

NN

03 JAN 7 AM 11:04

Vol M03 Page 01066
STATE OF OREGON, } ss.

Grantor's Name and Address

Grantee's Name and Address

After recording, return to (Name, Address, Zip):

Don and Linda Lee Spicer

5841 Winter Ave

Klamath Falls, Oregon 97603

Until requested otherwise, send all tax statements to (Name, Address, Zip):

same as above

SPACE RESERVED
FOR
RECORDER'S USE

State of Oregon, County of Klamath

Recorded 01/07/2003 11:04 a m.

Vol M03 Pg 01066-68

Linda Smith, County Clerk

Fee \$ 31.00 # of Pgs 3

eputy.

m7c 1396 - 4584

BARGAIN AND SALE DEED

KNOW ALL BY THESE PRESENTS that LINDA LEE SPICHER . SUCCESSOR TRUSTEE OF THE
JONES LOVING TRUSThereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto
DON SPICER AND LINDA LEE SPICER. HUSBAND AND WIFE

hereinafter called grantee, and unto grantee's heirs, successors and assigns, all of that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in Klamath County, State of Oregon, described as follows, to-wit:

SEE ATTACHED EXHIBIT "A" MADE A PART HEREOF

AMERITITLE has recorded this
instrument by request as an accommodation 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.RE: R-3606-003AD-01000-000
R-3606-003AD-00800-000

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE)

To Have and to Hold the same unto grantee and grantee's heirs, successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ other than money. However, the actual consideration consists of or includes other property or value given or promised which is ☐ part of the ☐ the whole (indicate which) consideration. (The sentence between the symbols \oplus , if not applicable, should be deleted. See ORS 93.030.)

In construing this deed, where the context so requires, the singular includes the plural, and all grammatical changes shall be made so that this deed shall apply equally to corporations and to individuals.

IN WITNESS WHEREOF, the grantor has executed this instrument on January 6, 2003; if grantor is a corporation, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so by order of its board of directors.

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.

Linda Lee Spicher. Successor Trustee

Linda Lee Spicher Trustee
Jones Loving Trust

STATE OF OREGON, County of Klamath) ss.

This instrument was acknowledged before me on January 6, 2003

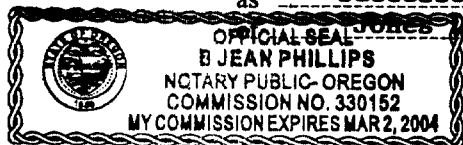
by

This instrument was acknowledged before me on

by

Linda Lee Spicher as Successor Trustee

as

Successor Trustee
Jones Loving TrustNotary Public for Oregon
My commission expires 3-2-04

All the following described real property situated in Klamath County, Oregon:

A tract of land situated in the Northeast quarter of Section 3 Township 36 South, Range 6 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

PARCEL 1:

Beginning at the Southeast corner of the tract of land deeded to Thomas Bownass et ux., by deed recorded in Volume 341, page 414 of Klamath County, Oregon, Deed Records, which said corner is located on the North bank of Harriman Creek; thence North $39^{\circ}24'30''$ West along the East line of said Bownass Tract a distance of 100.2 feet to the Northeast corner of said tract, which said corner is located on the center line of a private 20 foot wide roadway; thence, running on the center line of said roadway North $47^{\circ}20'$ East 37.5 feet; thence South $60^{\circ}55'$ East a distance of 115.9 feet, more or less, to the North bank of Harriman Creek; thence Southwesterly on said North bank of Harriman Creek to the point of beginning.

PARCEL 2:

