

04 MAR 3 AM 8:45

LESTER R. STURM
36121 Stastny Road
Malin, Oregon 97632
Grantor's Name and Address

LESTER RAY STURM, Trustee
36121 Stastny Road
Malin, Oregon 97632
Grantee's Name and Address

After recording, return to:

LESTER RAY STURM
36121 Stastny Road
Malin, Oregon 97632

Until requested otherwise, send all tax statements to:

LESTER RAY STURM
36121 Stastny Road
Malin, Oregon 97632

Vol M04 Page 12346

State of Oregon, County of Klamath
Recorded 03/03/2004 8:45 m
Vol M04 Pg 12346-53
Linda Smith, County Clerk
Fee \$ 56.00 # of Pgs 8

STATUTORY WARRANTY DEED

LESTER R. STURM, Grantor,
conveys to LESTER RAY STURM, Trustee of the LESTER RAY STURM 2003 TRUST dated July 9, 2003, Grantee
the following real property free of liens and encumbrances, except as specifically set forth herein:

SEE EXHIBIT 'A' ATTACHED HERETO AND MADE A PART HEREOF

EXCEPTIONS of record on file with the County of Klamath.

The true consideration for this conveyance is \$ NONE (Here, comply with the requirements of ORS 93.030.)

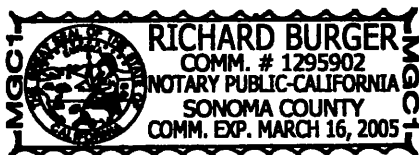
DATED 2-12-04


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.


Lester R. Sturm

STATE OF California, County of Sonoma ss.

This instrument was acknowledged before me on 2/12/2004, by Lester R. Sturm.




Notary Public for the State of California
My commission expires March 15, 2005

56
RE Richard Burger

EXHIBIT "A"
LEGAL DESCRIPTION

PARCEL 1

A tract of land situated in Sections 18 and 19, Township 41 South, Range 13 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at the Northwest corner of said Section 18; thence South 89 degrees 56' 02" East 3005.07 feet to the N1/4 corner of said Section 18; thence South 00 degrees 08' 16" West, along the North-South center section line, 4332.68 feet to a point marked with a 5/8" iron pin with a Tru-Line Surveying plastic cap; thence West 450.46 feet to a 5/8" iron pin with a Tru-Line Surveying plastic cap; thence North 250.00 feet to a 5/8" iron pin with a Tru-Line Surveying plastic cap; thence West 825.00 feet to a 5/8" iron pin with a Tru-Line Surveying plastic cap; thence North 704.00 feet to a 1/2" iron pin; thence North 59 degrees 58' 54" West 831.54 feet to a 1/2" iron pin; thence North 300.00 feet to a 5/8" iron pin; thence South 89 degrees 56' 49" West 700.00 feet to a 5/8" iron pin; thence South 1000.00 feet to a 5/8" iron pin; thence South 89 degrees 56' 49" West 240.32 feet to a point 60.00 feet East of the West line of said Section 18; thence South 00 degrees 01' 04" West, parallel to said Section line 742 feet more or less to the center line of an irrigation canal; thence Southeasterly along said canal centerline, 3180 feet more or less to a point on the South line of the N1/2 NW1/4 of said Section 19; thence Westerly along said line 1165 feet, more or less to the Southerly right of way line of an irrigation ditch; thence along said right of way line North 35 degrees West 1350 feet, more or less and North 84 degrees 30' West 150 feet, more or less, to the West line of said Sections 19; thence North 00 degrees 01' 04" East 209.88 feet to the Northwest corner of said Section 19; thence North 00 degrees 01' 04" East along the West line of said Section 18, 2029.92 feet to a point on the boundary of that tract of land described in Deed Volume 114, page 415, Deed Records of Klamath County, Oregon; thence along said boundary line the following courses and distances, North 44 degrees 38' East 208.27 feet, North 09 degrees 14' West 289.6 feet, North 13 degrees 48' East 233.6 feet, North 06 degrees 38' East 259.2 feet, North 13 degrees 38' West 224.1 feet, North 31 degrees 16' West 184.9 feet, North 07 degrees 51' West 240.2 feet and North 22 degrees 46' West 8.9 feet to a point on the West line of said Section 18; thence North 00 degrees 01' 04" East, along said West line, 1763.37 feet to the point of beginning.

