

BARGAIN AND SALE DEED

KENNETH L. DENCER, and PATRICIA A. DENCER, husband and wife, (Grantors) do grant, sell, release and transfer to KENNETH L. DENCER and PATRICIA A. DENCER, Trustees of the DENCER FAMILY TRUST u.a.d. April 30, 1990, all right, title and interest in and to the real property located in Klamath County, Oregon described as follows:

(SEE ATTACHED LEGAL DESCRIPTIONS)

The true consideration for this conveyance is valuable, but not expressed in dollars; the conveyance is made to organize the estates KENNETH L. DENCER and PATRICIA A. DENCER for improved administration of assets while alive and competent, and ease of transition thereafter.

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 PERSONS ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USE.

Until change is requested, all tax statements shall be sent to the following address: Mr. and Mrs. Kenneth L. Dencer, Route 1, Box 787, Bonanza, Oregon 97623.

DATED this 30th day of April, 1990.

Kenneth L. Dencer
KENNETH L. DENCER

Patricia A. Dencer
PATRICIA A. DENCER

STATE OF OREGON)

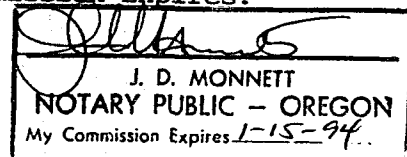
) ss.

County of Klamath)

On April 30, 1990 personally appeared KENNETH L. DENCER, and PATRICIA A. DENCER, who, being duly sworn, acknowledged the foregoing instrument to be their voluntary act and deed. Before me signed:

Notary Public for Oregon
My Commission Expires:

BARGAIN AND SALE DEED - 1



30 MAY 90 PM 12:03

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

PARCEL 1:

Township 38 South, Range 11 E.W.M.
 Section 19: Lot 1 (NW $\frac{1}{4}$ NW $\frac{1}{4}$) EXCEPTING the following described premises thereof, to-wit: Commencing on the East line of Lot 1, Sec. 19, Twp. 38 S., R. 11 E.W.M., at a point S. 00°28' W. 515.42 feet from the Northeast corner of said Lot 1, and running S. 00°28' W. along said East line a distance of 104.36 feet; thence N. 89°32' W. 104.36 feet to a point; thence N. 00°28' E. 104.36 feet to a point; thence S. 89°32' E. 104.36 feet to the point of beginning. Easterly 30 feet of said Lot 1, Section 19, Township 38 South, Range 11 E.W.M., extending from the North boundary to the South boundary of said lot; and ALSO EXCEPTING the following described real property: Beginning at a 5/8 inch iron pin marking the Northwest corner of said Section 19; thence S. 89°32' E. along the North line of said Section 19 a distance of 1031.24 feet to the true point of beginning of this description; thence S. 0°28' W. at right angles to the North line of said Section 19 a distance of 30.00 feet to a 1/2 inch iron pin on the South right of way line of the County Road; thence continuing S. 0°28' W. a distance of 260.40 feet to a 1/2 inch iron pin; thence S. 89°32' E. parallel with the North line of said Section 19 a distance of 150.00 feet to a 1/2 inch iron pin; thence N. 0°28' E. a distance of 260.40 feet to a 1/2 inch iron pin on the South line of said County Road; thence continuing N. 0°28' E. a distance of 30.00 feet to the North line of said Section 19; thence North 89°32' W. along the North line of said Section 19 a distance of 150 feet to the true point of beginning. The above described tract of land includes a 30 foot strip of land in the county road right of way along the North 30 feet thereof. FURTHER ALSO EXCEPTING a tract of land situated in Lot 1, Section 19, Township 38 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows: Beginning at a 5/8 inch iron pin marking the Northwest corner of said Section 19; thence S. 89°32' E. along the North line of said Section 19 a distance of 1181.24 feet to the true point of

