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WHEN RECORDED MAIL TO:

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MAIL TAX STATEMENTS TO:

State of Oregon, County of Klamath
Recorded 02/15/2005 10:43 a m
Vol M05 Pg 10355-57
Linda Smith, County Clerk
Fee \$ 3/00 # of Pgs 3

JAMES C. LYMAN and CAROLYN J. LYMAN
19065 O'Keeffe Road
Tulelake, CA 96134

Aspen 59362 MA

SPECIAL WARRANTY DEED

JANET S. BOOTH, dealing with her individual property, CHARLENE OMAN, dealing with her individual property, JEAN A. DANOSKY, dealing with her individual property, and CAROLYN K. HARGROVE, dealing with her individual property,

GRANTOR, conveys and specially warrants to

JAMES C. LYMAN and CAROLYN J. LYMAN, husband and wife,
as their community property pursuant to ORS 112.705-112.775,

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:

PROPERTY

PARCEL 1:

That portion of Government Lots 7,8,12, 14 and 20, Section 16, Township 41 South, Range 11 East of the Willamette Meridian, lying West of Lost River and East of the J-1-A Lateral, Klamath County, Oregon.

PARCEL 2:

Government Lot 21 and that portion of Government Lots 10 and 11, Section 16, Township 41 South, Range 11 East of the Willamette Meridian, lying West of the Westerly right of way line of Central Pacific Railroad and East of Lost River, Klamath County, Oregon.

EXCEPTING THEREFROM a parcel of land situated in Government Lot 11 of Section 16, Township 41 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows: Beginning at a 1/2 inch Iron pin on the Southerly right of way line of the South (sic) Pacific Railroad [S.P.R.R.] right of way from which the Intersection of said right of way and the East line of said Section 16 bears South 39°38'52" East, 227.85 feet; thence North 39°38'52" West along said right of way line, 222.49 feet to a 1/2 Inch iron pin; thence leaving said right of way line South 10°04'45" West, 535.92 feet to a 1/2 inch iron pin on the Northerly bank of Lost River; thence South 49°44'25" East along said Northerly bank of Lost River 196.37 feet to a 1/2 inch iron pin; thence leaving said bank North 10°04'45" East, 490.81 feet to the point of beginning.

ALSO EXCEPTING a parcel of land situated in Government Lots 11 and 21 of Section 16, Township 41 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows: Beginning at a point marking the Intersection of the Southerly line of the S.P.R.R. right of way with the East line of said Section 16; thence North 39°38'52" West along said right of way line 227.85 feet to a 1/2 Inch Iron pin; thence leaving said right of way line South 10°04'45" West, 490.81 feet to a 1/2 Inch Iron pin on the Northerly bank of Lost River; thence along said bank South 49°44'25" East to a point on the Northerly right of way line of "State Line Road"; thence East along said right of way line to its intersection with the East line of said Section 16; thence North along said section line to the point of beginning.

PARCEL 3:

A tract of land situated in Government Lots 9 and 13, Section 16, Township 41 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows: That portion of

Government Lots 9 and 13 lying Southerly of the Southwesterly right of way line of the Central Pacific Railroad right of way and Easterly of a line lying 100 feet West of the East line of said lots.

KL *KL* *KL* **EXCEPTIONS TO TITLE**

1. 2004-05 Klamath County Taxes and Assessments not yet a lien, but which will be a lien on 7/1/03 which BUYER assumes and agrees to pay.
2. Terms and conditions of special assessment as farm use and the right of Klamath County, Oregon, to additional taxes, plus interest in the event said use should be changed which obligation BUYER assumes and agrees to pay and perform;
3. Levies and assessments of Klamath Irrigation District, which BUYER assumes and agrees to pay.
4. Easement in favor of United States of America created by instrument recorded 8/5/52 in Book 256, page 137, Deed Records of Klamath County, Oregon.
5. Any adverse claim based on assertion any portion of the PROPERTY has been removed from or brought within its boundaries by the process of accretion or reliction or any change in the location of Lost River.
6. Any adverse claim based on assertion any portion of the PROPERTY has been created by artificial means or has accreted or is based on ORS 274.905 through 274.940.
7. Any adverse claim based on the assertion any portion of the PROPERTY is now or at any time has been below the ordinary high water line of Lost River.
8. Rights of the public, riparian owners and governmental bodies as to the use of the waters of Lost River and the nature flow thereof on and across that portion of the PROPERTY lying below the high water line of said waterway.
9. Easements and rights of way of record and apparent thereon.

KL *KL* *KL* 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 \$161,000.00. However, the actual consideration consists of value promised which is the whole consideration, specifically promissory notes secured by trust deeds.

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: July 19, 2004

Janet S. Booth
Janet S. Booth

Charlene Oman
Charlene Oman

Jean A. Danosky
Jean A. Danosky

Carolyn K. Hargrove
Carolyn K. Hargrove

[JURATS ATTACHED]

AIL TAX STATEMENTS AS DIRECTED ABOVE

GIACOMINI LAW OFFICE, 115 N. 5th Street, Suite 202, Klamath Falls, OR 97601; Telephone (541) 884-7728; Telefax (541) 883-1759

NOTARY JURAT FOR SPECIAL WARRANTY DEED

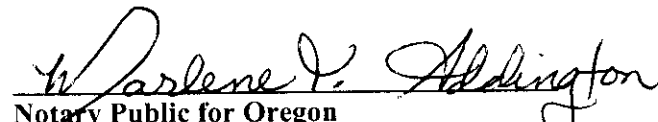
STATE OF OREGON)

)ss.

County of Klamath)

On July 19, 2004, personally appeared Janet S. Booth and Charlene Oman and Jean A. Danosky and Carolyn K. Hargrove, who acknowledged the foregoing to be their voluntary act and deed.

Before me:


Notary Public for Oregon
My Commission Expires: March 22, 2005

