

23720

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24/88
WARRANTY DEED

LOYAL H. LOVENESS, MILDRED H. LOVENESS, VINTON ALAN LOVENESS, KATHY ADAIR ROGERS and VICKI SUE ROGAL, Grantors, conveys and warrants to LOYAL H. LOVENESS and RONALD E. LOVENESS, Trustees of the LOYAL H. LOVENESS 1983 TRUST and MILDRED H. LOVENESS and RONALD E. LOVENESS, Trustees of the MILDRED H. LOVENESS 1983 TRUST, as Tenants in Common, 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

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STATE OF ARIZONA)
County of Maricopa) ss.

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.

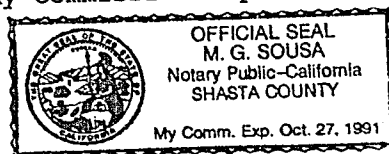
[Signature]
Notary Public for Arizona
My Commission Expires:

My Commission Expires Nov. 11, 1992

STATE OF CALIFORNIA)
County of Shasta) ss.

Personally appeared the above named VINTON ALAN LOVENESS, on 7th day of December, 1990, and acknowledged the foregoing instrument to be his voluntary act and deed.

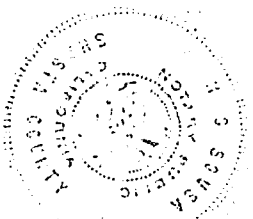
[Signature]
Notary Public for California
My Commission Expires:



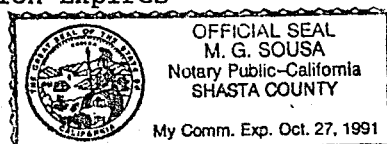
STATE OF CALIFORNIA)
County of Shasta) ss.

Personally appeared V.A. LOVENESS on 7th day of December, 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

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



M. G. Sousa
Notary Public for Oregon *encl. 10/27/91*
My Commission Expires



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

GRANTORS

Loyal H. Loveness and Ronald E. Loveness,
Trustees of the Loyal H. Loveness 1983 Trust
and Mildred H. Loveness and Ronald E. Loveness,
Trustees of the Mildred H. Loveness 1983 Trust

GRANTEES

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

Until a change is requested all
tax statements shall be sent to
the following address:
Loyal H. Loveness and Ronald E. Loveness,
Trustees of the Loyal H. Loveness 1983 Trust
and Mildred H. Loveness and Ronald E. Loveness,
Trustees of the Mildred H. Loveness 1983 Trust
% Anthony Giacomini
Giacomini & Knieps
706 Main Street
Klamath Falls, Oregon 97601

EXHIBIT A

24790

A TRACT OF LAND SITUATED IN THE SW1/4 OF SECTION 18 AND THE NW1/4 OF SECTION 19, ALL IN T41S, R13E2W, KLAMATH COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS.

BEGINNING AT THE 1/4 CORNER COMMON TO SAID SECTIONS 18 AND 19; THENCE N06°08'15"E, ALONG THE NORTH-SOUTH CENTER SECTION LINE OF SAID SECTION 18, 984 FEET MORE OR LESS, TO A 5/8" IRON PIN WITH A TRU-LINE SURVEYING PLASTIC CAP, FROM WHICH THE N1/4 CORNER OF SAID SECTION 18 BEARS N00°03'15"E 4332.62 FEET; 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 SOUTH 300.00 FEET TO A 5/8" IRON PIN; THENCE WEST 720.00 FEET TO A 5/8" IRON PIN; THENCE NORTH 720.00 FEET; THENCE S89°56'49"W 940.32 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, 1130 FEET, MORE OR LESS, TO A POINT ON THE SOUTH LINE OF THE N1/2NW1/4 OF SAID SECTION 19; THENCE EAST 900 FEET, MORE OR LESS TO THE CN1/16 CORNER OF SAID SECTION 19; THENCE NORTHERLY 1348 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, CONTAINING 118 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 Stasny 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, 553.35 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 00' 09" 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 11329, 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.
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 28, 1942
Recorded: August 1, 1942
Volume: 149, page 61, Deed Records of Klamath County, Oregon
In favor of: The Pacific Telephone & Telegraph Company
For: Pole and anchor
Affects: NE1/4 Section 19, Township 41 South, Range 13 East of the Willamette Meridian
8. 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
9. 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
10. 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
11. 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
12. 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

13. Right of Way Easement, subject to the terms and provisions thereof,
Dated: April 19, 1977
Recorded: April 25, 1977

Volume: M77, page 6976, Microfilm Records of Klamath County, Oregon
In favor of: Pacific Power and Light Company
For: Electric Transmission and distribution line
Affects: NW1/4 NW1/4 Section 19, Township 41 South, Range 13 East of
the Willamette Meridian

14. 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).

15. 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

16. Right of way for an airstrip as disclosed by the Klamath County Assessor's map.

17. 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 and 21177, Microfilm Records of Klamath County, Oregon
For: 30' wide private road easement

18. 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 AM., and duly recorded in Vol. M90,
of Deeds on Page 24787.

Evelyn Biehn - County Clerk
By Darlene Mullendore

FEE 53.00