



#02035737

Vol. m9d Page 23748

## WARRANTY DEED

AFTER RECORDING RETURN TO:  
BILL G. PRATER  
VIDA PRATER

2491 Stokes St.  
San Jose, CA 95128

UNTIL A CHANGE IS REQUESTED ALL TAX  
STATEMENTS TO THE FOLLOWING ADDRESS:  
SAME AS ABOVE

JOHN HINTZE AND WANDA HINTZE, HUSBAND AND WIFE hereinafter called GRANTOR(S), convey(s) to BILL G. PRATER AND VIDA PRATER, HUSBAND AND WIFE hereinafter called GRANTEE(S), all that real property situated in the County of KLAMATH, State of Oregon, described as:

SEE LEGAL DESCRIPTION MARKED EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF AS THOUGH FULLY SET FORTH HEREIN.....

"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."

and covenant(s) that grantor is the owner of the above described property free of all encumbrances except 1) Rights of the public in and to any portion of the herein described premises lying within the boundaries of roads or highways. 2) Right, title or interest of the public, including governmental bodies in and to that portion of said premises lying below the ordinary high water line of the Williamson River and public rights of fishing and recreation in and to the shoreline of said river. 3) As disclosed by the tax roll the premises herein described have been zoned or classified for farm use. At any time that said land is disqualified for such use, the property may be subject to additional taxes or penalties and interest. 4) Regulations, including levies, assessment, water and irrigation rights and easements for ditches and canals, of Modoc Irrigation District. 5) Reservations included in deed from the United States of America recorded March 24, 1935 in Book 104 at page 367, Deed Records, and in Land Status Report recorded January 15, 1959 in Book 308 at page 650, Deed Records of Klamath County, Oregon, including the reservation of roads, trails, telephone lines, etc. constructed by the United States, with the rights of the United States to maintain, operate and improve same. (Affects Lot 9, Sec. 31, and Lots 38 and 29, Sec. 32, Twp 35 S., R 7 EWM.) 6) Reservation of all subsurface rights, except water, in trust, to the heirs of Willie Beal, deceased Klamath Allottee #40, as disclosed by deed Recorded May 18, 1957 in Book 290 at page 361, Klamath County Deed Records. (Affects Lots 21 and 28, Sec. 31, Twp 35 S., R. 7 EWM.) 7) Reservation of all subsurface rights, except water, in trust to the heirs of Isabel Beal, deceased Klamath Allottee #970, as disclosed by Deed recorded March 18, 1957 in Book 290 at page 363, Klamath County Deed Records. (Affects Lots 11 and 20, Sec. 31, Twp 35 S., R. 7 EWM.) 8) Reservation of all subsurface rights, except water, in trust for Ormie Beal Jourdan, as disclosed by Deed recorded March 18, 1907 in Book 290 at page 365, Klamath County Deed Records. (Affects Lots 20 and 21, Sec. 32, Twp 35 S., R 7 EWM.) 9) Easement, including the terms and provisions thereof: For: Pole and wire lines; Granted to: Pacific Power & Light Company recorded on March 16, 1963 in Book 345 at page 328; Affects: Lot 9, Sec. 31, Twp 35 S., R. 7 EWM. 10) Reservations of all subsurface rights, except water, in trust for George Merritt, as disclosed by Deed recorded November 18, 1957 in Book 295 at page 510, Deed Records. 11) Reservations in Patent, recorded December 4, 1959 in Book 317 at page 500, Deed Records. 12) Contract, including the terms and provisions thereof: Vendor: The State of Oregon, by and through

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WARRANTY DEED  
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the Director of Veterans' Affairs; Vendee: John Hintze and Wanda Hintze, husband and wife, dated on September 21, 1990 and recorded on September 22, 1989 in Book M-89 at page 17959. SAID CONTRACT, THE GRANTEE HEREIN AGREES TO ASSUME AND PAY ACCORDING TO THE TERMS AND PROVISIONS CONTAINED THEREIN.

and will warrant and defend the same against all persons who may lawfully claim the same, except as shown above.

The true and actual consideration for this transfer is \$165,000.00.

