

MTC 39504MS

## WARRANTY DEED

STEPHEN D. HESS and MELISSA K. HESS, as tenants by the entirety, Grantor(s) hereby grant, bargain, sell and convey to: BRUCE S. TOPHAM and VIRGINIA A. TOPHAM, husband and wife, Grantee(s) and grantee's heirs, successors and assigns the following described real property, free of encumbrances except as specifically set forth herein in the County of KLAMATH and State of Oregon, to wit:

GOVERNMENT LOTS 9, 16, 17 AND 24 IN SECTION 13, TOWNSHIP 36 SOUTH, RANGE 11 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON. SAVING AND EXCEPTING FROM THE ABOVE DESCRIBED PROPERTY THAT PORTION LYING NORTH OF THE SOUTH BOUNDARY OF THE RIGHT OF WAY OF THE OREGON CALIFORNIA AND EASTERN RAILWAY.

SUBJECT TO: all those items of record and those apparent upon the land, if any, as of the date of this deed and those shown below, if any: and the grantor will warrant and forever defend the said 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.

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.

The true and actual consideration for this conveyance is \$ 50,000.00.

Until a change is requested, all tax statements shall be sent to Grantee at the following address: 35133 SPRAGUE RIVER ROAD, SPRAGUE RIVER, OR 97639

Dated this 15th day of November, 1996.

Stephen D. Hess  
STEPHEN D. HESS

Melissa K. Hess  
MELISSA K. HESS

## NOTARY ACKNOWLEDGEMENT

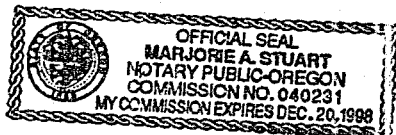
STATE OF Oregon

COUNTY OF Klamath

SS. November 15 19 96

Personally appeared the above named Stephen D. Hess and Melissa K. Hess

and acknowledged the foregoing instrument to be their voluntary act.



(seal)

ESCROW NO. MT39504-MS

Return to:  
BRUCE S. TOPHAM  
35133 SPRAGUE RIVER ROAD  
SPRAGUE RIVER, OR 97639

Before me:

Marjorie A. Stuart  
Notary Public for Oregon

My commission expires 12-20-98

STATE OF OREGON,  
County of Klamath SS.

Filed for record at request of:

Amerititle

on this 19th day of November A.D. 19 96  
at 3:20 o'clock P.M. and duly recorded  
in Vol. M96 of Deeds Page 36435  
Bernetha G. Letsch County Clerk  
By Kathleen Ross

Fee, \$30.00

Deputy.