

BARGAIN AND SALE DEED

2001 JAN 29 PM 2:45

KNOW ALL MEN BY THESE PRESENTS, that Tom DeJong and Nellie A. DeJong, husband and wife, grantors in consideration of property adjustment to them paid by:

Tom DeJong and Nellie A. DeJong, Trustees,  
or their successors in trust, under the DeJong Living Trust  
dated JUNE 1, 1999, and any amendments thereto, Grantees.

Grantors do hereby grant, bargain, sell and convey unto the said grantees its heirs and assigns, all interest we have in the following real property, with the tenements, hereditaments and appurtenances, situated in the County of Klamath and State of Oregon, bounded and described as follows, to-wit:

SEE ATTACHED EXHIBIT "A"

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 PERSONA ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

To Have and to Hold, the above described premises unto the said grantee, heirs and assigns forever. Consideration: Love & Affection.

Witness their hands this 4st day of June, 1999.

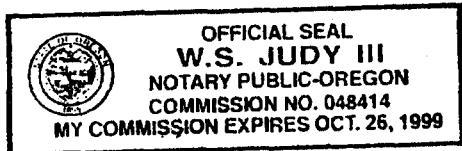
Tom DeJong  
Tom DeJong

Nellie A. DeJong  
Nellie A. DeJong

STATE OF OREGON )  
 ) ss.  
County of Klamath )

"This is a revocable  
living trust."

This instrument was acknowledged before me on June 4, 1999, by Tom DeJong and Nellie A. DeJong.



W.S. Judy III  
Notary Public for Oregon

Grantors name and address:  
Tom DeJong  
721821 N. Poe Valley  
Klamath Falls, Oregon 97603

Grantees name and address:  
DeJong Living Trust  
721821 N. Poe Valley  
Klamath Falls, Oregon 97603

After recording return to:  
William S. Judy, III  
1200 N.E. Seventh Street  
Grants Pass, OR 97526

Mail tax statements to:  
Same as of record

**EXHIBIT "A"****PARCEL 1.**

A tract of land situated in the E1/2 of Section 13, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, described as follows:

Beginning at a point on the Southerly line of Parcel described in Deed Volume 244, page 51, Deed Records of Klamath County, Oregon, which bears South 0 degrees 12' 57" West, 1059.29 feet, and South 72 degrees 58' 03" West 916.72 feet from the Northeast corner of said Section 13, said beginning point being the most Westerly corner of tract described in Memorandum of Agreement recorded in Volume M77, page 24109, Microfilm Records of Klamath County, Oregon; thence continuing along the Southerly line of Parcel described in Deed Volume 244, page 41, South 72 degrees 58' 03" West a distance of 729.63 feet, more or less, to an angle point; thence South 18 degrees 30' East 30.9 feet, thence South 71 degrees 43' West along said Southerly line to the Northeasterly right-of-way line of the U.S.B.R. "A" Canal; thence Southeasterly along said right-of-way line to its intersection with the West line of the Klamath Falls-Malin Highway; thence North along said West line to a point which bears West 30 feet and South 0 degrees 12' 57" West a distance of 2136.37 feet from the Northeast corner of said Section 13; said point being the Southeast corner of tract described in Volume M77, page 24109, Microfilm Records of Klamath County, Oregon; thence following the boundary of said tract, North 89 degrees 50' 16" West 397.5 feet and North 28 degrees 36' 17" West 919.58 feet to the point of beginning.

EXCEPT THEREFROM the following: A tract of land situated in the E1/2 E1/2 of Section 13, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, described as follows:

Beginning at a fence corner located West 30.0 feet and South 2370 feet from the Northeasterly corner of said Section 13, said point being on the Westerly side or boundary of the Klamath Falls-Merrill Highway as now located (1960); thence Westerly along a fence line a distance of 235 feet; thence southerly along a fence line a distance of 280 feet; thence Easterly along a fence line a distance of 235 feet to the Westerly side or boundary of the Klamath Falls-Merrill Highway; thence Northerly along the Westerly boundary of said highway a distance of 280 feet, more or less, to the point of beginning.

## EXHIBIT "A"

CONTINUED

## PARCEL 2.

A tract of land situated in the E1/2 of Section 19, Township 39 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows: Beginning at the Northeast corner of said Section 19; thence South 00 degrees 14' 22" West 1109.83 feet; thence South 13 degrees 07' 17" West 87.28 feet to a 5/8 inch iron pin on the West bank of Lost River and on the True Point of Beginning of the description; thence South 11 degrees 36' 09" West along said West bank a distance of 207.42 feet to a 5/8 inch iron pin; thence South 07 degrees 34' 59" West along said bank 2.17 feet to a 5/8 inch iron pin; thence West 812.17 feet to a 5/8 inch iron pin on the East right-of-way line of the County Road; thence North 15 degrees 20' 44" West along said East line 21.54 feet to a 5/8 inch iron pin; thence following said East line along the arc of a curve the left (central angle 25 degrees 40' 21" and radius 430 feet) 192.67 feet to a 5/8 inch iron pin; thence North 41 degrees 01' 05" West along said East line 125.27 feet to a 5/8 inch iron pin; thence South 85 degrees 39' 29" East 1035.29 feet to the True Point of Beginning.