PARCEL 2

Parcel 2 of Minor Land Partition No. 37-90, filed February 28, 1991, being a portion of the NE1/4 of Section 12, Township 41 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon, and Government Lots 1 through 4 and the SE1/4 SW1/4 of Section 7, Township 41 South, Range 13 East of the Willamette Meridian, Klamath County, Oregon.

Parcel 1 of Minor Land Partition No. 37-90, filed February 28, 1991, being a portion of the NE1/4 of Section 12, Township 41 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon, and Government Lots 1 through 4 and the SE1/4 SW1/4 of Section 7, Township 41 South, Range 13 East of the Willamette Meridian, Klamath County, Oregon.

EXCEPTING THEREFROM a portion of the NW1/4 NE1/4 of Section 12, Township 41 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Beginning at the SW corner NW1/4 NE1/4; thence North 00 degrees 22' 18" West 31 feet, thence South 89 degrees 50' 18" East 30 feet; thence South 31 feet, more or less, to the South line of the NW1/4 NE1/4; thence Westerly along said South line 30 feet, more or less, to the point of beginning.

ALSO EXCEPTING THEREFROM any portion lying within the W1/2 SW1/4 NE1/4 of Section 12, Township 41 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon.

PARCEL 3

A tract of land situated in Government Lot 4 (SW1/4SW1/4) of Section 7, Township 41 South, Range 13 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at the Southwest corner of said Section 7; thence East along the South line of said Section, 1677.16 feet to the Southeast quarter of Lot 4, thence North along the East line of Lot 4, 132.73 feet; thence West parallel to the South line of said lot, also the West line of said Section; thence South along said West line 132.73 feet to the point of beginning.

PARCEL 4

A tract of land situated in Section 31, Township 40 South, Range 13 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a point on the South line of the SE1/4 NE1/4 of said Section 31 from which point the Southeast corner of said SE1/4 NE1/4 bears South 89 degrees 28' 07" East 1061.26 feet; thence the following courses and distances:

South 18 degrees 44' 08" East 590.47 feet; South 23 degrees 04' 51" East 385.43 feet; South 20 degrees 08' 02" East 275.85 feet; South 01 degrees 00' East, 153.92 feet to a point on the North line of Lot 7 of said Section 31; thence North 89 degrees 31' 10" West on said North line, 663.22 feet; thence leaving said North line on the following courses and distances:

North 61 degrees 11' 14" West 165.10 feet; North 29 degrees 33' 57" West 284.64 feet; North 40 degrees 30' 09" West, 181.16 feet; North 53 degrees 21' 02" West, 141.88 feet; North 76 degrees 48' 07" West, 611.43; North 07 degrees 51' 21" West 213.86 feet; North 24 degrees 14' 23" West 611.89 feet; North 10 degrees 03' 08" West, 254.20 feet; North 23 degrees 20' 05" West 133.80 feet; North 10 degrees 15' 35" West, 294.26 feet; North 05 degrees 49' 53" East, 286.90 feet; North 14 degrees 52' 21" West, 307.33 feet; North 81 degrees 42' 04" East, 246.78 feet; South 41 degrees 01' 39" East, 209.85 feet; South 57 degrees 28' 17" East 1075.61 feet; South 50 degrees 45' 53" East, 327.70 feet to a point on the West line of said SE1/4 NE1/4; thence South 00 degrees 57' 48" East on said West line, 472.33 feet to the Southwest corner of said SE1/4 NE1/4; thence South 89 degrees 28' 07" East on the South line of said SE1/4 NE1/4, 266.02 feet to the point of beginning. (1988 Pope)

EXCEPTING THEREFROM:

