

23719

MTC 24167
WARRANTY DEED

Vol. m90 Page 24781

LOYAL H. LOVENESS, MILDRED H. LOVENESS, VINTON ALAN LOVENESS, KATHY ADAIR ROGERS and VICKI SUE ROGAL, Grantors, conveys and warrants to LOREN LOVENESS and ELSIE LOVENESS, husband and wife, Grantees, the following described real property free of encumbrances except as specifically set forth herein:

See Exhibit "A" attached hereto and by this reference incorporated herein.

The true consideration for this conveyance is contract fulfillment.

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.

Dated this 3 day of Dec, 1990.

Loyal H. Loveness
LOYAL H. LOVENESS ✓

Mildred H. Loveness
MILDRED H. LOVENESS ✓

Vinton Alan Loveness
VINTON ALAN LOVENESS

Kathy Adair Rogers by V.A. Loveness
KATHY ADAIR ROGERS, by V.A.
Loveness as Attorney in Fact

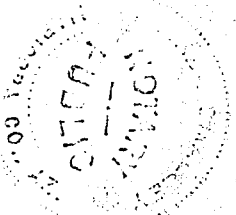
Vicki Sue Rogal by V.A. Loveness
VICKI SUE ROGAL, by V.A.
Loveness as Attorney in Fact

1990 DEC 17 AM 10 03

STATE OF ARIZONA)
County of MARICOPA ss.

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Personally appeared the above named LOYAL H. LOVENESS, on December 3, 1990, and acknowledged the foregoing instrument to be his voluntary act and deed.



[Signature]
Notary Public for Arizona
My Commission Expires:

My Commission Expires Nov. 11, 1992

STATE OF ARIZONA)
County of MARICOPA ss.

Personally appeared the above named MILDRED H. LOVENESS, on December 3, 1990, and acknowledged the foregoing instrument to be her voluntary act and deed.



[Signature]
Notary Public for Arizona
My Commission Expires:

My Commission Expires Nov. 11, 1992

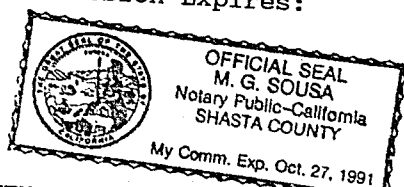
STATE OF OREGON)
County of CLATSOP ss.

Personally appeared the above named VINTON ALAN LOVENESS, on THE DAY OF NOVEMBER, 1990, and acknowledged the foregoing instrument to be his voluntary act and deed.



[Signature]
Notary Public for Oregon CLATSOP
My Commission Expires:

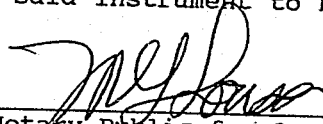
STATE OF OREGON)
County of CLATSOP ss.

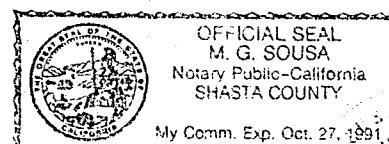


Personally appeared V.A. LOVENESS on THE DAY OF NOVEMBER, 1990, who being duly sworn, did say that he is the attorney in fact for KATHY ADAIR ROGERS and VICKI SUE ROGAL and that he executed the

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foregoing instrument by authority of and in behalf of said principal; and he acknowledges said instrument to be the act and deed of said principal.


Notary Public for ~~Oregon~~ *CALIFORNIA*
My Commission Expires *10/27/91*



Loyal H. Loveness, Mildred H. Loveness,
Vinton Alan Loveness, Kathy Adair
Rogers and Vicki Sue Rogal

GRANTORS

Loren Loveness and Elsie Loveness
GRANTEES

After recording return to:
Loren Loveness
36121 Stastny Road
Malin, OR 97632

Until a change is requested all
tax statements shall be sent to
the following address:
Loren Loveness and Elsie Loveness
36121 Stastny Road
Malin, OR 97632

EXHIBIT A

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A TRACT OF LAND SITUATED IN SECTIONS 18 AND 19, T41S, R13EWM, KLAMATH COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS.

