

02 SEP 30 AM 10:45

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After Recording Return To:

Laura Valbert
First American Title Insurance Company of Oregon
422 Main Street
P.O. Box 151
Klamath Falls, OR 97601

State of Oregon, County of Klamath
Recorded 09/30/2002 10:45 a.m.
Vol M02, Pg 55296-55300
Linda Smith, County Clerk
Fee \$ 4.00 # of Pgs 5

*Until A Change Is Requested,
All Tax Statements Shall Be Sent To:*

Leslie E. Northcutt
24441 Malin Siding
P.O. Box 479
Malin, OR 97632

K59144

STATUTORY SPECIAL WARRANTY DEED

MONY Life Insurance Company, a New York corporation, formerly known as The Mutual Life Insurance Company of New York ("*Grantor*") conveys and specially warrants to Leslie E. Northcutt and Norma V. Northcutt, husband and wife, as tenants by the entirety ("*Grantee*"), the real property situated in the County of Klamath, State of Oregon, as more particularly described in Exhibit "A" attached hereto and made a part hereof by this reference.

This conveyance is made together with any and all water rights accruing or appurtenant to the subject property, and is subject all easements, rights-of-way and other matters of public record, including, but not limited to, those matters set forth on Exhibit "B" attached hereto and made a part hereof by this reference.

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 consideration for this conveyance is Two Hundred Thousand and 00/100 Dollars (\$200,000.00). (*Here comply with the requirements of ORS 93.030*).

Dated this 24th day of September, 2002.

MONY Life Insurance Company

By: 

OMB

Stephen W. Kritscher,
Authorized Signatory

K41

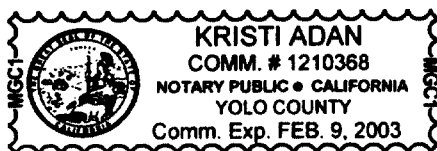
STATE OF CALIFORNIA

55297

COUNTY OF YOLO

On this 24th day of September, 2002, before me, a Notary Public in and for said county and state, personally appeared Stephen W. Kritscher, an authorized signatory of MONY Life Insurance Company, a New York corporation, formerly known as The Mutual Life Insurance Company of New York, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at my office in said County and State the day and year last above written.



Kristi Adan
Notary Public

My Commission Expires: 2/9/03
Printed Name of Notary: Kristi Adan

EXHIBIT "A"**REAL PROPERTY DESCRIPTION**

The South Half ($S^{1/2}$) of the Northwest Quarter ($NW^{1/4}$) and the North Half ($N^{1/2}$) of the Southwest Quarter ($SW^{1/4}$) of Section Nine (9), Township Forty-one (41) South, Range Twelve (12) East of the Willamette Meridian, Klamath County, Oregon, lying North of the USBR "D" Canal.

EXHIBIT "B"**PERMITTED EXCEPTIONS**

1. Taxes for the fiscal year 2002-2003 a lien not yet payable.

NOTE: Taxes for the year 2001-2002 paid in full.

Tax Amount : \$2,112.96
Code No. : 16
Account No. : 4112-900-600
Key No. : 109180

NOTE: Taxes for the year 2001-2002 paid in full.

Tax Amount : \$31.15
Code No. : 16
Account No. : 4112-900-400
Key No. : 109171

2. Liens and assessments of Klamath Project and Klamath Irrigation District, and regulations, contracts, easements, water and irrigation rights in connection therewith.
3. Any unpaid charges or assessments of the Klamath Irrigation District.
4. Liens and assessments of Klamath Project and Malin Irrigation District, and regulations, contracts, easements, water and irrigation rights in connection therewith.
5. Any unpaid charges or assessments of the Malin Irrigation District.
6. The assessment roll and the tax roll disclose that the within described premises were specially zoned or classified for Farm use. If the land has become or becomes disqualified for such use under the statute, an additional tax or penalty may be imposed.
7. The rights of the public in and to that portion of the premises herein described lying within the limits of roads, streets or highways.
8. Reservations, including the terms and provisions thereof,
Recorded : October 14, 1908 in Volume 25 page 138, Deed records of Klamath County, Oregon
From : United States of America
To : Walter G. Ritter
As follows: "subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts, and also subject to the right of the proprietor of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted as provide by law. And there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States."

NOTE: The mineral interest reserved or excepted above has not been examined and subsequent transactions affecting said interest or taxes levied against same are not reflected in this title evidence.

EXHIBIT "B"**PERMITTED EXCEPTIONS****9. Right of Way, including the terms and provisions thereof,**

Dated : April 1, 1905
Recorded : December 5, 1908 in Volume 25 page 297, Deed records of Klamath County, Oregon
From : Walter G. Ritter
To : J. D. Carr Land and Livestock Co.

10. Acceptance of Terms and Conditions of the Reclamation Extension Act, including the terms and provisions thereof,

Recorded : November 4, 1914 in Volume 42 page 623, Deed records of Klamath County, Oregon
From : James Havlina
To : United States of America

11. Telephone Line Right of Way Easement, including the terms and provisions thereof,

Dated : April 23, 1984
Recorded : May 30, 1985 in Volume M85 page 7908, Deed records of Klamath County, Oregon
From : R. C. McVay and Barbara A. McVay
To : United Telephone Company of the Northwest, an Oregon corporation