Beginning at a point marked R-1 from which the Southeast corner of Section 31, Township 40 South, Range 13 East of the Willamette Meridian, Klamath County, Oregon, bears South 28 degrees 56' East 1646 feet distant; thence along water line of proposed reservoir, variation 20 degrees 28' East; North 13 degrees 00' West 275 feet; North 16 degrees 15' West 205 feet; North 34 degrees 15' West 275 feet; North 15 degrees 00' West 480 feet; North 24 degrees 30' West 545 feet; North 41 degrees 30' West 335 feet; North 58 degrees 15' West 490 feet; North 62 degrees 15' West 475 feet; North 56 degrees 30' West 325 feet; South 34 degrees 45' West 185 feet; South 3 degrees 30' East 570 feet; South 25 degrees 30' East 670 feet; South 17 degrees 15' East 420 feet; South 47 degrees 00' East 380 feet; South 88 degrees 00' East 250 feet; South 57 degrees 00' East 50 feet; South 56 degrees 30' East 110 feet; South 43 degrees 45' East 200 feet; South 34 degrees 30' East 243 feet; South 60 degrees 15' East 224 feet; South 46 degrees 30' East 40 feet; North 67 degrees 00' East 140 feet; North 7 degrees 45' East 225 feet to the place of beginning, said property being known as Simms Reservoir, and also known as Pope Reservoir.

PARCEL 5

Beginning at a point marked R-1 from which the Southeast corner of Section 31, Township 40 South, Range 13 East of the Willamette Meridian, Klamath County, Oregon, bears South 28 degrees 56' East 1646 feet distant; thence along water line of proposed reservoir, variation 20 degrees 28' East; North 13 degrees 00' West 275 feet; North 16 degrees 15' West 205 feet; North 34 degrees 15' West 275 feet; North 15 degrees 00' West 480 feet; North 24 degrees 30' West 545 feet; North 41 degrees 30' West 335 feet; North 58 degrees 15' West 490 feet; North 62 degrees 15' West 475 feet; North 56 degrees 30' West 325 feet; South 34 degrees 45' West 185 feet; South 3 degrees 30' East 570 feet; South 25 degrees 30' East 670 feet; South 17 degrees 15' East 420 feet; South 47 degrees 00' East 380 feet; South 88 degrees 00' East 250 feet; South 57 degrees 10' East 50 feet; South 56 degrees 30' East 110 feet; South 43 degrees 45' East 200 feet; South 34 degrees 30' East 243 feet; South 60 degrees 15' East 224 feet; South 46 degrees 30' East 440 feet; North 67 degrees 00' East 140 feet; North 7 degrees 45' East 225 feet to the place of beginning, said property being known as Simms Reservoir, and also known as Pope Reservoir.

TOGETHER WITH: AN AGREEMENT AND EASEMENT subject to the terms and provisions thereof as set forth in document recorded April 29, 1979 in Volume M79, Page 6814 Microfilm Records of Klamath County, Oregon.

RESERVING UNTO THE GRANTORS for the benefit of grantor's and RICK RAWSON and JENNIFER RAWSONS use and enjoyment an equestrian and walking easement for access to Bureau of Land Management lands through the property herein conveyed. Said easement being personal to Grantors and Rick Rawson and Jennifer Rawson and it is not transferable and will remain in existence only as long as Grantors or Rawsons own the adjoining property described on Exhibit "C" attached hereto and incorporated herein. This easement shall allow guests of Grantors or Rawsons to use the easement as long as one of Grantors or Rawsons are with the guests. Grantee may designate a reasonable and feasible route for the easement. Grantors and Rawsons are to leave all gates in the position in which they are found and to ride on roads, trails or whatever reasonable route Grantee designates.

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. 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.

