

Aspen Title  
Escrow# 56669

**SPECIAL WARRANTY DEED**

Grantor: Northwest Farm Credit Services, FLCA, conveys and specially warrants to Grantee: Susan Krouse, the following described real property, free of encumbrances created or suffered by the grantor except as specifically set forth herein:

The NW¼ SW¼ of Section 10, Township 41 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon.

Excepting: any and all hay located in the barn on subject premises.

Together with:

- 1) An appurtenant irrigation water right of 6.9 acres delivered under the Klamath Basin improvement district.
- 2) An appurtenant irrigation water right of 15.3 acres under the system of the Malin Irrigation District.
- 3) An easement 16 feet in width for ingress and egress, the centerline of which being more particularly described as follows:

Beginning at a point which lies on the North right of way line of a county road and the South line of Section 10, Township 41 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon, from which the SE corner of SW¼ SW¼ bears 350 feet East; thence North along a line 350 feet West of the East boundary of SW¼ SW¼ of said Section 10, to the South boundary of NW¼ SW¼ of said Section 10.

The foregoing easement is dated July 6, 1978, and recorded July 29, 1978, in Volume M78, Page 15734, Microfilm Records of Klamath County, Oregon.

- 4) A perpetual 18 foot wide easement for roadway purposes for ingress and egress across that portion of the SW¼ SW¼ of Section 10, Township 41 South, Range 12 East of the Willamette Meridian, lying South and East of the Malin Irrigation District Lower Canal, to that portion of the SW¼ SW¼ of Section 10, Township 41 South, Range 12 East of the Willamette Meridian, lying North and West of the Malin Irrigation District Lower Canal.

The foregoing easement is created by instrument dated November 28, 1977, and recorded January 27, 1978 in Volume M78, page 1623, Microfilm Records of Klamath County, Oregon.

**SUBJECT TO:**

- 1) Rights of the public in and to any portion of the herein described premises lying within the limits of streets, roads or highways.
- 2) Statutory powers, including the power of assessment, of Klamath Basin Improvement District.
- 3) Statutory powers, including the power of assessment, of Malin Irrigation District.
- 4) Right of Way and Easement Deed from the Klamath Lake Land & Livestock Co., to Malin Irrigation District, recorded March 9, 1926 in Volume 69, page 352, Records of Klamath County, Oregon, for irrigation and drainage ditches and appurtenances.
- 5) Reservations and restrictions as contained in Deed recorded in Volume 178, page 297, Records of Klamath County, Oregon, as follows:

"Such rights of way as may be required by the Malin Irrigation District for canals and ditches and such roads as are necessary to serve other lands previously sold by Klamath Lake Land & Livestock Co., in the vicinity of the above-described land.

**AFTER RECORDING RETURN TO:**

**FARM CREDIT SERVICES**  
800 Klamath Ave.  
P.O. Box 148  
Klamath Falls, OR 97601

**UNTIL A CHANGE IS REQUESTED, SEND TAX STATEMENTS TO:**

No change

State of Oregon, County of Klamath  
Recorded 03/13/2003 2:44 p.m.  
Vol M03 Pg 15240 - 41  
Linda Smith, County Clerk  
Fee \$ 26 # of Pgs 2

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6) Grant of Right of Way, subject to the terms and provisions thereof dated April 20, 1946, recorded September 13, 1946, in Volume 195, page 364, Deed Records of Klamath County, Oregon, in favor of the California Oregon Power Company for Pole and wire lines and other facilities.

7) Mortgage, including the terms and provisions thereof, dated January 26, 1978, and recorded January 27, 1978 in Volume M78, page 1626, Microfilm Records of Klamath County, Oregon. (Affects Together with No. 3 above).

And Grantor hereby covenants to and with Grantee and Grantee's heirs, successors and assigns, that the real property is free from encumbrances created or suffered thereon by Grantor, except those listed above, and that Grantor will warrant and defend the same and every part and parcel thereof against the lawful claims and demands of all persons claiming by, through or under the grantor.

The true and actual consideration paid for this transfer is \$90,000.00

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 13 day of March, 2003.

Northwest Farm Credit Services, FLCA

by

Stephen D. Lewis, its authorized agent

STATE OF OREGON )  
 ) ss.  
County of Klamath )

The foregoing instrument was acknowledged before me this 13 day of March, 2003, by Stephen D. Lewis, authorized agent of Northwest Farm Credit Services, FLCA.

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Janet Sullivan  
Notary Public for Oregon

