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K-44933

JACKSON COUNTY TITLE DIVISION
CONTINENTAL LAWYERS TITLE COMPANY

Vol. 93 Page 3265

57589 502 W. Main Street (P. O. Box 218) Medford, OR 97501 (503) 779-2811

SPECIAL WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that ,

CLTC EXCHANGE COMPANY, A CALIFORNIA CORPORATION

hereinafter called the Grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto

CHARLES W. BIAGGI AND PEGGY J. BIAGGI, HUSBAND & WIFE AS TO AN UND. 57.1428% INTEREST; MATTHEW C. BIAGGI AND KIMBERLY A. BIAGGI, HUSBAND & WIFE AS TO AN UND. 28.5715% INTEREST; AND ERIC B. NEWELL AS TO AN UND. 14.2857% INTEREST.

hereinafter called the Grantee, and unto Grantee's heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of KLAMATH State of Oregon, described as follows, to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

TO HAVE AND TO HOLD the same unto the said Grantee and Grantee's heirs, successors and assigns forever.

And Grantor hereby covenants to and with the said Grantee and Grantee's heirs, successors and assigns that said real property is free from encumbrances created or suffered thereon by grantor and that grantor will warrant and defend the same and every part and parcel thereof against the lawful claims and demands of all persons claiming by, through, or under the grantor.

THE TRUE AND ACTUAL CONSIDERATION paid for this transfer, stated in terms of dollars is \$ EXCHANGE OF PROPERTIES; however, the actual consideration consists of or includes other property or value given or promised which is the whole consideration.

WHERE THE CONTEXT SO REQUIRES, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to individuals and to corporations.

IN WITNESS WHEREOF, the grantor has caused its name to be signed this 2nd day of February, 1993 by its officers duly authorized thereto by order of its board of directors.

"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."

CLTC EXCHANGE COMPANY

Karen Estrada
Karen Estrada, Vice President

STATE OF OREGON
COUNTY OF JACKSON

The foregoing instrument was acknowledged before me this 2nd day of FEBRUARY, 1993, by Karen Estrada, Vice President of CLTC EXCHANGE COMPANY, a corporation, on behalf of the corporation.

R. J. Tank
Notary Public for Oregon
My commission expires 2-8-94

SPACE FOR RECORDER'S USE

Mail Tax Statements to:
Grantee and Return
17000 West Langell Valley Rd.
Bonanza, Oregon 97623

PARCEL 1: Township 40 South, Range 13 East of the Willamette Meridian
 Section 23: SE $\frac{1}{4}$
 Section 26: E $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$, N $\frac{1}{4}$ SE $\frac{1}{4}$ and portion of the W $\frac{1}{4}$ NW $\frac{1}{4}$
 described as follows: Beginning at a point 1020 feet East of
 the corner common to Sections 22, 23, 26 and 27, all in Township
 40 South, Range 13 E.W.M., thence Southerly and Easterly 1500
 feet, more or less, to a point where said course intersects the
 East line of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 26, thence North along said
 subdivision line to the Northeast corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of said
 Section 26, thence West 300 feet to the point of beginning.

PARCEL 2: Township 40 South, Range 13 East of the Willamette Meridian
 Section 25: NW $\frac{1}{4}$, W $\frac{1}{4}$ NE $\frac{1}{4}$, and all that portion of the E $\frac{1}{4}$ NE $\frac{1}{4}$ lying
 Westerly of the Lost River Diversion Channel

EXCEPTING THEREFROM: That portion lying within the main drain
 as conveyed to the United States of America by deed recorded
 October 23, 1927, in Volume 79 page 131, and by deed recorded
 January 22, 1929, in Volume 85 page 186, Deed Records of Klamath
 County, Oregon.

TOGETHER WITH: The following perpetual easements, to run with the land, for
 the construction, repair, maintenance and joint use of irrigation ditches for
 irrigation purposes:

- (a) An easement 30 feet wide extending East from Langell Valley West Side
 Irrigation Canal along the North side of the South section line of Sections 23
 and 24 of Township 40 South, Range 13 East of the Willamette Meridian, a
 distance of 6400 feet, more or less, to Lost River Diversion Channel.
- (b) An easement 30 feet wide extending East from Langell Valley West Side
 Irrigation Canal along the South line of the N $\frac{1}{4}$ N $\frac{1}{4}$ of Section 26, Township 40
 South, Range 13 East of the Willamette Meridian, a distance of 1790 feet, more
 or less, to the West side of the herein described property.
- (c) An easement 30 feet wide extending East from Langell Valley West Side
 Irrigation Canal along the North side of the East-West center line of Section
 26, Township 40 South, Range 13 East of the Willamette Meridian, a distance of
 1525 feet, more or less, to the Southwest corner of the herein described
 property.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County Title Co the 16th day
 of Feb. A.D., 19 93 at 11:22 o'clock AM., and duly recorded in Vol. M93
 of Deeds on Page 3265

Evelyn Biehn County Clerk
 By Dorothy M. Nelson

FEE \$35.00