

K-33436 EX

K-45963

THIS INDENTURE WITNESSETH, that FREEWAY INDUSTRIAL PROPERTIES, INC., a California Corporation, and A. J. McCOSKER and AILEEN C. McCOSKER, husband and wife, hereinafter known as Grantors, for the consideration hereinafter stated have bargained and sold, and by these presents do grant, bargain, sell and convey unto JAMES C. LISTON and SILVEY JEAN LISTON, husband and wife, Grantees, the following-described premises, situated in Klamath County, Oregon, to-wit:

PARCEL 1: W $\frac{1}{2}$ SW $\frac{1}{4}$ ; SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; and SW $\frac{1}{4}$ SE $\frac{1}{4}$  LESS the North 6.66 chains thereof, in Section 32, Township 39 South, Range 12 E.W.M. All that portion of Lots 1, 2, 3 and 4 lying Northerly of the Langell Valley Market Road, EXCEPTING THEREFROM the following-described parcel of land: Beginning at the Northeast corner of the NE $\frac{1}{4}$ NE $\frac{1}{4}$  (also described as Lot 1) of Section 5; thence West 1090.3 feet; thence South 27°57' East 104 feet; thence South 41°27' East 319 feet; thence South 18°59' East 528.7 feet; thence South 0°01' West 482 feet, more or less, to the South boundary line of said NE $\frac{1}{4}$ NE $\frac{1}{4}$  of said Section 5; thence East 662 feet, more or less, to the Southeast corner of said NE $\frac{1}{4}$ NE $\frac{1}{4}$  of said Section 5; thence North 1,316 feet, more or less, to the point of beginning, being in Section 5, Township 40 South, Range 13, E.W.M. SAVING AND EXCEPTING from the above-described property portions thereof conveyed to the United States of America for ditches and laterals.

PARCEL 2: SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; that portion of the NE $\frac{1}{4}$ SW $\frac{1}{4}$  lying Northwest of Langell Valley Irrigation District Drainage Ditch; and all of the W $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$  lying Westerly of Lost River, in Section 32, Township 39 South, Range 12 E.W.M.

SUBJECT TO: Liens and assessments of Klamath Project and Langell Valley Irrigation District, and regulations, contracts, easements, water and irrigation rights in connection therewith; Rights of the Federal Government, the State of Oregon and the general public in any portion of the herein-described premises lying below the high water line of Lost River; Agreement recorded August 16, 1946, in Vol. 194, page 133, Deed Records of Klamath County, Oregon (affects NE $\frac{1}{4}$ SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ , ptn. SE $\frac{1}{4}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$  of Sec. 32; Easements and rights of way of record and those apparent on the land, if any; Reservations and restrictions in deed recorded December 4, 1973, in Vol. M73, page 15673, Deed Records of Klamath County, Oregon; Lease and Agreement, including the terms and provisions thereof, by and between Eugene Aiello and Dowdle Corporation, recorded August 17, 1973, in Vol. M73, page 11141, Mortgage Records of Klamath County, Oregon; and also subject to the requirements and provisions of O.R.S. Chapter 481 pertaining to the registration and transfer of ownership of mobile homes and any interest or liens disclosed thereby.

(NOTE: The above-described premises were specially assessed as farm land. Taxes for the year 1979-1980, and possibly prior years, have been deferred pursuant to ORS 308.370 to 308.403. These, plus earned interest, are due and payable when said reason for the deferment no longer exists.)

The true and actual consideration paid for this transfer is \$350,000.00.

TO HAVE AND TO HOLD the said premises with their appurtenances unto the said Grantees as an estate by the entirety. And the said Grantors do hereby covenant, to and with the said Grantees, and their assigns, that they are the

Warranty Deed - Page 1.

1 owners in fee simple of said premises; that they are free from all incumbrances,  
 2 except those above set forth, and that they will warrant and defend the same from  
 3 all lawful claims whatsoever, except those above set forth.