3. The premises herein described are within and subject to the statutory powers, including the power of assessment, of Malin Irrigation District.
4. The premises herein described are within and subject to the statutory powers, including the power of assessment, of Shasta View Irrigation District.
5. The premises herein described are within and subject to the statutory powers, including the power of assessment, of Langell Valley Irrigation District.
6. An easement created by instrument, subject to the terms and provisions thereof,
Dated: May 19, 1942
Recorded: August 1, 1942
Volume: 149, page 62, Deed Records of Klamath County, Oregon
In favor of: The Pacific Telephone and Telegraph Company, a California corporation
For: Pole and anchor
Affects: W1/2 Section 18, Township 41 South, Range 13 East of the Willamette Meridian
8. An easement created by instrument, subject to the terms and provisions thereof,
Dated: July 22, 1946
Recorded: September 21, 1946
Volume 196, page 75, Deed Records of Klamath County, Oregon
In favor of: The California Oregon Power Company, a California corporation
For: Transmission and distribution of electricity
Affects: SW1/4 Section 18, Township 41 South, Range 13 East of the Willamette Meridian
7. An easement created by instrument, subject to the terms and provisions thereof,
Dated: December 21, 1950
Recorded: January 4, 1951
Volume: 244, page 353, Deed Records of Klamath County, Oregon
In favor of: The California Oregon Power Company, a California corporation
For: Transmission and distribution of electricity
Affects: SW1/4 Section 18, Township 41 South, Range 13 East of the Willamette Meridian
8. An easement created by instrument, subject to the terms and provisions thereof,
Recorded: December 20, 1963
Volume: 350, page 31, Deed Records of Klamath County, Oregon
In favor of: The United States of America
For: Access Road
9. An easement created by instrument, subject to the terms and provisions thereof,
Dated: December 8, 1965
Recorded: January 1, 1966
Volume: M66, page 111, Microfilm Records of Klamath County, Oregon
In favor of: United States of America
For: Transmission line easement
Affects: Portion of Sections 30 and 31, Township 40 South, Range 13 East of the Willamette Meridian
10. An easement created by instrument, subject to the terms and provisions thereof,
Dated: February 9, 1966
Recorded: March 7, 1966
Volume: M66, page 1880, Microfilm Records of Klamath County, Oregon
In favor of: Portland General Electric Company, an Oregon corporation
For: Electric transmission line
Affects: Portion of Sections 30 and 31, Township 40 South, Range 13 East of the Willamette Meridian

11. An easement created by instrument, subject to the terms and provisions thereof,
 Dated: August 17, 1966
 Recorded: September 8, 1966
 Volume: M66, page 8992, Microfilm Records of Klamath County, Oregon
 In favor of: Ronald E. Loveness and Mary Lou Loveness, husband and wife
 For: Road purposes

12. An easement created by instrument, subject to the terms and provisions thereof,
 Dated: September 1, 1966
 Recorded: September 21, 1966
 Volume: M66, page 9375, Microfilm Records of Klamath County, Oregon
 In favor of: The United States of America and Portland General Electric Company, an Oregon corporation
 For: Access road easement
 Affects: Portion of Sections 30 and 31, Township 40 South, Range 13 East of the Willamette Meridian

13. An easement created by instrument, subject to the terms and provisions thereof,
 Dated: June 5, 1967
 Recorded: June 5, 1967
 Volume: M67, page 5498, Microfilm Records of Klamath County, Oregon
 In favor of: Pacific Power & Light Company, a corporation
 For: Electric transmission and distribution line
 Affects: Portion of Sections 30 and 31, Township 40 South, Range 13 East of the Willamette Meridian

14. An easement created by instrument, subject to the terms and provisions thereof,
 Dated: June 10, 1968
 Recorded: September 6, 1968
 Volume: M68, page 8104, Microfilm Records of Klamath County, Oregon
 In favor of: The United States of America
 For: Access road easement
 Affects: Portion of Sections 30 and 31, Township 40 South, Range 13 East of the Willamette Meridian

15. An easement created by instrument, subject to the terms and provisions thereof,
 Dated: April 6, 1973
 Recorded: April 6, 1973
 Volume: M73, page 4056, Microfilm Records of Klamath County, Oregon
 To: Pacific Power & Light Company, a corporation
 For: Right of Way for electric transmission and distribution line

16. An easement created by instrument, subject to the terms and provisions thereof,
 Dated: September 17, 1973
 Recorded: September 26, 1973
 Volume: M73, page 13049, Microfilm Records of Klamath County, Oregon
 In favor of: Loren E. Loveness and Linda L. Loveness, husband and wife
 For: A perpetual easement

17. An easement created by instrument, subject to the terms and provisions thereof,
 Dated: December 8, 1973
 Recorded: March 1, 1975
 Volume: M75, page 3218, Microfilm Records of Klamath County, Oregon
 In favor of: Loren E. Loveness and Linda L. Loveness, husband and wife
 For: Road purposes