beginning of this description; thence S. 00°28' W. a distance of 290.40 feet; thence S. 89°32' E. a distance of 135 feet, more or less, to the West line of that tract of land described in Deed Volume M68 page 1820, of Klamath County Deed records; thence Northerly along the said West line 290.40 feet to the North line of said Lot 1; thence N. 89°32' W. a distance of 135 feet to the true point of beginning. FURTHER EXCEPTING that portion described as follows: Beginning at the Northwest corner of Section 19; thence Easterly along the right of way of Klamath County Road known as Wu Road for a distance of approximately 328 feet; thence South for a distance of 300 feet; thence West a distance of 328 feet; thence North along the West Section line of Section 19 a distance of 300 feet to the point of beginning.

PARCEL 2:

The NE $\frac{1}{4}$ NW $\frac{1}{4}$ and S $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 19, Township 38 South, Range 11 East of the Willamette Meridian.

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
3. Easements, liens or encumbrances, or claims thereof, which are not shown by the public records; unpatented mining claims; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments or any other facts which a correct survey would disclose.
5. The assessment roll and the tax roll disclose that the within described premises were specially assessed as farm land. Taxes for the year 1981-82, and possibly prior years have been deferred pursuant to ORS 308.370 to 308.403. These, plus earned interest are due and payable when said reason for the deferment no longer exist.
6. Acreage and use limitations under provisions of United States Statutes and regulations issued thereunder.
7. Liens and assessments of Klamath Project and Horsefly Irrigation District, and regulations, contracts, easements, water and irrigation rights in connection therewith.
8. We are informed that a mobile home is situated upon the herein described land. This policy of title insurance does not insure said mobile home, or the title thereto.
9. Right of the public in and to any portion of the herein described property lying within the boundaries of public roads or highways, ditches, canals or utility easements.
10. Assignment of interest in oil, gas and minerals including the terms and provisions thereof, given by Jacob Rueck and Ada D. Rueck and Ada D. Rueck to R. H. Peterson and John T. Evans, dated July 18, 1928, recorded August 24, 1928, in Volume 82 page 177, Deed records of Klamath County, Oregon. Affects Lots 1 & 2 & SE $\frac{1}{4}$ NW $\frac{1}{4}$
11. Reservations and restrictions in deed from Jacob Rueck and Ada D. Rueck, husband and wife, to L. N. Ronely and Orilla C. Ronely, husband and wife, dated November 2, 1928, recorded April 20, 1929, in Volume 86 page 288, Deed records of Klamath County Oregon, as follows: "The grantors herein reserve 3/32 rights to all oil and mineral that may be found on said land." Affects Lots 1 & 2 & SE $\frac{1}{4}$ NW $\frac{1}{4}$

