

WHEN RECORDED MAIL TO:

Jeffrey D. Hoyal  
Lori D. Hoyal  
3976 Bellinger Lane  
Medford, Or 97501

98 MAY 27 P3:07

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 \_\_\_\_\_ on page \_\_\_\_\_  
Record of Deeds of said County  
Witness my hand and seal of County affixed.

By \_\_\_\_\_ Title  
Deputy

MAIL TAX STATEMENTS TO:

Jeffrey and Lori Hoyal  
3976 Bellinger Lane  
Medford, Or 97501

K-52336

**SPECIAL WARRANTY DEED****MIKE SHORT and BESSIE DELL SHORT, husband and wife**

GRANTOR, conveys and specially warrants to

**JEFFREY D. HOYAL and LORI D. HOYAL, husband and wife, tenants by the entirety,**

GRANTEE, the following described real property situate in Klamath County, State of Oregon, free of encumbrances created or suffered by GRANTOR except as specifically set forth below:

**LAND:**

Township 38 South, Range 10 East of the Willamette Meridian

Section 10: S½

Section 15: N½, SE¼ and that portion of the SW¼ lying Northerly and Easterly of the Swan Lake Road.

Section 22: That portion of N½ lying Northerly and Easterly of the Swan Lake Road.

**EXCEPTIONS TO TITLE:**

1. 1998-1999 Klamath County Taxes and Assessments now a lien, but not yet payable which GRANTEE assumes and agrees to pay.
2. Terms and conditions of special assessment as farm use and the right of Klamath County, Oregon, to additional taxes, plus interest in the event said use should be changed which obligation GRANTEE assumes and agrees to pay and perform;
3. Rights of way of record and apparent thereon.

(description continued on reverse)

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 paid for this transfer, stated in terms of dollars, is \$1,200,000.00  
However, the actual consideration consists of or includes other property or value give or promised which is part of the consideration (\$800,000.00 first Trust Deed in favor of Grantor).

In construing this deed and where the context so requires, the singular includes the plural, the masculine includes the feminine and the neuter and, generally, all grammatical changes shall be made, assumed and implied to make the provisions hereof apply equally to corporations and to individuals.

Dated: MAY 8 - 1998

Mike Short

Bessie Dell Short

STATE OF OREGON )

County of Klamath ) ss.

MAY 8, 1998

Personally appeared the above named MIKE SHORT and BESSIE DELL SHORT, husband and wife, and acknowledged the foregoing instrument to be their voluntary act and deed.

(SEAL)



OFFICIAL SEAL  
CATHERINE L. PHILLIPS  
NOTARY PUBLIC - OREGON  
COMMISSION NO. 308301  
MY COMMISSION EXPIRES FEB. 21, 2002

Before me

Catherine L. Phillips  
Notary Public for Oregon  
My Commission expires: 2/21/2002

**MAIL TAX STATEMENTS AS DIRECTED ABOVE**

LAW OFFICE OF J. ANTHONY GIACOMINI PC, 706 Main Street, Klamath Falls, OR 97601; Telephone (541) 884-7728; Telefax (541) 883-1759

description continued:

4. Reservations and restrictions, including the terms and provisions thereof, dated 8/29/44, recorded 1/29/45; Vol. 173, page 16; Records of Klamath County, Oregon; from State of Oregon to Dave Liskey reserving to the State of Oregon all the coal and other minerals in said above described premises, together with the right to prospect from, mine and remove the same and also subject to the right to prospect for ditches, canals and reservoir sites for irrigation purposes constructed, or which may be constructed by authority of the United States or otherwise, which rights of way are hereby expressly reserved.

5. An easement created by instrument, including the terms and provisions thereof; recorded 5/9/53, Vol. 260, page 515, in favor of The California Oregon Power Company for transmission lines; affects Ptn of SW 1/4 SW 1/4 of 15/38/10.

Klamath County Assessor's parcel number R-3810-00000-02600-000

WATER RIGHTS:

All water rights of whatever kind and nature including, without limiting the generality of the foregoing: State of Oregon Certificate of Water Right, under permit number U-343 dated July 26, 1968, recorded in State Record of Water Right Certificates in Vol. 27, page 35151, and recorded in Klamath County, Oregon Record of Water Rights on 8/15/68, as Vol. M68, page 7393; and State of Oregon Certificate of Water Right, under permit number G-4968 dated May 25, 1979, recorded in State Record of Water Right Certificates in Vol. 41, page 48023, and recorded in Klamath County, Oregon Record of Water Rights on 6/29/79, in Vol. M79, page 15342.

IMPROVEMENTS:

All improvements fixed to the LAND.

MINERAL RIGHTS:

All rights to all minerals, including oil and gas, whether surface or subsurface, in and under the land, subject to reservations by State of Oregon in document dated August 29, 1944, recorded January 29, 1945, Vol. 173, page 16, Records of Klamath County, Oregon.

STANDING TIMBER

All unharvested timber located upon the LAND.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of First American Title the 27th day of May A.D., 19 98 at 3:07 o'clock P.M., and duly recorded in Vol. M98 of Deeds on Page 17915.

FEE \$35.00

By Bernetha G. Letsch, County Clerk  
Kathleen Rose