Beginning at the Southeast corner of the tract of land deeded to Thomas Bownass et ux., by deed recorded in Volume 341, page 414 of Klamath County, Oregon, Deed Records, which said corner is located on the North Bank of Harriman Creek; Thence North $39^{\circ}24'30''$ West along the East line of said Bownass tract a distance of 100.2 feet to the Northeast corner of said tract, which said corner is located on the center line of a private 20 foot wide roadway; thence, running on the center line of said roadway North $47^{\circ}20'$ East 37.5 feet to the true point of beginning. Starting at said true point of beginning, thence South $60^{\circ}55'$ East a distance of 115.9 feet, more or less, to the North Bank of Harriman Creek; thence, Northeasterly along said North Bank of Harriman Creek to the point on said Bank which is the Southeast corner of the tract of land deeded to Walter L. Clink, et ux., by deed recorded in Volume 332, page 533, of Klamath County, Oregon, Deed Records; thence North $79^{\circ}41'$ West along the South line of said Clink tract to the Southwest corner of said Clink tract, said corner being located on the East line of said private 20 foot wide roadway; thence, continuing North $79^{\circ}41'$ West a distance of 10 feet, more or less, to the center line of said private 20 foot wide roadway; thence, running on the center line of said roadway South $30^{\circ}49'$ West a distance of 34.9 feet, more or less, to the point of beginning, said tract of land being situate in the NE $\frac{1}{4}$ of Section 3 Township 36 South, Range 6 East of the Willamette Meridian, in Klamath County, Oregon.

EXHIBIT "A" - Continued

PARCEL 3:

A tract of land situated in the SE1/4, Section 3, Township 36 S., R. 6 E.W.M. more particularly described as follows: Beginning at the most southwesterly corner of the tract of land conveyed to Charles Joseph Miller by deed recorded in Volume M66, Page 11300, Klamath County Deed Records, said point being the most northeasterly corner of the tract of land conveyed to Stephen A. Martin, et ux, by deed recorded in Volume M67, Page 6595 of said Deed Records; thence S. 15°29' E. along the East line of said Martin tract a distance of 156.9 feet, more or less, to the NW corner of the tract of land conveyed to Thomas Bownass, et ux, by deed recorded in Volume 341, Page 414, Klamath County Deed Records, said point being located on the center line of a private 20-foot wide roadway, which said roadway is more particularly described in a deed to John L. Gross, et ux, recorded in Volume M66, Page 10168, Klamath County Deed Records, which said point is also the NE corner of the tract of land conveyed to Harold A. Ricks, et ux, by deed recorded in Volume 336, Page 45, Klamath County Deed Records; thence N. 67°27'30" E. on said road center line,

which is also the North line of said Bownass tract, 38.6 feet to the NE corner of said Bownass tract, which is also the NW corner of the tract of land conveyed to Freeman Kelley, et ux, by deed recorded in Volume 355, Page 495, Klamath County Deed Records; thence continuing N. 47°20' E. on the center line of said roadway, which is also the line of said Kelley tract, 37.5 feet, more or less, to the most northerly corner of said Kelley tract, which is also the SW corner of the tract of land conveyed to Terence L. Boyer, et ux, by deed recorded in Volume M65, Page 3936, Klamath County Deed Records; thence continuing N. 30°49' E. on the center line of said roadway, which is also the West line of said Boyer tract, 34.9 feet, more or less, to the NW corner of said Boyer tract, which is also the point where said roadway center line intersects the southerly line of said tract of land conveyed to Charles Joseph Miller by deed recorded in Volume M65, Page 11300, Klamath County Deed Records; thence N. 56°41' W. along said southerly line of said Miller tract 146.6 feet, more or less, to the point of beginning.

TOGETHER WITH full right of ingress and egress to and from the West Side Highway by means of said private 20-foot wide roadway, more particularly described in said deed to John L. Gross, et ux, recorded in Volume M66, Page 10168, Klamath County Deed Records, and together with an easement for utilities five feet in width along the edge of said roadway.

SUBJECT TO: Easements and rights of way of record and those apparent on the land, including said roadway hereinbefore mentioned, and subject to an easement for utilities five feet wide running across the premises herein conveyed along said private 20-foot wide roadway; reservations in United States patents; agreements relative to the raising and lowering of the waters of Upper Klamath Lake; agreement recorded December 19, 1952, in Volume 258, Page 287, Klamath County Deed Records, as corrected by agreement recorded December 27, 1955, in Volume 280, Page 146, said Deed Records, prohibiting the use of said premises for any resort or competing commercial use, as more specifically defined in said agreement, for a period of 30 years from the date of said agreement, to the extent, if any, that said agreement, as corrected, shall still be in effect and also to the building and use restrictions contained in that certain deed from Vivian N. Van Datta and Joseph D. Van Datta to Thomas Bownass, et ux, dated October 14, 1967, recorded August 29, 1968, in Volume M68, Page 7834, Deed Records of Klamath County, Oregon.