

WHEN RECORDED MAIL TO:

Vol M04 Page 11502

MAIL TAX STATEMENTS TO:

JOE J. BAIR, JR.

State of Oregon, County of Klamath  
Recorded 02/27/2004 2:23 p m  
Vol M04 Pg 11502-3  
Linda Smith, County Clerk  
Fee \$ 26.00 # of Pgs 2

## SPECIAL WARRANTY DEED

GARY D. OREM and JANIE M. OREM, husband and wife,

GRANTOR, conveys and specially warrants to

JOE J. BAIR, JR., a single man,

GRANTEE, the following described real property situate in Klamath County, State of Oregon, free of encumbrances created or suffered by GRANTOR except as specifically set forth below:

Parcel 1 of Land Partition 25-03 situate in NE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 12, Township 39 South, Range 9, EWM.

E $\frac{1}{4}$ E $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$  lying North of the North boundary line of Kerns Tracts if said line were extended Westerly, in Section 12, Township 39 South, Range 9, EWM, excepting therefrom any portion lying within the right of way of the Oregon California & Eastern Railroad right of way.

Together with Lots 1, 2, and 3, Block 5, and Lots 1 to 12 inclusive, Block 6, Kerns Tracts, according to the official plat thereof on file in the office of the County Clerk, Klamath County, Oregon. [APN# R566541(contains additional property), R566630, R566621 and R559210]

### SUBJECT TO:

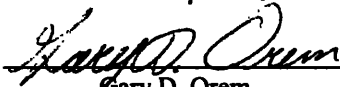
1. Liens and assessments of Klamath Project and Enterprise Irrigation District, and regulations, contracts, easements, water and irrigation rights in connection therewith.
2. Easement, including terms and provisions contained therein: recorded in Volume 125, page 115, Records of Klamath County, Oregon, in favor of Fred Linfesty for access.
3. An easement reserved in a deed, including the terms and provisions thereof; recorded January 17, 1966, in Vol. M-66 page 475 Deed Records of Klamath County, Oregon, from Kerns Brothers Real Estate, a co-partnership consisting of James William Kerns, and John Paul Kerns and Robert E. Kerns, grantor, to Crater Lake Potato Distributors, Inc., an Oregon corporation, grantee, as follows: "reserving unto grantor, its successors and assigns, an easement over the Northerly 30 feet of said property for ingress and egress to and from grantors property lying West of the property herein granted, which said easement shall be appurtenant to grantors said property."
4. Easement as disclosed on Partition 25-03, Records of Klamath County, Oregon, for access and utilities.


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 and actual consideration paid for this transfer, stated in terms of dollars, is \$235,000.00.

In construing this deed and where the context so requires, the singular includes the plural, the masculine includes the feminine and the neuter and, generally, all grammatical changes shall be made, assumed and implied to make the provisions hereof apply equally to corporations and to individuals.

Dated: 2/27/04

  
\_\_\_\_\_  
Gary D. Orem

  
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Janie M. Orem

[JURAT APPEARS ON PAGE FOLLOWING]

MAIL TAX STATEMENTS AS DIRECTED ABOVE

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STATE OF OREGON                     )  
COUNTY OF KLAMATH            ) ss

On February 27, 2004, personally appeared the above named GARY D. OREM and JANIE M. OREM and acknowledged the foregoing instrument to be their voluntary act and deed.

(SEAL)



Before me:

Susan Marie Campbell  
Notary Public  
My Commission expires: 3-27-06