

NA 01-18-95A09:54 RCVD MTC 34860-MS Vol. m95 Page 917 93562 WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That VINCENT O. CHEYNE

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by High Country, LLC, an Oregon limited liability company, 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:

See Exhibit "A", attached hereto and incorporated herein by this reference.

(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 except as described in Exhibit "B", attached hereto and incorporated herein by this reference.

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 \$ 18,000.00

However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration (indicate which). (The sentence between the symbols, if not applicable, should be deleted. See ORS 93.035.)

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 12th day of January, 1995. 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 AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

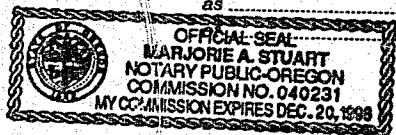
Vincent O. Cheyne

STATE OF OREGON, County of Klamath ) ss.

This instrument was acknowledged before me on January 12, 1995, by Vincent O. Cheyne

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

as \_\_\_\_\_



Marjorie A. Stuart

My commission expires 12-20-98 Notary Public for Oregon

Vincent O. Cheyne  
P.O. Box 131  
Klamath Falls, OR 97601

Grantor's Name and Address

High Country, LLC  
PO Box 49  
Malin, Oregon 97632

Grantee's Name and Address

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

Michael D. Walker  
4640 SW Macadam Ave., #200  
Portland, Oregon 97201

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

High Country, LLC  
P.O. Box 49  
Malin, Oregon 97632

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

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

A parcel of land situate in portions of Government Lots 7 and 11 in Section 16, Township 41 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Beginning at a point on the centerline of an existing drain ditch, from which point the monument marking the one-quarter section corner common to Sections 15 and 16, Township 41 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon, bears North 0 degrees 29' 05" West 479.17 feet, South 89 degrees 43' 05" East 12.50 feet, North 0 degrees 53' West 421.58 feet, North 0 degrees 14' East 30.00 feet, and South 89 degrees 46' East, 2,692.06 feet distant; thence north 89 degrees 43' 05" West 422.77 feet to a point; thence South 0 degrees 29' 05" East, 373.56 feet, more or less, to a point on the South line of Government Lot 11 in said Section 16; thence South 89 degrees 00' East 422.87 feet along the South line of said Lot 11 to a point; thence North 0 degrees 29' 05" West 378.86 feet along the centerline of an existing drain ditch to the point of beginning.

## EXHIBIT "B"

9. Additional taxes and penalties if the property herein described becomes disqualified for the special assessment as Farm Use Land under Oregon statutes.

10. The premises herein described are within and subject to the statutory powers, including the power of assessment, of Klamath Irrigation District.

11. Rights of the public in and to any portion of the herein described premises lying within the limits of streets, roads or highways.

12. Reservations and restrictions and easements as contained in Patent from the United States of America, recorded Volume 59, page 537, Records of Klamath County, Oregon, including but not limited to the following:

"Subject to any vested and accrued 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 courts; but excepting nevertheless, and reserving unto the United States, rights of way over, across and through said lands for canals and ditches constructed or to be constructed by its authority, all in the manner prescribed and directed by the Act of Congress approved August 30, 1980 (26 Stat. 391)."

13. Right of Way Easement, subject to the terms and provisions thereof;

Dated: August 22, 1972

Recorded: August 22, 1972

Volume: M72, page 9579, Microfilm Records of Klamath County, Oregon

In Favor of: Pacific Power and Light Company

For: Anchors (including guys and other support)

14. Easement for Ingress and Egress across the most Easterly 30 feet of the herein described property as reserved in Warranty Deed in Volume M75, page 10869, Microfilm Records of Klamath County, Oregon

15. An easement created by instrument, subject to the terms and provisions thereof,

Dated: March 5, 1981

Recorded: March 5, 1981

Volume: M81, page 3991, Microfilm Records of Klamath County, Oregon

In Favor of: William Rajnus

For: Ingress and egress

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Mountain Title Co. the 13th day of Jan. A.D. 19 95 at 9:54 o'clock A M., and duly recorded in Vol. M95 of Deeds on Page 917

FEE \$40.00

Bernetha G. Letsch - County Clerk

By Pauline Muller