## PARCEL 3.

A TRACT OF LAND SITUATED IN THE E1/2 OF E1/2 OF SECTION 13, TOWNSHIP 39 SOUTH, RANGE 9 EAST OF THE WILLAMETTE MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT A FENCE CORNER LOCATED WEST 30.0 FEET AND SOUTH 2370.8 FEET FROM THE NORTHEAST CORNER OF SAID SECTION 13; SAID POINT BEING ON THE WESTERLY SIDE OR BOUNDARY OF THE KLAMATH FALLS-MERRILL HIGHWAY AS NOW LOCATED (1960); THENCE WESTERLY ALONG A FENCE LINE A DISTANCE OF 235 FEET; THENCE SOUTHERLY ALONG A FENCE LINE A DISTANCE OF 280 FEET; THENCE EASTERLY ALONG A FENCE LINE A DISTANCE OF 235 FEET TO THE WESTERLY SIDE OR BOUNDARY OF THE KLAMATH FALLS-MERRILL HIGHWAY; THENCE NORTHERLY ALONG THE WESTERLY BOUNDARY OF SAID HIGHWAY A DISTANCE OF 280 FEET, MORE OR LESS TO THE POINT OF BEGINNING.

# EXHIBIT "A"

CONTINUED

PARCEL 4.

Section 20: Those parts of Government Lots 7 and 8 lying North of the new channel of Lost River taken by the United States of America in Federal Court Civil Case No. 4309, the description of which channel is set forth in Klamath County Deed Book 232 beginning at page 156.

Section 21: Government Lots 7, 8 and 9 and those parts of Government Lot 6 and the S  $\frac{1}{2}$  SW  $\frac{1}{4}$  lying Northerly of the new channel of Lost River taken by the United States of America in Federal Civil Case No. 4309, the description of which channel is set forth in Klamath County Deed Book 232, page 156.

PARCEL 5.

Section 21: That portion of the following described property situate in Lot 1, Section 21, Township 39 South, Range 11  $\frac{1}{2}$  East of the Willamette Meridian, lying South of the County Road, as follows:

Beginning at the Northwest corner of Lot 1 of Section 21, Township 39 South, Range 11  $\frac{1}{2}$  East of the Willamette Meridian; thence East along the North line of said Lot 1, a distance of 1,150.0 feet to a point; thence, South and parallel with the East line of said Lot to a point on the South boundary line of said lot; thence Westerly along the said South boundary line to the Southwest corner of said Lot 1; thence North along the said West line of said Lot to the place of beginning, the Northwest corner of said lot.

## EXHIBIT "A"

CONTINUED

## PARCEL 6.

A parcel of land situated in the NE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 9, Township 39 South, Range 11 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at the Southeast corner of Block 42 of BOWNE ADDITION to the Town of Bonanza; thence East 30 feet; thence North 115 feet to the Northerly right of way line of State Highway No. 70; thence continuing North 300 feet to the true point of beginning; thence West at right angles 150 feet; thence South at right angles to the Northerly right of way line of Highway No. 70; thence Northwest along the Northerly right of way line of said highway to its intersection with the South line of College Avenue; said point also being the Northwest corner of vacated Block 26 of Bowne Addition to the Town of Bonanza; thence East along said Southerly line of College Avenue 690 feet to a point; said point being the center line of that vacated portion of Tacoma Street in said addition; thence South along said center line 150 feet to the point of beginning.

## PARCEL 7.

Lots 6, 7, and 8 in Block 6 of Bonanza, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

## PARCEL 8.

The following described real property is situated in Lot 3, Parcel 1, Section 20, Township 39 South, Range 11 $\frac{1}{2}$  East of the Willamette Meridian, in the County of Klamath, State of Oregon:

Beginning at the Northeast corner of said Section 20; thence South  $00^{\circ} 41' 55''$  East along the East line of said Section 20 a distance of 1840.14 feet; thence West 645.05 feet to the true point of beginning of this description; thence continuing West 297.64 feet; thence South 772.32 feet to the North line of the County Road right of way; thence North  $87^{\circ} 44' 21''$  East along said North line 297.87 feet; thence North 760.57 feet to the true point of beginning of this description.

## EXHIBIT "A"

Continued

PARCEL 9. The following described real property being situated in Township 39 South, Range 11½ East of the Willamette Meridian:

And Being more particularly described in Exhibit A Attached hereto.