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 18; THENCE S89°56'02"S 3005.07 FEET TO THE N1/4 CORNER OF SAID SECTION 18; THENCE S00°08'16"W, ALONG THE NORTH-SOUTH CENTER SECTION LINE, 4332.68 FEET TO A POINT MARKED WITH A 5/8" IRON PIN WITH A TRU-LINE SURVEYING PLASTIC CAP; THENCE WEST 450.46 FEET TO A 5/8" IRON PIN WITH A TRU-LINE SURVEYING PLASTIC CAP; THENCE NORTH 250.00 FEET TO A 5/8" IRON PIN WITH A TRU-LINE SURVEYING PLASTIC CAP; THENCE WEST 825.00 FEET TO A 5/8" IRON PIN WITH A TRU-LINE SURVEYING PLASTIC CAP; THENCE NORTH 704.00 FEET TO A 1/2" IRON PIN; THENCE N59°58'54"W 831.54 FEET TO A 1/2" IRON PIN; THENCE NORTH 300.00 FEET TO A 5/8" IRON PIN; THENCE S89°56'49"W 700.00 FEET TO A 5/8" IRON PIN; THENCE SOUTH 1000.00 FEET TO A 5/8" IRON PIN; THENCE S89°56'49"W 240.32 FEET TO A POINT 60.00 FEET EAST OF THE WEST LINE OF SAID SECTION 18; THENCE S00°01'04"W, PARALLEL TO SAID SECTION LINE, 742 FEET, MORE OR LESS, TO THE CENTER LINE OF AN IRRIGATION CANAL; THENCE SOUTHEASTERLY, ALONG SAID CANAL CENTER LINE, 3180 FEET, MORE OR LESS, TO A POINT ON THE SOUTH LINE OF THE N1/2NW1/4 OF SAID SECTION 19; THENCE WESTERLY, ALONG SAID LINE, 1165 FEET, MORE OR LESS, TO THE SOUTHERLY RIGHT OF WAY LINE OF AN IRRIGATION DITCH; THENCE, ALONG SAID RIGHT OF WAY LINE, N35°W 1350 FEET, MORE OR LESS, AND N84°30'W 150 FEET, MORE OR LESS, TO THE WEST LINE OF SAID SECTION 19; THENCE N00°01'04"E 209.88 FEET TO THE NORTHWEST CORNER OF SAID SECTION 19; THENCE N00°01'04"E 2, ALONG THE WEST LINE OF SAID SECTION 19; THENCE TO A POINT ON THE BOUNDARY OF THAT TRACT OF LAND DESCRIBED IN DEED VOLUME 114 AT PAGE 415, DEED RECORDS OF KLAMATH COUNTY; THENCE, ALONG SAID BOUNDARY LINE THE FOLLOWING COURSES AND DISTANCES, N44°38'E 208.27 FEET, N09°14'W 289.6 FEET, N13°48'E 233.6 FEET, N06°38'E 259.2 FEET, N13°38'W 224.1 FEET, N31°16'W 184.9 FEET, N07°51'W 240.2 FEET AND N22°46'W 8.9 FEET TO A POINT ON THE WEST LINE OF SAID SECTION 18; THENCE N00°01'04"E, ALONG SAID WEST LINE, 1763.37 FEET TO THE POINT OF BEGINNING, CONTAINING 280 ACRES, MORE OR LESS.

SUBJECT TO an easement 30 feet in width for roadway purposes located in Section 18, Township 41 South, Range 13 East of the Willamette Meridian, Klamath County, Oregon, the centerline of which is more particularly described as follows:

Beginning at a point on the Easterly right-of-way line of Stastny Road, a county road, from which a 5/8" iron pin marking the Southwest corner of Government Lot 3 of said Section 18 bears North 02 degrees 13' 46" West, 462.50 feet; thence leaving said Easterly right-of-way line North 89 degrees 43' 04" East, 36.90 feet to the beginning of a curve to the left; thence along the arc of a 117.24 foot radius curve to the left (delta= 103 degrees 58' 38"; long chord= North 37 degrees 43' 45" East, 184.74 feet) 212.76 feet to the end of curve; thence North 14 degrees 15' 34" West, 553.85 feet to the beginning of a curve to the right; thence along the arc of a 317.03 foot radius curve to the right (delta= 20 degrees 30' 50"; long chord= North 04 degrees 30' 05" West, 112.90 feet) 113.51 feet to a point from which the Southwest corner of a tract of land described in Volume M88 at page 11389, Microfilm Records of Klamath County, Oregon, bears North 89 degrees 56' 49" East, 276.78 feet.

