

NL

65580

## WARRANTY DEED

Vol 93 Page 19044

KNOW ALL MEN BY THESE PRESENTS, That STEVEN P. HOSP, aka, STEVEN HOSP & SARAH J. HOSP, aka, SARAH HOSP hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by \*\*\*\* hereinafter called the grantee, does hereby grant, bargain, sell and convey unto the grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in KLAMATH County, State of Oregon, described as follows, to-wit:

\*\*\*\* STEVEN P. HOSP AND SALLY J. HOSP TRUSTEES OR THEIR SUCCESSORS IN TRUST, UNDER THE HOSP LOVING® TRUST DATED JULY 27, 1993, AND ANY AMENDMENTS THERETO.

## SEE ATTACHED EXHIBIT "A"

The liability and obligations of the Grantor to Grantee and Grantee's heirs and assigns under the warranties and covenants contained herein or provided by law shall be limited to the amount, nature, and terms of any right or indemnification available to Grantor under any title insurance policy, and Grantor shall have no liability or obligation except to the extent that reimbursement for such liability or obligation is available to Grantor under any such title insurance policy.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the grantee and grantee's heirs, successors and assigns forever.

And grantor hereby covenants to and with grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances

and that grantor will warrant and forever defend the premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ -0-

① However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration (indicate which) ~~② (The sentence between the symbols ①, if not applicable, should be deleted. See ORS 91.910.)~~

In construing this deed, where the context so requires, the singular includes the plural and all grammatical changes shall be made so that this deed shall apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 27th day of July, 19 93; if a corporate grantor, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so 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.

Steven P. Hosp  
STEVEN P. HOSP

Sarah J. Hosp  
SARAH J. HOSP

STATE OF OREGON, County of KLAMATH ) ss.

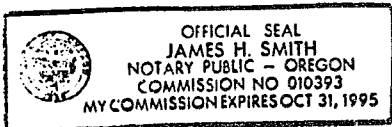
This instrument was acknowledged before me on JULY 27, 1993,  
by STEVEN P. HOSP & SARAH J. HOSP

This instrument was acknowledged before me on \_\_\_\_\_, 19\_\_\_\_,

by \_\_\_\_\_

as \_\_\_\_\_

of \_\_\_\_\_



James H. Smith  
JAMES H. SMITH  
My commission expires 10/31/95  
Notary Public for Oregon

STEVEN P. & SALLY J. HOSP

6748. EBERLEIN

KLAMATH FALLS, OR 97603

STEVEN P. HOSP & SALLY J. HOSP, TRUSTEES  
HOSP LOVING TRUST DATED JULY 27, 1993

6748. EBERLEIN

KLAMATH FALLS, OR 97603

Grantor's Name and Address

After recording return to (Name, Address, Zip):

JAMES H. SMITH, ESQ.

1017 N. RIVERSIDE, SUITE 116

MEDFORD, OR 97501

Until requested otherwise send all tax statements to (Name, Address, Zip):

STEVEN P. & SALLY J. HOSP

6748. EBERLEIN

KLAMATH FALLS, OR 97603

SPACE RESERVED  
FOR  
RECORDER'S USE

STATE OF OREGON, } ss.  
County of \_\_\_\_\_

I certify that the within instrument was received for record on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., and recorded in book/reel/volume No. \_\_\_\_\_ on page \_\_\_\_\_ and/or as fee/file/instrument microfilm/reception No. \_\_\_\_\_.  
Record of Deeds of said County.

Witness my hand and seal of County affixed.

By \_\_\_\_\_ NAME \_\_\_\_\_ TITLE \_\_\_\_\_  
Deputy.

## EXHIBIT "A"

PARCEL 1:

A parcel of land lying in Section 33, Township 38 South, Range 9 East, W.M., Klamath County, Oregon and being a portion of that property described in that deed to the State of Oregon, by and through its State Highway Commission, recorded in Book 147, Page 125 of Klamath County Record of Deeds; the said parcel being described as follows:

Beginning on the Southerly line of said property at a point 55 feet Easterly of the Southwest corner of said property; thence Westerly along said Southerly line 55 feet to said Southwest corner; thence Northerly along the Westerly line of said property to a line parallel with and 40 feet Southwesterly of the center line of the Klamath Falls - Lakeview Highway; thence South 55° 50' 30" East parallel with said center line 47 feet; thence Southerly in a straight line to the point of beginning.

The center line of the Klamath Falls - Lakeview Highway is referred to in that deed to the State of Oregon, by and through its State Highway Commission, recorded in Book 219, Page 301 of Klamath County Record of Deeds.

The parcel of land to which this description applies contains 1315 square feet, more or less.

This conveyance is made and delivered upon the following express conditions, reservations and restrictions:

1. That there is reserved to the State of Oregon, its successors and assigns all minerals, as defined in ORS 273.775(1), 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 right hereby reserved to use the surface for any of the above activities shall be subordinate to that actual use of the surface of the premises deeded herein, or any part thereof, being made by the surface rights owner at the time that State's lessee conducts any of the above activities. In the event 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 State's lessee to the extent of the diminution in value of the real property, based on the actual use by the surface rights owner at the time the State's lessee conducts any of the above activities.

2. That there is reserved to Grantor, and waived by Grantees all access rights between the above described real property and the right of way of the Klamath Falls-Lakeview Highway abutting on said parcel, which public highway is further identified as State Highway No. 20. This reservation shall run with the land and shall not be subject to modification, cancellation or destruction by adverse user or estoppel, no matter how long continued. Nothing in this conveyance contained shall be construed as conveying any estate, right, title or interest in and to said public highway right of way or any rights of reversion therein or thereto.

3. That the above described land shall never be used for the placing or maintenance of any advertising sign, display or device, except such sign, display or device used to advertise the activities on said land, or the lease of said land or any portion thereof. In the event of violation of this condition, Grantor shall have

PARCEL 2:

A parcel of land lying in Block 242, Mills Second Addition to the City of Klamath Falls, Oregon, the said parcel being described as follows: Beginning at the intersection point of the Easterly line of said property and Southerly right of way line of the relocated Klamath Falls-Lakeview Highway (Sixth Street), which is 40 feet distant Southerly from (when measured at right angles to) the center line of said relocated highway; said point also being North 55° 50' 30" West a distance of 68.16 feet from the intersection of said Southerly right of way line and the Northerly right of way line of Shasta Way; thence North 55° 50' 30" West a distance of 132.09 feet, more or less, to the Northeasterly corner of that parcel of property conveyed to Mary F. Parks, in Deed Volume 161, page 193, thence Southwesterly along the Easterly boundary of said Parks property 123.5 feet, more or less, to the Northerly right of way line of Shasta Way; thence South 89° 40' 15" East along said Northerly line a distance of 136.44 feet, more or less, to the Southeasterly corner of that parcel of property conveyed to H. J. Beardsley in Deed Vol. 126, page 491; thence Northeasterly 52.99 feet to the place of beginning, EXCEPT that portion conveyed to State of Oregon for highway purposes in Deed Vol. 219, page 301.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of James H. Smith the 3rd day  
of Aug. A.D., 19 93 at 9:29 o'clock AM., and duly recorded in Vol. M93.

of Deeds on Page 19044.

Evelyn Biehn County Clerk

FEE \$40.00

By Pauline M. Mendenhall