Subject to: Acreage and use limitations under provisions of United States Statutes and regulations issued thereunder; The assessment roll and tax roll disclose that the within described premises were specially assessed as farm land. Taxes for the year 1980-81, and possibly prior years have been deferred pursuant to ORS 308.370 and 308.403; Rules regulations, liens and assessments and any and all obligations created, imposed upon or affecting said premises by the Klamath Basin Improvement District, and charges in connection therewith; Reservations, restrictions, rights of way of record and those apparent upon the land and as shown below, WHICH GRANTEEES AGREE TO ASSUME and PAY that certain Mortgage described below

PARCEL 10. Township 39 South, Range 11½ East of the Willamette Meridian:

Section 21 and 22: Beginning at the Northeast corner of the SW¼SW¼ of said Section 22, thence North 89°46' West along the Northernly boundaries of the said SW¼SW¼ of Section 22, and Lot 5 of Section 21, in said Township and Range 2772 feet, more or less, to a point in the right or Northeasterly high water line of Lost River; thence following the said right or Northeasterly high water line of Lost River North 30°37' East 200.1 feet, thence South 72°02' East 260.9 feet, thence North 9°50' East 212.7 feet, thence North 35°06' West 257.8 feet, thence North 78°21' West 305 feet, thence North 70°25' West 209.5 feet, thence North 41°25' West 254 feet, thence North 76°01' West 410.2 feet, thence North 83°12' West 120.5 feet, thence North 12°16½' West 183.0 feet, thence North 89°40' West 254.8 feet, more or less, to the intersection of the said right or Northeasterly high water line with the Westerly boundary of the SE¼ of said Section 21, said boundary line being marked on the ground by a well established fence, thence North 0°13' West or less, to the Southwesterly corner of that certain piece or parcel of land conveyed to School District No. 47 of Klamath County by F. E. Marsten, et ux., by deed dated January 25, 1918, and recorded in Book 48, page 425, Klamath County Deed Records; thence South 77°49' East along the Southerly boundary of the said tract of land 208.9 feet, more or less to the Southeasterly corner thereof, thence North 0°17' East along the Easterly boundary of said tract of land 244.4 feet, more or less, to a point in the center line of the County Road, thence following the said center line of the County road South 78°46' East 243.7 feet, thence South 63°03' East 3266.6 feet, thence North 82°59½' East 655.3 feet, more or less, to a point in the line marking the Easterly boundary of the NW¼SW¼ of said Section 22, Township and Range aforesaid, said boundary being marked on the ground by a well established fence, thence South 0°54½' West along said boundary line 300.3 feet, more or less, to the point of beginning, being portions of the SW¼NE¼ and Lots 3 and 4 of Section 21, and the NW¼SW¼ of Section 22.

Section 21: Government Lot 5, EXCEPTING that part thereof deeded to U.S.A. for river channel improvement by deed Volume 263 page 21, records of Klamath County, Oregon.

Section 22: SW¼SW¼, S¼NE¼, SE¼NW¼, NE¼SW¼

Section 23: S¼N¼

Section 27: NW¼NW¼

Section 28: Government Lots 1 and 2, EXCEPTING therefrom those parts deeded to U.S.A. for river channel improvement by Deed Volume 263, page 21, Records of Klamath County, Oregon.

## EXHIBIT "A"

CONTINUED

## PARCEL 11.

NW $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 21, Township 39 South, Range 11 $\frac{1}{2}$  East of the Willamette Meridian.

Subject to reservations and restrictions of record and easements and rights of way of record and those apparent on the land.

Subject to Acreage and Use Limitations as provided in the United States Statutes and regulations issued thereunder; rules, regulations, liens, assessments, contracts and obligations imposed by the Klamath Basin Improvement District, Klamath Project, and Klamath Irrigation District.

Subject also to change in taxation if the land becomes disqualified from specially assessed farm land.

## PARCEL 12.

The S $\frac{1}{2}$ SW $\frac{1}{4}$  of Section 15; the W $\frac{1}{2}$ NW $\frac{1}{4}$  AND That part of the NW $\frac{1}{4}$ SW $\frac{1}{4}$  lying North of the County Road in Section 22; that portion of the S $\frac{1}{2}$ NE $\frac{1}{4}$  and Lots 3 and 4 of Section 21 lying North of the County Road; all in Township 39 South, Range 11 $\frac{1}{2}$  East, Willamette Meridian.

Subject to Farm Land Use Taxation and to any additional taxes which may be levied by reason of the land being disqualified for any reason whatsoever.

Subject to reservations and restrictions of record, easements and rights of way of record and those apparent on the land; acreage and use limitations under the provisions of United States statutes and regulations issued thereunder; and to rules, regulations, liens, assessments, contracts, rights of way, easements, and any and all obligations created or imposed upon or affecting said premises by the Klamath Basin Improvement District.

State of Oregon, County of Klamath  
Recorded 01/29/01, at 245P m.  
In Vol. M01 Page 3403  
Linda Smith,  
County Clerk Fee\$ 51