18. Right of Way Easement, subject to the terms and provisions thereof,
Dated: April 19, 1977
Recorded: April 25, 1977
Volume: M77, page 6976, Microfilm Records of Klamath County, Oregon
In favor of: Pacific Power and Light Company
For: Electric Transmission and distribution line
Affects: NW1/4 NW1/4 Section 19, Township 41 South, Range 13 East of the
Willamette Meridian
19. The effect, if any, of an easement for ingress and egress and public utility
purposes as set forth in deed from Amelia Barney et al dated February 14, 1979,
and recorded March 23, 1979 in Volume M79, page 6573, Microfilm Records of
Klamath County, Oregon. Said deed was re-recorded April 12, 1979 in Volume
M79, page 8033, Microfilm Records of Klamath County, Oregon to eliminate the
reservation of easement. however said changes were not properly initialed.
20. Agreement for Joint Use of Water, subject to the terms and provisions
thereof;
Dated: March 15, 1979
Recorded: March 23, 1979
Volume: M79, page 6579, Microfilm Records of Klamath County, Oregon
By and Between: R.H. & L. Loveness Lumber Company and Rollin Throne and Leith
Throne, husband and wife.
21. An easement created by instrument, subject to the terms and provisions thereof,
Dated: June 22, 1979
Recorded: June 23, 1979
Volume: M79, page 17423, Microfilm Records of Klamath County, Oregon
In Favor of: Pacific Power & Light Company, a corporation
For: Right of way easement 145 feet in width
Affects: Portion of Sections 30 and 31, Township 40 South, Range 13 East of the
Willamette Meridian, Klamath County, Oregon
22. Subject to the effect of the re-recording of Bargain and Sale Deed dated
August 16, 1983, recorded February 24, 1984 in Volume M84, page 2983, executed by
Loyal H. Loveness to Mildred H. Loveness, creating 1/4 interest each, to correct
legal descriptions of Parcel (a) and Parcel (b).
23. Right of way for an airstrip as disclosed by the Klamath County Assessor's map.
24. Major Land Partition Creation of a Private Road, subject to the terms and
provisions thereof;
Dated: October 30, 1989
Recorded: November 2, 1989
Volume: M89, page 21172, Microfilm Records of Klamath County, Oregon
For: 30' wide private road easement
25. An Easement Agreement created by instrument, subject to the terms and provisions
thereof;
Dated: December 21, 1989
Recorded: December 22, 1989
Volume: M89, page 24740, Microfilm Records of Klamath County, Oregon
Grantor: Vinton Alan Loveness, Vicki Sue Rogal and Kathy Adair Rogers
Grantee: Loren Loveness and Elsie Loveness, as tenants in common

26. Agreement, subject to the terms and provisions thereof;

Dated: December 7, 1990-

Recorded: December 14, 1990

Volume: M90, page 24793, Microfilm Records of Klamath County, Oregon

By and Between: Vinton Alan Loveness, Vicki Sue Rogal and Kathy Adair Rogers, Loren Loveness and Elsie Loveness, husband and wife, Loyal H. Loveness and Ronald E. Loveness, Trustees of the Loyal H. Loveness 1983 Trust and Mildred Loveness 1983 Trust.

27. An easement created by instrument, subject to the terms and provisions thereof,

Dated: December 3, 1990

Recorded: December 14, 1990

Volume: M90, page 24781, Microfilm Records of Klamath County, Oregon

For: An easement 30 feet in width for roadway purposes

28. An easement created by instrument, subject to the terms and provisions thereof,

Dated: September 6, 1991

Recorded: September 11, 1991

Volume: M91, page 18230, Microfilm Records of Klamath County, Oregon

Grantor: Loren Loveness and Elsie Loveness

Grantee: Loyal Loveness and Mildred H. Loveness

29. An easement created by instrument, subject to the terms and provisions thereof,

Dated: September 6, 1991

Recorded: September 11, 1991

Volume: M91, page 18249, Microfilm Records of Klamath County, Oregon

Grantor: Loren Loveness and Elsie Loveness

Grantee: Winifred Mendibore

For: Irrigation ditch easement

30. The easements set forth in exceptions number 11, 24, 25, 27 and 28 above and recorded September 8, 1966 in Volume M66, page 8992, Microfilm Records of Klamath County, Oregon; instrument recorded November 2, 1989, in Volume M89, Page 21172, Microfilm Records of Klamath County, Oregon; instrument recorded December 22, 1989, in Volume M89, Page 24740, Microfilm Records of Klamath County, Oregon; instrument recorded December 14, 1990, in Volume M90, page 24781, Microfilm Records of Klamath County, Oregon; and instrument recorded September 11, 1991, in Volume M91, page 18230, Microfilm Records of Klamath County, Oregon. These easements are access easements and Grantee shall not place any restriction on these easements in the nature of fences, gates or other activities that would interfere with free passage on the easements.