12. Reservations and restrictions in deed from L. N. Roney and Orilla C. Roney, husband and wife, to Bruce Dennis, dated December 2, 1929, recorded December 4, 1929, in Volume 88 page 343, Deed records of Klamath County, Oregon, as follows: "The grantors herein reserve 3/64 of the rights to all oil and minerals that may be found on said land." Affects Lots 1 & 2 & SE $\frac{1}{4}$ NW $\frac{1}{4}$
13. Reservations and restrictions in deed from Bruce Dennis and Florence J. Dennis, his wife, to The Gray Investment Company, an Oregon corporation, dated May 1, 1930, recorded May 9 1930, in Volume 90 page 254, Deed records of Klamath County, Oregon, as follows: "The grantors herein reserve 3/64 of the rights of all oil and minerals that may be found on said land." Affects Lots 1 & 2 & SE $\frac{1}{4}$ NW $\frac{1}{4}$
14. Reservations and restrictions in deed from Joe Smith, a single man, to H. R. Lafferty and R. T. Lafferty, dated March 29, 1938, recorded April 30, 1938, in Volume 115 page 238, Deed records of Klamath County, Oregon, as follows: "It is understood and agreed between grantee and grantor that grantor Joe Smith reserves unto himself, a 1/3 interest in all oil, gas, or mineral rights upon or under the premises heretofore described." Affects Lot 1
15. Right of way for transmission line, including the terms and provisions thereof, given by H. T. Lafferty, et al., to The California Oregon Power Company, a California corporation, dated August 30, 1940, recorded December 26, 1940, in Volume 134 page 219, Deed Records of Klamath County, Oregon. Affects Lot 1
16. Grant of Right of Way for transmission line, given by Leonard Ritter and Julia Ritter, his wife and Ernest Ritter, a single man, to The California Oregon Power Company, dated August 30, 1940, recorded December 26, 1940, in Volume 134 page 221, Deed records of Klamath County, Oregon. Affects Lot 2
17. Easement and right of way for sump, pump and ditch, including the terms and provisions thereof, between Leonard Ritter et al., first parties and H. T. Lafferty, et al., second parties, dated August 20, 1940, recorded January 25, 1941, in Volume 135 page 83, Deed records of Klamath County, Oregon. Affects S $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 19 for use of NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 19 & SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 18
18. Terms and provisions in right of way agreement between Ernest L. Ritter and Martha C. Ritter, husband and wife, and Pacific Gas Transmission Company, a California corporation, dated February 5, 1960, recorded March 21, 1960, in Volume 319 page 581, Deed records of Klamath County, Oregon. Affects NE $\frac{1}{4}$ NW $\frac{1}{4}$
19. Right of Way agreement, including the terms and provisions thereof, between Ernest Ritter et al., and Pacific Gas Transmission Company, a California corporation, dated February 5, 1960, recorded March 21, 1960, in Volume 319 page 583, Deed Records of Klamath County, Oregon. Said right of way is more fully defined in Notice of Location recorded October 30, 1961, in Volume 333 page 371, and Notice of Location Amending Description of Existing Right of Way recorded March 12, 1980, in Volume M80 page 4721, Deed Records of Klamath County, Oregon. Affects Lot 2 and SE $\frac{1}{4}$ NW $\frac{1}{4}$

20. Right of way for transmission line, including the terms and provisions thereof, given by Alfred G. Wu, et al., to Pacific Gas Transmission Company, dated February 16, 1960, recorded April 19, 1960, in Volume 320 page 376 and amended by ratification dated March 11, 1960, recorded April 19, 1960 in Volume 320 page 379, and further amended by ratification dated March 23, 1961, recorded March 24, 1961, in Volume 328 page 194, said right of way has been further established by Notice of Location dated September 18, 1961, recorded September 21, 1961, in Volume 332 page 398, Deed records of Klamath County, Oregon. Affects Lot 1

21. Mortgage, including the terms and provisions thereof, executed by Donald J. Kane, Jr. to the State of Oregon, represented and acting by the Director of Veterans' Affairs, dated July 2, 1979, recorded July 2, 1979, in Volume M79 page 15705, and re-recorded August 6, 1979, in Volume M79 page 18634, and re-recorded October 19, 1979, in Volume M79 page 24652, Mortgage records of Klamath County, Oregon, to secure the payment of a promissory note dated July 2, 1979, in the amount of \$174,500.00.

By Assumption Agreement, dated June 28, 1982, recorded June 28, 1982, by and between Kane, Dencer's and Department of Veterans' Affairs, all parties consent to the assumption of said mortgage.

22. Mortgage, including the terms and provisions thereof, executed by Kenneth L. Dencer and Patricia A. Dencer, to Don J. Kane, Jr., dated June 28, 1982, recorded June 28, 1982, in Volume M82 page 8195, Deed Records of Klamath County, Oregon.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Volney F. Morin, Jr. the 4th day
of May A.D., 19 90 at 12:03 o'clock PM., and duly recorded in Vol. M90,
of Deeds on Page 8497

FEE \$48.00

Evelyn Biehn, County Clerk

By *Debra Mullen*

Return: Kenneth L. Dencer
Rt. 1, Box 787
Bonanza, Or. 97623