

MT 26955 NM

C20989

SPECIAL WARRANTY DEED

The STATE OF OREGON, by and through the Director of Veterans' Affairs, grantor, conveys and specially warrants unto James V. Jacobsen and Barbara L. Jacobsen, husband and wife, grantee(s), the following described real property free of encumbrances created or suffered by the grantor on or before August 19, 1988, except as specifically set forth herein situated in Klamath County, State of Oregon, to wit:

The NE 1/4 NW 1/4 and the NW 1/4 NE 1/4 Section 36, Township 38 South, Range 10 East of the Willamette Meridian, in the County of Klamath, State of Oregon.

Tax Account No. 455027

Excepting and reserving to itself, its successors, and assigns, all minerals, as defined in ORS 273.775(1), and including soil, clay, stone, sand and gravel and all geothermal resources, as defined in ORS 273.775(2), together with the right to make such use of the surface as may be reasonably necessary for prospecting for, exploring for, mining, extracting, reinjecting, storing, drilling for and removing such minerals and geothermal resources; provided, however, that the rights hereby reserved to use the surface for any of the above activities shall be subordinate to that use of the surface of the premises deeded herein, or any part thereof, being made by the owner thereof on the date the State of Oregon leases its reserved minerals or geothermal resources; in the event of such use of the premises by a surface rights owner would be damaged by one or more of the activities described above then such owner shall be entitled to compensation from the State's lessee to the extent of the diminution in value of the surface rights owner's interest.

SUBJECT TO:

1. Any taxes for 1992-93 when due or payable.
2. Any Right of Redemption as Provided by Law.
3. Rights of the public in and to any portion of said premises lying within the limits of roads and highways.
4. Reservations and restrictions, including the terms and provisions thereof, contained in the deed from Florence W. Hunter, formerly Florence Wendling Funster and J. J. Funster, her husband to Vienna Robinson, dated June 2, 1944, recorded July 24, 1944 in Deed Volume 167 at page 292, omitting restrictions, herein, if any, based on race, color, religion or national origin. (NW1/4NE1/4, NE1/4NW1/4, Sec. 36, Twp 38 S., R 10 EWM.)
5. An easement, including the terms and provisions thereof: dated July 27, 1970; recorded September 18, 1970; Book M-70 Page 8314; in favor of Pacific Power & Light Co., a corporation; for a right of way easement for electrical distribution line over the NW1/4NE1/4 of said Section 36, Township 38 South, Range 10 East of the Willamette Meridian.

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6. An easement, including the terms and provisions thereof: dated June 22, 1965; recorded July 9, 1965; Book 363 Page 127; in favor of Gerald J. Blankenship and Eleanor N. Blankenship; for ingress and egress across SW1/4 Sec. 25, Twp 38 S., R 10 EWM.
7. Subject to rules and regulations of Fire Patrol District.

TO HAVE AND TO HOLD said real property unto said grantee(s), their heirs and assigns forever.

"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 USES."

IN WITNESS WHEREOF, the Director of Veterans' Affairs has caused these presents to be executed this 28th day of February, 1992.

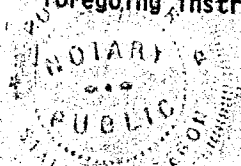
The true and actual consideration for this conveyance is \$67,500.
The foregoing recital of consideration is true as I verily believe.

STATE OF OREGON
Jon A. Mangis
Director of Veterans' Affairs

By: Curt R. Schnepf
Curt R. Schnepf
Manager, Accounts Services

STATE OF OREGON)
) SS
County of Marion)

Before me, a notary public, personally appeared the above-named Curt R. Schnepf, authorized to act on behalf of the duly appointed and acting Director of Veterans' Affairs for the STATE OF OREGON, and acknowledged the foregoing instrument to be his voluntary act and deed.



Ruth Parker
Notary Public for Oregon
My Commission expires: 2-11-94

AFTER RECORDING, RETURN TO:

Mountain Title Co.
200 South 4th Street
Klamath Falls, OR 97601

James & Barbara Jacobsen
Rt 6 Box 178
Corinth, MS 38834

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Mountain Title Co.
of March A.D., 19 92 at 9:09 o'clock A M., and duly recorded in Vol. M92
of Deeds on Page 4169

FEE \$35.00

Evelyn Biehn
By Evelyn Biehn County Clerk