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

IN WITNESS WHEREOF, the grantor has executed this instrument this 23RD day of NOVEMBER, 1990.

John Hintze  
JOHN HINTZE

Wanda Hintze  
WANDA HINTZE

STATE OF OREGON, County of KLAMATH)ss.

November 24, 1990.

Personally appeared the above named JOHN HINTZE AND WANDA HINTZE and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me, Sandra Handsaker  
Notary Public for OREGON  
My Commission Expires: 7-23-93

OF OREGON

COPIES OF THIS DEED  
FURNISHED TO THE FOLLOWING PERSONS:  
NAME ADDRESS CITY STATE ZIP

NAME ADDRESS CITY STATE ZIP

NAME ADDRESS CITY STATE ZIP

## EXHIBIT "A"

All of Lot 9, Section 31, Township 35 South, Range 7 East of the Willamette Meridian, and a portion of Lot 12, Section 31, Township 35 South, Range 7 East of the Willamette Meridian, in the County of Klamath, State of Oregon, being more particularly described as follows:

Beginning at the Northeast corner of Lot 12, Section 31, Township 35 South, Range 7 East of the Willamette Meridian; thence South 0 degrees 19 3/4' East 55.0 feet to an iron pin; thence North 45 degrees 18 3/4' West 77.8 feet to an iron pin; thence North 89 degrees 40 1/4' East 55.0 feet, more or less, to the point of beginning.

All of Lots 11, 20, 21, 28, 29 and 38, Section 31, Township 35 South, Range 7 East of the Willamette Meridian, in the County of Klamath, State of Oregon; EXCEPTING the following described portion thereof, heretofore conveyed by Grantors to Tulana Farms by deed dated February 4, 1960, recorded on same date in Volume 318 at Page 627, Deed Records of Klamath County, Oregon:

Beginning at the stone monument marking the section corner common to Section 31 and 32, Township 35 South, Range 7 East of the Willamette Meridian, and to Sections 5 and 6, Township 36 South, Range 7 East of the Willamette Meridian; thence South 89 degrees 55 3/4' West along the section line common to said Sections 31 and 6, 425.0 feet to a point; thence North 0 degrees 25' West 30.0 feet to an iron pipe on the Northerly right of way line of a county road as the same is presently located and constructed and the true point of beginning of this description; thence South 89 degrees 55 3/4' West along the said Northerly right of way line 868.7 feet to a point in the fence line marking the Westerly boundary of Lot 38 of said Section 31; thence North 0 degrees 55 3/4' West 1271.1 feet to the stone monument marking the Northwest corner of Lot 29 of said Section 31 (said monument being also the SE 1/6 corner of said Section 31); thence North 0 degrees 25' West 1316.7 feet to the stone monument marking the Northwest corner of Lot 21 of said Section 31 (said monument being also the East 1/16 corner on the East-West centerline of said Section 31); thence North 0 degrees 19 3/4' West 1263.3 feet to an iron pin on the Westerly boundary of Lot 11 of said Section 31 and from which point the Northwest corner of said Lot 11 bears North 0 degrees 19 3/4' West 55.0 feet distant; thence South 13 degrees 14 1/2' East, 3955.5 feet, more or less, to the true point of beginning.

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## EXHIBIT "A" CONTINUED

Government Lots 20, 21, 28 and 29, Section 32, Township 35 South, Range 7 East of the Willamette Meridian, in the County of Klamath, State of Oregon.

LESS AND EXCEPT the Northerly 190 feet of Lot 9, Section 31, Township 35 South, Range 7 East of the Willamette Meridian.

CODE 138 MAP 3507-3100 TL 300  
CODE 118 MAP 3507-3100 TL 1500  
CODE 118 MAP 3507-3100 TL 1600  
CODE 118 MAP 3507-3200 TL 1800  
CODE 118 MAP 3507-3200 TL 1900

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title Co. the 30th day  
of Nov. A.D., 19 90 at 10:37 o'clock A M., and duly recorded in Vol. M90,  
of Deeds on Page 23748.

Evelyn Biehn County Clerk

FEE \$43.00

By Pauline M. Muelender