of them acknowledged said instrument as their voluntary act and deed.

STATE OF OREGON, California  
County of San Francisco  
May 4, 19 89  
Personally appeared the above named DAVID DINERMAN and SARA MORRIS

and acknowledged the foregoing instrument to be their voluntary act and deed.



(OFFICIAL SEAL)  
Notary Public for San Francisco, California  
My commission expires: 2/26/93

(OFFICIAL SEAL)  
Notary Public for San Francisco, California  
My commission expires: 2/26/93

DAVID DINERMAN & SARA MORRIS  
600 Montgomery St., 4th Floor  
San Francisco, CA 94111  
GRANTOR'S NAME AND ADDRESS

WALTER G. SEPUT, JR.  
c/o The STG Group, Transamerica Bldg.  
600 Montgomery St., 4th Floor,  
San Francisco, CA 94111  
ADDRESS

After recording return to:  
SAME AS GRANTEE

NAME, ADDRESS, ZIP  
SAME AS GRANTEE

Until a change is requested all tax statements shall be sent to the following address:  
SAME AS GRANTEE

NAME, ADDRESS, ZIP

STATE OF OREGON, ss.  
County of \_\_\_\_\_  
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 file/reel number \_\_\_\_\_  
Record of Deeds of said county.  
Witness my hand and seal of County affixed.

By \_\_\_\_\_ Recording Officer  
Deputy

Order No: 21297-K

EXHIBIT "A"  
LEGAL DESCRIPTION

Lot 2 in Block 1 Tract 1118, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

That portion of SE1/4 SE1/4 lying East of Sprague River, Section 25, Township 34 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon.

S1/2 SE1/4, NE1/4 SE1/4, Section 36, Township 34 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon.

That portion of NE1/4 lying East of Sprague River, Section 36, Township 34 South, Range 8 East of the Willamette Meridian.

S1/2 SE1/4 of Section 31 Township 34 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, NE1/4 SW1/4 SW1/4 of Section 32 Township 34 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, E1/2 SE1/4 SW1/4 SW1/4 of Section 32 Township 34 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, W1/2 SW1/4 SE1/4 SW1/4 of Section 32 Township 34 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, E1/2 NW1/4 SW1/4 of Section 32 Township 34 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon.

SE1/4 NW1/4 and SW1/4 NE1/4 lying Southerly of Sprague River in Section 31 and Lots 2, 3, 4, and E1/2 SW1/4, SE1/4 NE1/4, N1/2 SE1/4, Section 31; S1/2 S1/2 NW1/4 SW1/4 less that portion lying East of Sprague River, S1/2 N1/2 S1/2 NW1/4 SW1/4 less that portion lying East of Sprague River of Section 32, all in Township 34 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon.

A tract of land situate in Sections 31 and 32, Township 34 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

From the quarter corner common to Sections 30 and 31, Township 34 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, South along the center section line of Section 31 marked by an established fence 1/4 mile; thence East along an established fence 150 feet to the center of the Sprague River, the point of beginning of this survey; thence upstream along the center line of the Sprague River North 33 degrees 16' East 382.84 feet; thence North 46 degrees 28' East 560 feet; thence North 45 degrees East 550 feet; thence North 82 degrees 34' East 435 feet; thence North 60 degrees 15' East 201.53 feet; thence North 30 degrees 26' East 92.78 feet along the center line of the Sprague River to the North line of

(continued)

(Legal description continued)

Indian Allotment No. 547; thence along the North line of Indian Allotment No. 547, Section 31, East 918 feet; thence continuing up the Sprague River South 28 degrees 44' East 176.81 feet; thence South 21 degrees 40' East 685.1 feet; thence South 9 degrees 07' West 220 feet; thence South 29 degrees 29" West 370 feet to a fence crossing the Sprague River; thence along an established line of fence West 2697 feet to the point of beginning."

All that portion of the N1/2 NW1/4 SW1/4, and the N1/2 N1/2 S1/2 NW1/4 SW1/4, and the SW1/4 NW1/4 of Section 32, Township 34 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, lying Westerly of the Sprague River.

The NE1/4 of Section 1 Township 35 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, lying Northerly of Sprague River Road.

Lots 1, 2, 3, 4, 5 and SE1/4 NW1/4 of Section 6 Township 35 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon.

Tax Account No: 3408 02500 01199  
 3408 02500 01300  
 3408 03600 00100  
 3408 03600 02600  
 3408 03600 02900  
 3508 00100 00100  
 3409 00000 03300  
 3409 00000 03600  
 3409 03200 00300  
 3409 03200 00400  
 3409 03200 00700  
 3409 03200 00300  
 3509 00600 00100  
 3509 00600 00200

(ATTACH TO WARRANTY DEED)

The conveyance made by this instrument is made excluding 20% of any gross income paid or payable to Walter G. Seput, Jr., his successors and assigns, to the extent that said gross income is the result of and generated by the mining of any minerals located on or under the real property conveyed by this deed.

The reservation of mineral rights and income generated thereby, which reservation is set forth in the preceding paragraph is for a term of 30 years from the date hereof. Thereafter, reservation shall expire and be of no further force and effect.

Notwithstanding anything contained in this deed or any other instrument, all determinations of whether and where to mine or extract any minerals located on or under the Property conveyed hereby, and all decisions regarding ingress and egress are vested in Walter G. Seput, Jr., and his successors and assigns.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Mountain Title Co. the 8th day  
of May A.D., 19 89 at 4:46 o'clock P.M., and duly recorded in Vol. M89,  
of Deeds on Page 7908.

FEE \$23.00

Evelyn Biehn County Clerk

By Douglas Mullins