4 IN WITNESS WHEREOF, Grantors have caused this instrument to be executed  
 5 this 2nd day of Jan, 1981.

FREEWAY INDUSTRIAL PROPERTIES, INC.

By A. J. McCosker  
 its President

(SEAL)

By \_\_\_\_\_  
 its Secretary

A. J. McCosker (SEAL)  
 A. J. McCosker

Aileen C. McCosker (SEAL)  
 Aileen C. McCosker

By A. J. McCosker, Her attorney in fact

13 STATE OF CALIFORNIA )  
 14 ) SS  
 15 County of Butte )

16 On this 2nd day of Jan., 1981, personally appeared A. J. McCOSKER  
 17 and \_\_\_\_\_ who, being duly sworn,  
 18 each for himself and not one for the other, did say that the former is the Presi-  
 19 dent and that the latter is the Secretary of Freeway Industrial Properties, Inc.  
 20 a corporation, and that the seal affixed to the foregoing instrument is the cor-  
 21 porate seal of said corporation and that said instrument was signed and sealed  
 22 in behalf of said corporation by authority of its board of directors; and each  
 23 of them acknowledged said instrument to be its voluntary act and deed.

Before me:

21 (SEAL)  
 22 My Commission Expires:

23 STATE OF CALIFORNIA )  
 24 ) SS  
 25 County of \_\_\_\_\_ )

26 On this \_\_\_\_\_ day of \_\_\_\_\_, 198\_\_\_\_, personally appeared the above-named  
 27 A. J. McCosker and Aileen C. McCosker, husband and wife, and acknowledged the  
 28 foregoing instrument to be their voluntary act and deed.

Before me:

29 (SEAL)  
 30 My Commission Expires:

Notary Public for California

Until a change is requested, mail all tax  
 statements to:  
 James C. and Silvey Jean Liston

TO 1844 CA (8-74)

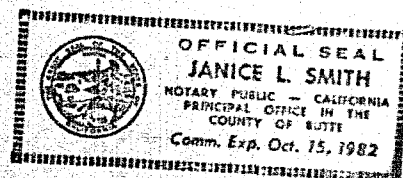
(Individual)

TITLE INSURANCE  
AND TRUST

A TICOA COMPANY

STATE OF CALIFORNIA } SS.  
COUNTY OF ButteOn January 2, 1981 before me, the undersigned, a Notary Public in and for said  
State, personally appeared A. J. McCOSKER\_\_\_\_\_, known to me  
to be the person whose name is subscribed  
to the within instrument and acknowledged that he  
executed the same.  
WITNESS my hand and official seal.

Signature

*Janice L. Smith*

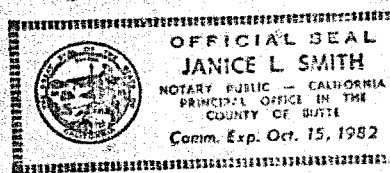
(This area for official notarial seal)

TO 1847 CA (8-74)

(Attorney in Fact - Individual)

STATE OF CALIFORNIA } SS.  
COUNTY OF ButteOn January 2, 1981 before me, the undersigned, a Notary Public in and for said State,  
personally appeared A. J. McCOSKERknown to me to be the person whose name is subscribed to the within instrument, as the  
Attorney in fact of AILEEN C. McCOSKER  
and acknowledged to me that he subscribed the name  
of AILEEN C. McCOSKER thereto as principal  
and his own name as Attorney in fact.  
WITNESS my hand and official seal.

Signature

*Janice L. Smith*

(This area for official notarial seal)

STATE OF OREGON: COUNTY OF KLAMATH: } SS.

Filed for record at request of Klamath County Title Co the 30th day  
of Dec. A.D., 19 93 at 11:41 o'clock AM., and duly recorded in Vol. M93  
of Deeds on Page 35468

Evelyn Biehn - County Clerk

By Dorlene Melendore

FEE \$40.00