

01035690

WARRANTY DEED

AFTER RECORDING RETURN TO:

DONALD R. RICKEY

P.O. Box 131

Redwood Valley, CA 95470

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

FRANK BORGES AND HAZEL BORGES, HUSBAND AND WIFE hereinafter  
called GRANTOR(S), convey(s) to DONALD R. RICKEY 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) 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. 2) Rights of the  
public in and to any portion of the herein described premises  
lying within the boundaries of roads or highways. 3) 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 Klamath River and public rights of  
fishing and recreation in and to the shoreline of said river.  
4) All matters arising from any shifting in the course of the  
Klamath River, including but not limited to accretion, reliction  
and avulsion. 5) Waiver of Riparian Rights, and damages,  
including the terms and provisions thereof, executed by O.A.  
Stearns and Luella M. Stearns his wife, to T. H. Humphreys for  
and on behalf of the United States dated July 1, 1905, recorded  
September 16, 1905 in Book 18, at page 365, Deed Records of  
Klamath County, Oregon. 6) Easement, including the terms and  
provisions thereof: For: Right of way; Granted to: The  
California Oregon Power Company; Recorded: September 26, 1927 in  
Book 76 at page 506; 7) Easement, including the terms and  
provisions thereof: For: Right of way; Granted to: The  
California Oregon Power Company; Recorded: June 13, 1928 in  
Book 80 at page 478. 8) Easement including the terms and  
provisions thereof: Granted to: Pacific Telephone and  
Telegraph Company, a corporation, recorded February 27, 1959 in  
book 310 at page 156. 9) Reservations contained in deed from  
Dan Fitzgerald, et ux., to Vernon G. Howard, et ux., dated  
February 8, 1963, recorded February 11, 1963, in Book 343 at  
page 166, Deed Records of Klamath County, Oregon. 10) Access  
Restrictions, including the terms and provisions thereof  
contained in Deed: From: Frank Borges and Hazel Borges,  
husband and wife; To: State of Oregon, by and through its State  
Highway Commission; dated April 11, 1989, recorded May 17, 1989  
in Book M-89 at page 8560, Fee No. 279. 11) Easement,  
including the terms and provisions thereof: For: Underground  
communication lines; Granted to: Pacific Northwest Bell  
Telephone Company, a Washington Corporation, recorded on July  
21, 1989 in Book M-89 at page 13316, fee No. 2846.

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

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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 6TH day of NOVEMBER, 1990.

Frank W. Borges  
FRANK BORGES

Hazel Borges  
HAZEL BORGES

STATE OF OREGON, County of KLAMATH)ss.

NOVEMBER 15, 1990

Personally appeared the above named FRANK BORGES AND HAZEL BORGES, and acknowledged the foregoing instrument to be THEIR voluntary act and deed.

Before me, Sandra Handscher  
Notary Public for OREGON  
My Commission Expires: 7-13-93

EXHIBIT "A"

In Township 39 South, Range 8 East of the Willamette Meridian, in the County of Klamath, State of Oregon.

- Section 27: That portion of the W 1/2 of E 1/2 (which includes Lots 3 and 5) lying South of that portion conveyed to Weyerhaeuser Timber Co. by Deed recorded May 5, 1928, Deed Volume 80, Page 275, and Government Lot 4.
- Section 34: Government Lots 1, 2, 3, 4, 5, 6, 7, 8 and 12
- Section 35: Government Lot 1
- Section 27: Beginning at a point on the center section line of Section 27, Township 39 South, Range 8 East of the Willamette Meridian, which point is common with the center section line and the Southeasterly right of way boundary of the Klamath Falls-Ashland Highway (Oregon 66) and bears South a distance of 494.0 feet, more or less, from the quarter section corner common to Sections 22 and 27, Township, Range and Meridian aforesaid; thence continuing South along same center section line a distance of 2661.0 feet, more or less to the Northerly right of way boundary of the Weyerhaeuser Timber Company road (Volume 80, Page 275, Deed Records of Klamath County, Oregon); thence North 55 degrees 21' East along same, a distance of 36.47 feet; thence North, parallel with the aforesaid center section line a distance of 2667.2 feet, more or less, to the Southeasterly right of way boundary of aforesaid Klamath Falls-Ashland Highway; thence South 48 degrees 08' West along same, a distance of 40.28 feet more or less, to the point of beginning, being a 30 foot strip of land for private road purposes.

EXCEPTING THEREFROM that portion conveyed to the State of Oregon, by and through its Department of Transportation, Highway Division by Deed recorded May 17, 1989 in Book M-89 at Page 8560.

CODE 5 & 20 MAP 3908 TL 53  
CODE 20 MAP 3908-2700 TL 700

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title Co. the 3rd day  
of Jan. A.D., 19 91 at 11:19 o'clock A M., and duly recorded in Vol. M91,  
of Deeds on Page 86.

FEE \$38.00

Evelyn Biehn, County Clerk

By Pauline Mullendore