

NE 73002

MTL 3709-KR Vol. m93 Page 33738

SPECIAL WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That Connecticut Mutual Life Insurance Company

hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto Carl Doumani

hereinafter called 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 any way appertaining, situated in the County of Klamath State of Oregon, described as follows, to-wit:

See Exhibit A

(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 the grantor hereby covenants to and with the grantee and grantee's heirs, successors and assigns that the 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. Subject to Exhibit B

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 266,000.00. However, the actual consideration consists of or includes other property or value given or promised which is the whole or part of the consideration (indicate which). (The sentence between the symbols @, if not applicable, should be deleted. See ORS 93.030.)

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 16th day of December, 1993, 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 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.

William T. Baird
Senior Investment Officer

Connecticut

STATE OF OREGON, County of _____) ss.

This instrument was acknowledged before me on December 16, 1993, by William T. Baird, Senior Investment Officer

This instrument was acknowledged before me on December 16, 1993, by William T. Baird as Senior Investment Officer, of Connecticut Mutual Life Insurance Company

Ronald P. Spang
Notary Public for Oregon

My commission expires May 31, 1997

Connecticut Mutual Life Insurance Co.

140 Garden St.
Hartford, CT 06154

Carl Doumani
811 Coombs St. Suite A
Napa, CA 94559

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

Carl Doumani
811 Coombs St. Suite A
Napa, CA 94559

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

same

SPACE RESERVED
FOR
RECORDER'S USE

STATE OF OREGON, County of _____) ss.

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.

NAME TITLE
By _____, Deputy

Parcel 1

The Southwest quarter of the Southeast quarter and the Southwest quarter of Section 20, Township 39, South, Range 11 East of the Willamette Meridian, Excepting therefrom the Northly 580 feet of the Northeast quarter of the Southwest quarter conveyed to Pacific Gas Transmission Company in deed 327-471 and also Excepting therefrom that portion lying within the boundaries of the Malin-Bonanza Road.

Parcel 2

The West half of the East half, the East half of the West half, and the Southeast quarter of the Southeast quarter, Section 29, Township 39 South, Range 11 East of the Willamette Meridian, Excepting therefrom;

A tract of land situated in the E $\frac{1}{2}$ of the W $\frac{1}{2}$ of Section 29, Township 39 South Range 11 East to the Willamette Meridian in Klamath County, Oregon, being more particularly described as follows:

Beginning at a 5/8" iron pin on the West 1/16 line of said Section 29 from which the West 1/16 corner, also a 5/8" iron pin, of said Section 29 bears North 00° 17' 46" East 1058.93 feet;

thence South 89° 42' 14" East 60.00 feet to a 5/8" iron pin;

thence South 35° 21' 30" East 486.98 feet to a 5/8" iron pin;

thence South 54° 16' 48" East 220.90 feet to a 5/8" iron pin;

thence South 41° 33' 38" East 300.00 feet to a 1/2" iron pin;

thence continuing South 41° 33' 38" East 128.54 feet to a 5/8" iron pin;

thence South 16° 39' 40" East 1965.11 feet to a 5/8" iron pin;

thence South 73° 20' 20" West 1445.82 feet to a 5/8" iron pin on the West 1/16 line of said Section 29;

thence along said West 1/16 line North 00° 17' 46" East 3144.27 feet to the point of beginning.

Bearings based on Survey #2579 as filed in the office of the County Surveyor in Klamath County, Oregon.

Parcel 3

The North half of the Northeast quarter, the Southeast quarter of the Northeast quarter Lot 5 and lot 12, Section 32, Township 39 South, Range 11 East of the Willamette Meridian.

RESERVING rights to ditches and reservoirs used in connection with such water rights as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted a right of way thereon for ditches or canals constructed by the authority of the United States.

ALSO EXCEPTING and reserving, however to the United States, all the coal and other minerals in the lands so entered and patented, together with the right to prospect for, mine, and remove the same, pursuant to the provisions and limitations of the Act of December 29, 1916 (39 Stat. 862).

Parcel 4

The West half of the Northeast quarter, the Northwest quarter, and the South half of Section 33, Township 39 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon.

RESERVING rights to ditches and reservoirs used in connection with such water rights as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted a right of way thereon for ditches or canals constructed by the authority of the United States.

ALSO EXCEPTING and reserving, however to the United States, all the coal and other minerals in the lands so entered and patented, together with the right to prospect for, mine, and remove the same, pursuant to the provisions and limitations of the Act of December 29, 1916 (39 Stat. 862).

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Parcel 5

lots 1, 2, 3, and 4 and the South half of the Northwest quarter, Section 4, Township 40 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon.

RESERVING rights to ditches and reservoirs used in connection with such water rights as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted a right of way thereon for ditches or canals constructed by the authority of the United States.

ALSO EXCEPTING and reserving, however to the United States, all the coal and other minerals in the lands so entered and patented, together with the right to prospect for, mine, and remove the same, pursuant to the provisions and limitations of the Act of December 29, 1916 (39 Stat. 862).

