

State of Oregon, County of Klamath  
 Recorded 02/25/2002 9:05 a m.  
 Vol M02, Pg 11010-12  
 Linda Smith, County Clerk  
 Fee \$ 36<sup>00</sup> # of Pgs 3



(Reserved for Recording Purposes)

## SPECIAL WARRANTY DEED

|                     |                          |
|---------------------|--------------------------|
| ODVA Account Number | Tax Account Number       |
|                     | R608426, R608435, M65093 |

IN CONSIDERATION of fulfillment of that certain Contract of Sale dated April 4, 1988, in the Face Value of \$47,000.00 and recorded April 7, 1988, in Vol M88, page 4971, and re-recorded on April 15, 1988, in Vol M88, page 5860, in Klamath County, the STATE OF OREGON, by and through the Director of the Oregon Department of Veterans' Affairs, grantor, conveys and specially warrants unto Paul B. Evans, grantee(s), all of the STATE OF OREGON's right, title and interest to the following described real property free of encumbrances created or suffered by the grantor on or before April 4, 1988, except as specifically set forth herein, situated at 8011 Harpold Road, Klamath Falls, Oregon 976039660 in Klamath County, State of Oregon, to wit:

PARCEL 1: Beginning at a point 580 feet North of the Southeast corner of the W1/2SE1/4, Section 30, Township 39 South, Range 11 East of the Willamette Meridian, in the County of Klamath, State of Oregon; thence Northerly 300 feet; thence Westerly 875 feet to the East boundary of Harpold Road; thence Southerly 300 feet, more or less, along said East boundary of Harpold Road; thence Easterly 905 feet to the point of beginning.

PARCEL 2: That portion of the W1/2SE1/4, Section 30, Township 39 South, Range 11 East of the Willamette Meridian, in the County of Klamath, State of Oregon, described as follows: Beginning at the Southeast corner of the W1/2SE1/4, said Section 30; thence North 580 feet to a point; thence West parallel with the South line of said W1/2SE1/4, said Section 30, 905 feet, more or less, to the Easterly right of way line of Harpold Road; thence Southerly along the Easterly right of way line of said Harpold Road to the South boundary line of said W1/2SE1/4, Section 30; thence Easterly along the Southerly line of said W1/2SE1/4, Section 30, 987 feet, more or less, to the poing of beginning.

AFTER RECORDING RETURN TO:

PAUL B EVANS  
 8011 HARPOLD RD  
 KLAMATH FALLS OR 976039660

Until a change is requested, all tax statements shall be sent to the following address:

PAUL B EVANS  
 8011 HARPOLD RD  
 KLAMATH FALLS OR 976039660

**11011****LEGAL DESCRIPTION (continued)**

EXCEPTING THEREFROM the following described parcel: Beginning at the Southeast corner of the W1/2SE1/4, said Section 30; thence North 290 feet to a point; thence West parallel with the South line of said W1/2SE1/4, Section 30, to the Easterly right of way line of Harpold Road; thence Southerly along the Easterly right of way line of said Harpold Road to the South boundary line of said W1/2SE1/4, Section 30; thence Easterly along the Southerly line of said W1/2SE1/4, Section 30, 987 feet more or less, to the point of beginning.

TOGETHER WITH the following described mobile home which is firmly affixed to the property: 1979 Eaton Park, 26.5' x 67', Serial No. 11809850.

Excepting and reserving to itself, its successors, and assigns all minerals, as defined in ORS 273.775 (*excepting soil, clay, stone, sand, and gravel*), and all geothermal resources, as defined in ORS 522.005 together with the right to make such use of the surface as may be reasonably necessary for exploring for, mining, extracting, storing, drilling for, and removing such minerals, materials, and geothermal resources. In the event the premises by a surface rights' owner would be damaged by one or more of the activities described above, then such owner shall be entitled to compensation from the State's lessee to the extent of the diminution in value of the real property, based on the actual use by the surface rights' owner at the time the State's lessee conducts any of the above activities.

**SUBJECT TO:**

1. Any taxes for 2002-2003 when due or payable.
2. Any Right of Redemption as provided by law.
3. Rights of the public in and to any portion of the herein described premises lying within the boundaries of roads and highways.
4. Regulations, including levies, assessments, water and irrigation rights and easements for ditches and canals, of Poe Valley Improvement District.
5. Reservation of all gas, oil and minerals together with the right of entry for prospecting and removal thereof as well as an agreement to compensate owners for any reasonable damage incurred through prospecting and removal as more fully set forth in deed, recorded February 23, 1965, in Book 359 at page 471, Deed Records.
6. Subject to rules and regulations of Fire Patrol District.

"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."

**11012**

IN WITNESS WHEREOF, the State of Oregon, represented and acting by the Director of the Oregon Department of Veterans' Affairs, has caused these presents to be executed February 11, 2002, at Salem, Oregon. The foregoing recital of consideration is true as I verily believe.

DIRECTOR OF OREGON DEPARTMENT OF VETERANS' AFFAIRS - Lender

By: \_\_\_\_\_

*Joyce D. Hlopek*

Joyce D. Hlopek, Accounts Services Manager

STATE OF OREGON     )  
                                  )ss.  
County of Marion     )

On February 11, 2002,

this instrument was acknowledged before me by the above-named Joyce D. Hlopek, Accounts Services Manager, who personally appeared, and, being first duly sworn, did say that she is authorized to sign the foregoing document on behalf of the Oregon Department of Veterans' Affairs by authority of its Director.

Before me: \_\_\_\_\_

*Tina Witherell*

Notary Public for Oregon

