

State of Oregon, County of Klamath

Recorded 07/08/2002 11:46 a. m.

Vol M02, Pg 38729-30

Linda Smith, County Clerk

Fee \$ 26<sup>00</sup> # of Pgs 2



*(Reserved for Recording Purposes)*

## BARGAIN AND SALE DEED

ODVA Account Number

Tax Account Number

R93605

IN CONSIDERATION of fulfillment of that certain Contract of Sale dated March 25, 1986, in the Face Value of \$135,000.00 and recorded on March 25, 1986, in Vol M86, page 4937, in Klamath County, the STATE OF OREGON, by and through the Director of the Oregon Department of Veterans' Affairs, grantor, does hereby grant, bargain, sell, and convey unto James E. Reisinger, Jr. and Donna Sue Reisinger, Trustees of the James E. Reisinger, Jr. Family Trust, grantee(s), all of the STATE OF OREGON's right, title and interest to the following described real property at 12790 Highway 39, Klamath Falls, Oregon 976039752 in Klamath County, State of Oregon, to wit:

Township 40 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon: Section 12: All that portion of the NE1/4 lying East of the Southern Pacific Railroad (formerly Modoc Northern Railroad) right of way, EXCEPTING the following: Beginning at the Southeast corner of the SE1/4NE1/4; thence North 823 feet to an iron pin; thence South 89°47'30" West 618.95 feet to an iron pin on the Northeasterly right of way of the S.P.R.R.; thence South 33°29'00" East along the S.P.R.R. right of way to the South line of the SE1/4NE1/4; thence East to the point of beginning. ALSO EXCEPTING THEREFROM that part deeded to the United States of America in Deed Volume 88 page 362, more particularly described as follows: Beginning at a point on the East boundary of said Section 12, from which the Northeast corner of Section 12 bears North 30 feet distant and running thence West 1500 feet along a line parallel to the North boundary of said Section 12; thence South 55 feet; thence East 1500 feet along a line parallel to the North boundary of said Section 12 to the East boundary of said Section 12; thence North 55 feet along the East boundary of said Section 12 to the point of beginning.

AFTER RECORDING RETURN TO:

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

ASPEN TITLE  
525 MAIN ST  
KLAMATH FALLS OR 97601

JAMES E REISINGER JR  
12790 HIGHWAY 39  
KLAMATH FALLS OR 976039752

38730

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 said premises lying within the limits of roads and highways, particularly within the limits of State Highway #39 along the Easterly boundary and the State Secondary Highway along the Northerly boundary.
4. No liability is assumed if a financing statement is filed in the office of the County Clerk covering growing crops or fixtures wherein the land is described other than by metes and bounds, the rectangular survey system or by recorded lot and block.
5. This report does not include a search for financing statements filed in the office of the Secretary of State covering crops on the land described herein, and is subject to any encumbrances on such crops.

"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."

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 June 28, 2002, at Salem, Oregon. The foregoing recital of consideration is true as I verily believe.

DIRECTOR OF OREGON DEPARTMENT OF VETERANS' AFFAIRS - Lender

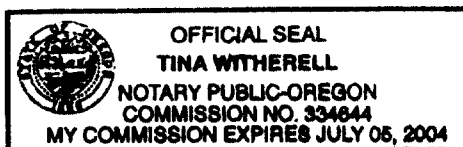
By: \_\_\_\_\_

Joyce D. Hlopek, Accounts Services Manager

STATE OF OREGON     )  
                                   )ss.  
 County of Marion     )

On June 28, 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: \_\_\_\_\_

Notary Public for Oregon