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together with all buildings, structures and other improvements, now or hereafter located thereon, and all water and water rights, all ditches and ditch rights, and all range rights, now or hereafter located thereon or appurtenant thereto, and all and singular, the tenements, hereditaments, rights, privileges and appurtenances, now or hereafter belonging, or in anywise appertaining to said property, or any part thereof, and the rents, issues and profits therefrom; and together also with all wells, windmills, reservoirs, dams, embankments, pipes, pipelines, water storage tanks and towers, and all other water developments, storage or conservation facilities and structures, all pumps and pumping plants, all motors, engines, turbines, generators, transformers and other installations, devices and facilities of every kind and description for the operation of said pumps and pumping plants, and all other machinery and equipment, now or hereafter located or used on, in or about said property, for or in connection with the irrigation of said property, or any part thereof, or for furnishing said property with water for stock or for domestic use, including, but not limited to:

Those State of Oregon Water Rights evidenced by Certificates of Water Rights recorded in Volume 26, Pages 34770, 34771, 34773, and 34774.

Also 205.8 acres of irrigation water rights from Horsefly Irrigation District.

EXHIBIT B

The property described in Exhibit A and B is subject to the following exceptions:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.

2. Rights of the public in and to any portion of the subject premises lying within the limits of streets, roads or highways.

3. The assessment roll and the tax roll disclose that the subject premises have been specially assessed as Farm Use Land. If the land becomes disqualified for the special assessment under the statute, an additional tax may be levied and in addition thereto a penalty may be levied if notice of disqualification is not timely given.

4. The subject premises are within and subject to the statutory powers, including the power of assessment, of Horsefly Irrigation District.

5. Right of way to Horsefly Irrigation District recorded in Volume 50, Page 211, Records of Klamath County, Oregon.

6. Reservations and right of way recorded in Deed Volume 45, Page 265, Deed Volume 48, Page 575, Deed Volume 50, Page 365 and Deed Volume 107, Page 353, Records of Klamath County, Oregon, to wit:

"subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights as may be recognized and acknowledged by the local customs, laws and decisions of court; and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States."

7. Right of way to Klamath County recorded in Volume 102, Page 550, Records of Klamath County, Oregon.

8. Rights of way and easement from the State of Oregon, representing and acting by World War Veterans State Aid Commission to Horsefly Irrigation District recorded in Volume 121 at Page 564, Records of Klamath County, Oregon.

9. Reservations and right of way recorded in Volume 182 at Page 277. Records of Klamath County, Oregon, to wit:

"subject to right of way for ditches, canals and reservoir sites for irrigation purposes constructed or which may be constructed by authority of the United States or otherwise which right of way is hereby expressly reserved."

10. Right of way agreement, including the terms and provisions thereof, recorded in Volume 322 at Page 228. Records of Klamath County, Oregon.

11. Notice of location amending description of existing right of way recorded in Volume M79, Page 1381. Microfilm Records of Klamath County, Oregon.

12. Right of Way Agreement, including the terms and provisions thereof, in favor of Pacific Gas Transmission Company, a California corporation, recorded May 13, 1980 in Volume M80, Page 8819. Microfilm Records of Klamath County, Oregon, for pipeline.

13. Financing Statement.

Filed: April 24, 1981

Volume: M81, Page 7460, Microfilm Records of Klamath County, Oregon

Debtor: Century Ranch/Dan J. Stuckey/William A. Agee

Secured Parties: United States of America acting through
Farmers Home Administration USDA

(As such financing statement affects the property described in Exhibit B).

14. Mortgage, including the terms and provisions thereof, given to secure an indebtedness with interest thereon and such future advances as may be provided therein,

Dated: April 30, 1981

Recorded: April 30, 1981

Volume: M81, Page 7704, Microfilm Records of Klamath County, Oregon

Amount: \$153,800.00

Mortgagor: Century Ranch

Mortgagee: United States of America acting through the Farmers
Home Administration USDA

(As such mortgage affects the property described in Exhibit B).

15. The effects of Water Provisions Agreement, including the terms and provisions thereof, by and between Century Elevator Corp., a California corporation, and Century Ranch; and Eugene Paulson and Verna Paulson, husband and wife; Robert Collor and Patricia Collor.

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husband and wife ; and Pacific Gas Transmission Company, recorded July 22, 1981 in Volume M81, Page 13104, Microfilm Records of Klamath County, Oregon.

16. Agreement, including the terms and provision thereof.

Dated: May 26, 1981

Recorded: July 22, 1981

Volume: M81, Page 1311, Microfilm Records of Klamath County, Oregon

By and between: Century Elevator Corp., Century Ranch, et al, and Horsefly Irrigation District

For: Distribution of irrigation water

Re-recorded: January 20, 1984

Volume: M84, Page 1105, Microfilm Records of Klamath County, Oregon

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Mountain Title Co the 17th day
of Dec A.D., 19 93 at 3:06 o'clock P M., and duly recorded in Vol. M93
of Deeds on Page 33738

Evelyn Biehn County Clerk

By Debra M. Miller

FEE \$55.00