

03 MAR 18 AM 10:58

After Recording Return To:

Ms. Stacy Collins
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 03/18/2003 10:58 A.m.
Vol M03 Pg 16033-38
Linda Smith, County Clerk
Fee \$ 116.00 # of Pgs 6

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

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

K58948
STATUTORY BARGAIN AND SALE DEED

MONY Life Insurance Company, a New York corporation, formerly known as The Mutual Life Insurance Company of New York ("*Grantor*") conveys 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 Four Hundred Forty-five Thousand and 00/100 Dollars (\$445,000.00). (*Here comply with the requirements of ORS 93.030*).

Dated this 11 day of March, 2003.

MONY Life Insurance Company

By: 

DmB

Stephen W. Kritscher,
Authorized Signatory

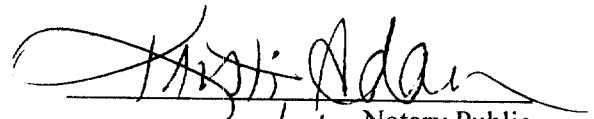
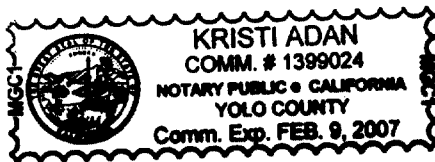
K46 -

STATE OF CALIFORNIA

COUNTY OF YOLO

On this 14th day of March, 2003, 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.

A handwritten signature in cursive script, appearing to read "Kristi Adan", written over a horizontal line.

My Commission Expires: 2/9/07 Notary Public
Printed Name of Notary: Kristi Adan

EXHIBIT "A"**REAL PROPERTY DESCRIPTION**

The following described real property situate in Klamath County, Oregon:

Township 40 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon:

Section 32: SW $\frac{1}{4}$ SW $\frac{1}{4}$ the following described portion of the NW $\frac{1}{4}$ SW $\frac{1}{4}$; beginning at the Southeast corner of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 32; thence North, along the East boundary of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section to a point 245.00 feet North of the High Line Canal of the Shasta View Irrigation District; thence West, parallel with the North boundary of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section to the West boundary of said Section 32; thence South along said Section boundary to the Southwest corner of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 32; thence East, along the South boundary of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section to the point of beginning, and

SE $\frac{1}{4}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$, less 12 acres off the North side of said SW $\frac{1}{4}$ SE $\frac{1}{4}$ being a strip of land 396 feet wide.

Township 41 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon:

Parcel One of Land Partition 21-02, situated in the S $\frac{1}{2}$ NE $\frac{1}{4}$ and N $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 14, Township 41 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon, and

Parcel One of Land Partition 20-02, situated in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, and NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 9, Township 41 South, Range 12 East of the Willamette Meridian and NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 8, Township 41 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon.

EXHIBIT "B"**PERMITTED EXCEPTIONS**

Taxes for the year 2003-2004.

1. 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.

2. Liens and assessments of Klamath Project and Malin Irrigation District, and regulations, contracts, easements, water and irrigation rights in connection therewith.

3. Any unpaid charges or assessments of the Malin Irrigation District.

4. Liens and assessments of Klamath Project and Shasta View Irrigation District, and regulations, contracts, easements, water and irrigation rights in connection therewith.

5. Any unpaid charges or assessments of the Shasta View Irrigation District.

6. The rights of the public in and to that portion of the premises herein described lying within the limits of roads, streets or highways.