SUBJECT TO:

2. 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; in addition thereto a penalty may be levied if notice of disqualification is not timely given.
3. Liens and assessments of Klamath Project and Malin Irrigation District, and regulations, contracts, easements and water and irrigation rights in connection therewith.
4. Any unpaid charges or assessments of Malin Irrigation District.

EXHIBIT A-CONT.

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5. Rights of the public in and to any portion of the herein described premises lying within the limits of streets, roads or highways.
6. Financing Statements, if any, on file in the office of the Secretary of State.
7. An easement created by instrument, subject to the terms and provisions thereof,
Dated: May 19, 1942
Recorded: August 1, 1942
Volume: 149, page 62, Deed Records of Klamath County, Oregon
In favor of: The Pacific Telephone and Telegraph Company, a California corporation
For: Pole and anchor
Affects: W1/2 Section 18, Township 41 South, Range 13 East of the Willamette Meridian
8. An easement created by instrument, subject to the terms and provisions thereof,
Dated: July 22, 1946
Recorded: September 21, 1946
Volume: 196, page 75, Deed Records of Klamath County, Oregon
In favor of: The California Oregon Power Company, a California corporation
For: Transmission and distribution of electricity
Affects: SW1/4 Section 18, Township 41 South, Range 13 East of the Willamette Meridian
9. An easement created by instrument, subject to the terms and provisions thereof,
Dated: December 21, 1950
Recorded: January 4, 1951
Volume: 244, page 353, Deed Records of Klamath County, Oregon
In favor of: The California Oregon Power Company, a California corporation
For: Transmission and distribution of electricity
Affects: SW1/4 Section 18, Township 41 South, Range 13 East of the Willamette Meridian
10. An easement created by instrument, subject to the terms and provisions thereof,
Dated: August 17, 1966
Recorded: September 8, 1966
Volume: M66, page 8992, Microfilm Records of Klamath County, Oregon
In favor of: Ronald E. Loveness and Mary Lou Loveness, husband and wife
For: Road purposes
11. An easement created by instrument, subject to the terms and provisions thereof,
Dated: December 8, 1973
Recorded: March 1, 1975
Volume: M75, page 3218, Microfilm Records of Klamath County, Oregon
In favor of: Loren E. Loveness and Linda L. Loveness, husband and wife
For: Road purposes
12. Subject to the effect of the re-recording of Bargain and Sale Deed dated August 16, 1983, recorded February 24, 1984 in Volume M84, page 2983, executed by Loyal H. Loveness to Mildred H. Loveness, creating 1/4 interest each, to correct legal descriptions of Parcel (a) and Parcel (b).

13. Lease of Farm Land, subject to the terms and provisions thereof;
Dated: February 23, 1983
Recorded: April 15, 1985
Volume: M85, page 5434, Microfilm Records of Klamath County, Oregon
Lessor: Loveness Farms, a partnership
Lessee: Loren and Elsie Loveness
14. Right of way for an airstrip as disclosed by the Klamath County Assessor's map.
15. Major Land Partition Creation of a Private Road, subject to the terms and provisions thereof;
Dated: October 30, 1989
Recorded: November 2, 1989
Volume: M89, page 21172, Microfilm Records of Klamath County, Oregon
For: 30' wide private road easement
16. Except reservations, restrictions, rights-of-way, easements of record and those apparent upon the land.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Mountain Title Co. the 14th day
of Dec. A.D., 19 90 at 10:03 o'clock A M., and duly recorded in Vol. M90,
of Deeds on Page 24781.

FEE \$53.00

Evelyn Biehn - County Clerk

By Pauline Mullesday