

LESNICK DEVELOPMENT CO., LTD., Grantor, conveys and warrants to WARREN H. BYERS, Grantee, the following real property free of encumbrances except as specifically set forth herein, situated in Klamath County, Oregon, legally described as Exhibit A, attached hereto and incorporated by this reference herein as if fully set forth.

The said property is free from encumbrances, except as set forth on the Exhibit A, attached hereto and incorporated by this reference herein as if fully set forth.

SUBJECT TO contracts and/or liens for irrigation and/or drainage, the schedule of exclusions from coverage, together with any schedules contained in standard title policies, reservations, easements, restrictions and rights of way of record and those apparent on the land.

ALSO SUBJECT TO rights of the public in and to any portion of the herein described premises lying within the limits of streets, roads or highways.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING AND 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.

THE TRUE AND ACTUAL CONSIDERATION for this conveyance is \$240,000.00.

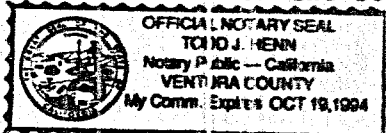
DATED this 23 day of August, 1991.

LESNICK DEVELOPMENT CO., LTD.

X by: Ralph Carmichael

STATE OF California / County of VENTURA ss.

THIS INSTRUMENT was acknowledged before me this 23 day of August, 1991, by RALPH CARMICHAEL as GENERAL PARTNER, of LESNICK DEVELOPMENT CO., LTD., on behalf of whom the foregoing instrument was executed.



Tom J. Henn
NOTARY PUBLIC FOR VENTURA, CA.
My Commission Expires: 10-19-94

GRANTORS NAME AND ADDRESS:

Lesnick Development Co., LTD.
P.O. Box 936
Newbury Park, CA 91319

GRANTEES NAME AND ADDRESS:

Warren H. Byers
P.O. Box 5188
Klamath Falls, OR 97601

AFTER RECORDING, RETURN TO:

SAME AS GRANTEE

Until a Change is Requested,
Send Tax Statements To:

SAME AS GRANTEE

STATE OF OREGON)
) ss.
County of Klamath)

I certify that the within instrument was received for record on the _____ day of _____, 1991, at _____ o'clock _____ M., and recorded in Book _____ on Page _____ or as File Reel Number _____, Record of Deeds of said County. WITNESS my hand and seal of County affixed.

Recording Officer

By: _____

Deputy

91 SEP 11 PM 3 40

EXHIBIT "A"
LEGAL DESCRIPTION

18289

All of the following described real property situate in Klamath County, Oregon:

Township 39 South, Range 8 East of the Willamette Meridian

SECTION 10: W1/2 SE1/4, SE1/4 SW1/4

SECTION 15: W1/2 NE1/4, E1/2 NW1/4, SW1/4, W1/2 SE1/4, SE1/4 SE1/4

SECTION 16: SE1/4

SECTION 21: W1/2 NE1/4, SE1/4 NE1/4

SECTION 22: NE1/4, S1/2 NW1/4, NE1/4 SW1/4, SE1/4

EXCEPTING that part of Section 22 lying Southeasterly of Highway and also EXCEPTING the following:

Beginning at the quarter section corner between Sections 22 and 27, Township 39 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon; thence East 327 feet; thence North 54 degrees West, 400 feet; thence South to the point of beginning.

ALSO SAVING AND EXCEPTING a tract of land lying within the SE1/4 NE1/4 and the NE1/4 SE1/4 of Section 22, Township 39 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon; said tract being particularly described as follows:

Beginning at the 1/4 section corner common to Sections 22 and 23, Township 39 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon; thence South along the section line a distance of 409.3 feet to a point on the Northerly right of way boundary of the Klamath Falls-Ashland Highway (Oregon 66); thence South 39 degrees 17' West a distance of 174.4 feet along said right of way to an angle point of same; thence South 40 degrees 06' West a distance of 254 feet along same right of way to a point; thence South 39 degrees 31' West along said right of way boundary, a distance of 428.7 feet to a 3/4" galvanized iron pipe; thence leaving said highway and bearing North 14 degrees 44' West a distance of 2441.9 feet to a 3/4" galvanized iron pipe set in an old existing fence line; thence North 89 degrees 25' 45" East along said fence line a distance of 1168.7 feet to a point on the section line marked with a 3/4" galvanized iron pipe; thence South along the said section line a distance of 1303.0 feet, more or less to the point of beginning.

SUBJECT TO THE FOLLOWING:

1. The premises herein described have been classified as Reforestation Land and is subject to the payment of a yield tax immediately prior to harvesting of any forest crop. Upon declassification as Reforestation Lands an additional tax may be levied. (Affects 3908-3600 and 3908-1600)

2. An easement created by instrument, subject to the terms and provisions thereof, Dated March 24, 1926
Recorded: April 8, 1926
Volume: 69, page 442, Deed Records of Klamath County, Oregon
In favor of: The California Oregon Power Company
For: Right of way for pole line across the NE1/4 SE1/4 of Section 22

3. An easement created by instrument, subject to the terms and provisions thereof, Dated: April 2, 1926
Recorded: April 26, 1926
Volume 69, page 493, Deed Records of Klamath County, Oregon
In favor of: The California Oregon Power Company
For: Right of Way for pole line across the S1/2 SE1/4 of Section 22

4. An easement created by instrument, subject to the terms and provisions thereof, Dated: May 31, 1928
Recorded: June 13, 1928
Volume: 80, page 478 Deed Records of Klamath County, Oregon

In favor of: The California Oregon Power Company
 For: Right of way for pole line across the S $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 22
 and the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 27

5. An easement created by instrument, subject to the terms and provisions thereof,
 Dated: May 29, 1926

Recorded: August 31, 1931

Volume: 96, page 75, Deed Records of Klamath County, Oregon

In favor of: The Pacific Telephone and Telegraph Company

For: Right of way for pole line across the S $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 15

6. Pumping Contract, by and between the United States of America and H.H. VanValkenburg and Emma VanValkenburg, husband and wife, dated July 29, 1935, recorded August 21, 1935, in Volume 105, page 135, Deed Records of Klamath County, Oregon, and affecting 20.0 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ and 30.0 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, both in Section 22.