7. Oil and Gas Lease, including the terms and provisions thereof,

Recorded : June 20, 1921 in Volume 56 page 299, Deed records of Klamath County, Oregon

And reserved in Deed

Recorded : October 5, 1946 in Volume 196 page 379, Deed records of Klamath County, Oregon

From : J. Z. Smith and wife

To : Roy E. Anderson and wife

8. Rights of Way, including the terms and provisions thereof,

Favor of : California Oregon Power Company

Dated : January 12, 1932

Recorded : January 25, 1932 in Volume 96 page 616, Deed records of Klamath County, Oregon

Dated : March 26, 1942

Recorded : March 12, 1942 in Volume 145 page 609, Deed records of Klamath County, Oregon

Dated : May 8, 1947

Recorded : May 19, 1947 in Volume 206 page 327, Deed records of Klamath County, Oregon

Dated : May 31, 1947

Recorded : June 9, 1947 in Volume 207 page 264, Deed records of Klamath County, Oregon

Dated : July 5, 1949

Recorded : July 8, 1949 in Volume 232 page 334, Deed records of Klamath County, Oregon

9. Reservations and restrictions, including the terms and provisions thereof,

Recorded : in Volume 104 page 517, Deed records of Klamath County, Oregon

From : Klamath Lake Land and Livestock Company of California, a corporation

To : Marion Grant

10. Reservations and Restrictions, including the terms and provisions thereof,

Dated : November 12, 1936

Recorded : December 4, 1936 in Volume 107 page 533, Deed records of Klamath County, Oregon

From : Klamath Lake Land & Livestock

To : G. L. Hembree, et ux

EXHIBIT "B"

PERMITTED EXCEPTIONS

11. Reservations and Restrictions, including the terms and provisions thereof,

Dated : March 25, 1937
Recorded : June 12, 1937 in Volume 110 page 137, Deed records of Klamath County, Oregon
From : the Klamath Lake Land and Livestock Co.
To : Chas. Henry Johnson and Gertrude A. Johnson

12. Right of Way, including the terms and provisions thereof,

Dated : May 3, 1945
Recorded : May 9, 1945 in Volume 176 page 171, Deed records of Klamath County, Oregon
From : B. H. Pickett and Anna A. Pickett, his wife
To : The California Oregon Power Company, a California corporation

13. Right of Way, including the terms and provisions thereof,

Dated : November 2, 1945
Recorded : August 13, 1946 in Volume 194 page 45, Deed records of Klamath County, Oregon
From : Harry E. Wilson and Emma Willson, his wife
To : The California Oregon Power Company

14. Easement for road purposes, including the terms and provisions thereof,

Dated : August 1, 1951
Recorded : August 9, 1951 in Volume 249 page 85, Deed records of Klamath County, Oregon
From : Jerry V. Rajnus and Helen Rajnus, husband and wife
To : Klamath County, a political subdivision of the State of Oregon

15. Water User's Contract, including the terms and provisions thereof,

Dated : July 22, 1949
Recorded : May 12, 1962 in Volume 260 page 569, Deed records of Klamath County, Oregon
From : Roy Anderson and Grace B. Anderson, his wife
To : Shasta View Irrigation District

16. Reservations and Restrictions, including the terms and provisions thereof,

Dated : May 21, 1962
Recorded : May 25, 1962 in Volume 337 page 596, Deed records of Klamath County, Oregon
From : Lewis E. Bay and Clara E. Bay
To : Johnson Stock Co.

17. Contract and Grant of Easement, including the terms and provisions thereof,

Dated : April 30, 1973
Recorded : August 8, 1973 in Volume M73 page 10375, Deed records of Klamath County, Oregon
Between : Shasta View Irrigation District and Donald Micka and Elsie Micka, husband and wife
By instrument, including the terms and provisions thereof
Dated : November 3, 1975
Recorded : November 14, 1975 in Volume M75 page 13760, Deed records of Klamath County, Oregon
From : Shasta View Irrigation district
To : The United States of America

EXHIBIT "B"**PERMITTED EXCEPTIONS**

18. Contract and Grant of Easement, including the terms and provisions thereof,

Dated : May 9, 1973

Recorded : August 9, 1973 in Volume M73 page 10557, Deed records of Klamath County, Oregon

Between : Shasta View Irrigation District and Vincent Havline and Rose Havline, husband and wife

By instrument, including the terms and provisions thereof,

Dated : November 3, 1975

Recorded : November 14, 1975 in Volume M75 page 13760, Deed records of Klamath County, Oregon

From : Shasta View Irrigation District

To : The United States of America