

MTL 1396-4324

After Recording Return To:

Francis & Martin, LLP
1199 NW Wall Street
Bend, OR 97701

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

Robert A. Gordon, Sr.
4711 Hwy 39
Klamath Falls, OR 97603

WARRANTY DEED

ETERNAL HILLS MEMORIAL GARDENS & FUNERAL HOME, INC., an Oregon corporation, who took title as ETERNAL HILLS MEMORIAL GARDENS, INC., Grantor, conveys and warrants to ROBERT A. GORDON, SR., Grantee, the following described real property free of encumbrances except as specifically set forth herein:

The NE¼NW¼, Section 18, except the North 30 feet thereof; and the East 50 feet of the North 260 feet of the NW¼NW¼, Section 18, except the North 30 feet thereof, all in Township 39 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon.

SUBJECT TO: See attached Exhibit "A"

The consideration given for this conveyance is _____

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.

DATED this 16th day of OCT., 2002.

State of Oregon, County of Klamath
Recorded 10/16/2002 3:03 p. m.
Vol M02, Pg 59116-47
Linda Smith, County Clerk
Fee \$ 26.00 # of Pgs 2

GRANTOR:

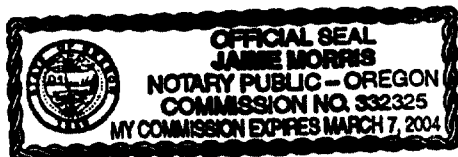
ETERNAL HILLS MEMORIAL GARDENS, INC.

By: Tim Lancaster
Tim Lancaster, Executive Vice-President

AMERITITLE, has recorded this instrument by request as an accomodation only, and has not examined it for regularity and sufficiency or as to its effect upon the title to any real property that may be described therein.

STATE OF OREGON)
) ss.
County of Klamath)

On this 16 day of October, 2002, personally appeared before me, TIM LANCASTER, who being duly sworn, states he is the Executive Vice-President of ETERNAL HILLS MEMORIAL GARDENS, INC., an Oregon corporation, and that the foregoing instrument was signed and sealed on behalf of said corporation and he acknowledged said instrument to be the voluntary act and deed of said corporation.



Jayne Morris
Notary Public for Oregon

Francis & Martin, LLP
199 N.W. Wall Street • Bend, Oregon 97701-1934
(541) 389-5010

59147

Schedule B of the policy(ies) to be issued will contain the following general and special exceptions unless removed prior to issuance:

GENERAL EXCEPTIONS (Standard Coverage Policy Exceptions)

1. a. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
b. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. a. Easements, liens, encumbrances, interests or claims thereof which are not shown by the public records.
b. Any facts, right, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
3. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
4. a. Unpatented mining claims.
b. Reservations or exceptions in patents or in Acts authorizing the issuance thereof.
c. Water rights, claims or title to water:
whether or not the matters excepted under (a), (b), or (c) are shown by public records
5. Any lien or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records.

SPECIAL EXCEPTIONS

- ⑥ The premises herein described are within and subject to the statutory powers, including the power of assessment, of Enterprise Irrigation District.
- ⑦ The premises herein described are within and subject to the statutory powers, including the power of assessment, of Klamath Basin Improvement District.
- ⑧ The assessment roll and the tax roll disclose that the premises herein described have been specially assessed as Farm Use Land. If the land becomes disqualified for the special assessment under the statute, an additional tax may be levied; in addition thereto a penalty may be levied if notice of disqualification is not timely given.
- ⑨ Financing Statements or Federal Tax Liens, if any, filed with the Secretary of State.
- ⑩ Rights of the public in and to any portion of the herein described premises lying within the limits of streets, roads or highways.
- ⑪ An easement created by instrument, subject to the terms and provisions thereof,
Dated: February 15, 1956
Recorded: February 20, 1956
Volume: 281, page 134, Deed Records of Klamath County, Oregon
In favor of: The California Oregon Power Company, a California corporation
For: Transmission and distribution of electricity
- ⑫ Subject to a reservation of perpetual easement for irrigation purposes as set out in Deed, recorded June 29, 1970 in Volume M70, page 5296, Microfilm Records of Klamath County, Oregon.
- ⑬ Reservations in deed recorded June 6, 1944 in Deed Book 165 at page 555, Deed Records of Klamath County, Oregon, as follows:

"And reserving to the grantors an easement and right of way for the purpose of constructing and maintaining an irrigation ditch along the boundary line or lines of the first parcel heretofore described."

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39930-KR

PRELIMINARY REPORT

Form No. 10-1

PRELIMINARY REPORT ONLY

EXHIBIT A
1 OF 1