

'01 AUG 2 AM 11:03

MTL 54046-KR
WARRANTY DEED

Vol MO1 Page 38783

BORN PROPERTIES, AN ASSUMED BUSINESS NAME,

Grantor(s) hereby grant, bargain, sell, warrant and convey to:

CITY OF KLAMATH FALLS, A POLITICAL SUBDIVISION OF THE STATE OF OREGON,

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:

SEE EXHIBIT A WHICH IS MADE A PART HEREOF BY THIS REFERENCE

ACCT #3909-02600-01500

KEY #584503

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 27,000.00.

Until a change is requested, all tax statements shall be sent to Grantee at the following address: 500 KLAMATH AVENUE, KLAMATH FALLS, OR 97601

Dated this 30 day of JULY, 2001.

BORN PROPERTIES, AN ASSUMED BUSINESS

NAME

BY: Donald W. Born

DONALD W. BORN, MANAGING PARTNER

State of Oregon

County of KLAMATH

This instrument was acknowledged before me on July 30, 2001 by DONALD W. BORN, MANAGING PARTNER OF BORN PROPERTIES, AN OREGON ASSUMED BUSINESS NAME.

Kay I Haslebach
(Notary Public for Oregon)
My commission expires 11-21-03

ESCROW NO. MT54046-KR

Return to:

CITY OF KLAMATH FALLS
500 KLAMATH AVENUE
KLAMATH FALLS, OR 97601

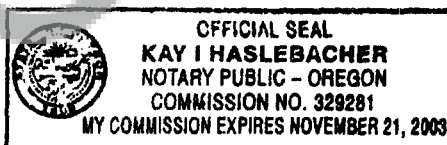


EXHIBIT "A"
LEGAL DESCRIPTION

The SE1/4 SW1/4 of Section 26, Township 39 South, Range 9 East, Willamette Meridian, Klamath County, Oregon,

EXCEPTING THEREFROM beginning at the Northeast corner of the SE1/4 SW1/4 of Section 26, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, said corner being on the centerline of the U.S.B.R. Drainage Canal; thence South 0 degrees, 27' 45", West along the 1/4 section line of said Section 26 a distance of 1209.06 feet to the right of way of the Lost River Diversion Canal, said right of way point being marked by a corner of fence post with spike embedded in its center; thence North 89 degrees 50' 15", West along said right of way line a distance of 478.23 feet to an iron pin; thence North 21 degrees 30' 15" West a distance of 1300.67 feet to a point, said point being on the centerline of U.S.B.R. Diversion Canal; thence South 89 degrees, 51' 15" East along said centerline a distance of 964.77 feet to the point of beginning.

AND EXCEPTING THEREFROM that portion thereof lying within the Lost River Diversion Channel as described in Volume 221, Page 308, Deed Records of Klamath County, Oregon;

AND EXCEPTING that portion thereof in U.S.B.R. No. 1 Drain (aka First Unit Main Drain);

AND EXCEPTING THEREFROM that portion thereof lying within the Southern Pacific Railroad right-of-way.

State of Oregon, County of Klamath

Recorded 08/02/01 at 11:03 a.m.

In Vol. M01 Page 38783

Linda Smith,

County Clerk Fee \$ 26⁰⁰