7. An easement created by instrument, subject to the terms and provisions thereof,
 Dated: November 23, 1942

Recorded: November 27, 1942

Volume: 151, page 325, Deed Records of Klamath County, Oregon

In favor of: The California Oregon Power Company

For: Right of way for pole line across the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 22.

8. An easement created by instrument, subject to the terms and provisions thereof,
 Dated: August 26, 1953

Recorded: September 3, 1953

Volume: 262, page 643, Deed Records of Klamath County, Oregon

In favor of: the California Oregon Power Company

For: Right of way for pole line across the S $\frac{1}{2}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 21.

9. An easement created by instrument, subject to the terms and provisions thereof,
 Dated: November 14, 1956

Recorded: November 16, 1956

Volume: 288, page 70, Deed Records of Klamath County, Oregon

In favor of: The California Oregon Power Company

For: Grant of Right of Way across the NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 10.

10. An easement created by instrument, subject to the terms and provisions thereof,
 Dated: February 10, 1966

Recorded: May 9, 1966

Volume: M66, 5014, Microfilm Records of Klamath County, Oregon

Given By: D. E. Colwell, et al

To: Patrick Carey Brennan and Mildred Evelyn Brennan

11. An easement created by instrument, subject to the terms and provisions thereof,
 Dated: July 14, 1972

Recorded: July 17, 1972

Volume: M72, page 7786, Microfilm Records of Klamath County, Oregon

In favor of: Klamath County, a political subdivision of the State of Oregon

For: Roadway and utility purposes over and across the NE $\frac{1}{4}$ of Section 21.

12. An easement created by instrument, subject to the terms and provisions thereof,
 Dated: July 31, 1972

Recorded: July 31, 1972

Volume: M72, page 8378, Microfilm Records of Klamath County, Oregon

Given By: Donald Colwell and Barbara B. Colwell

To: Hy Lesnick, Trustee

For: Roadway and utility purposes over NE $\frac{1}{4}$ of Section 21.

13. Non-exclusive easement created by instrument, subject to the terms and provisions thereof,
 Dated: August 22, 1972

Recorded: September 11, 1972

Volume: M72, page 10219, Microfilm Records of Klamath County, Oregon

Given By: HY Lesnick

To: Robert Niles and Virginia Niles, husband and wife

For: Roadway and utility purposes over and across the NE $\frac{1}{4}$ of Section 21.

14. An easement created by instrument, subject to the terms and provisions thereof,
 Dated: November 26, 1973

Recorded: November 27, 1973

Volume: M73, page 15424, Microfilm Records of Klamath County, Oregon
 In favor of: Pacific Power and Light Company, a corporation
 For: Right of way easement across the E $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 21.

15. An easement created by instrument, subject to the terms and provisions thereof,
 Dated: November 28, 1979
 Recorded: November 29, 1979
 Volume: M79, page 27670, Microfilm Records of Klamath County, Oregon
 In favor of: Pacific Power and Light Company
 For: 175' wide electric transmission line easement across SE $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ of
 Section 10

16. The effect of a Sheriff's Deed from Tom Duryee, Sheriff, to Ralph Camichael,
 General Partner, Lesnick Development Co. of Oregon, Ltd., an Oregon Limited
 Partnership, dated November 14, 1986, and recorded September 14, 1981, in Volume M81,
 page 20893, Microfilm Records of Klamath County, Oregon.

17. Limited access provisions contained in Deed to the State of Oregon, by and
 through its State Highway Commission, which provides that no right or easement of
 right of access to, from or across the State Highway other than expressly therein
 provided for shall attach to the abutting property.

Recorded: June 30, 1989
 Volume: M89, page 11894, Microfilm Records of Klamath County, Oregon
 Re-recorded: June 30, 1989
 Volume: M89, page 11897, Microfilm Records of Klamath County, Oregon

18. An easement created by instrument, subject to the terms and provisions thereof,
 Dated: October 29, 1990
 Recorded: November 19, 1990
 Volume: M90, page 23094, Microfilm Records of Klamath County, Oregon
 In favor of: Bruce C. Ross
 For: An easement 30' in width for access.

RESERVING UNTO THE GRANTOR a perpetual, nonexclusive easement to use a strip of land,
 being the Westerly 60' of the SE $\frac{1}{4}$ of Section 16 and the most Westerly 60' of the NE $\frac{1}{4}$
 of Section 21, Township 39 South, Range 8 East of the Willamette Meridian for roadway
 and utility purposes, and, in addition,

RESERVING UNTO THE GRANTOR a perpetual, nonexclusive easement to use a strip of land
 being the Southerly 60' of the N $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 16 and the N $\frac{1}{2}$ of SW $\frac{1}{4}$ of Section 15,
 and the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 15, Township 39 South, Range 8 East of the Willamette
 Meridian for roadway and utility purposes.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Mountain Title Co the 11 day
 of Sept A.D., 19 91 at 3:40 o'clock P.M., and duly recorded in Vol. M 91
 of Deeds on Page 18288

FEE 43.00

Evelyn Biehn County Clerk
 By Ruth M. Mullis