

MTZ-71120TM

## WARRANTY DEED

**Grantor:** Leo G. Pierce & Joyce C. Pierce,  
Trustees of the Leo G. Pierce &  
Joyce C. Pierce Revocable Trust  
8006 Carson Creek Street  
Las Vegas, NV 89113

**M05-64835**

Klamath County, Oregon  
09/22/2005 10:30:18 AM  
Pages 4 Fee: \$36.00

**Grantee:** Frank A. Rojas and Maria L. Rojas  
1353 Kent Place  
Glendale, CA 91205

**Consideration: \$162,200.00**

**After recording, return to:** James R. Uerlings  
Boivin, Uerlings & Dilaconi, P.C.  
803 Main Street, Ste 201  
Klamath Falls, OR 97601

**KNOW ALL MEN BY THESE PRESENTS,** That **Leo G. Pierce & Joyce C. Pierce, Trustees of the Leo G. Pierce & Joyce C. Pierce Revocable Trust**, hereinafter called Grantor, for the consideration hereinafter stated, to grantor paid by **Frank A. Rojas and Maria L. Rojas, husband and wife**, hereinafter called Grantee, does hereby grant, bargain, sell and convey unto Grantee and Grantee's heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of Klamath, State of Oregon, described as follows, to-wit:

**\*\*Dated October 13, 1999**

See **Exhibit A**, attached hereto and incorporated by this reference.

To Have and to Hold the same unto the said Grantee and Grantee's heirs, successors and assigns forever.

And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances and that grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is **\$162,200.00**.

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.

3600

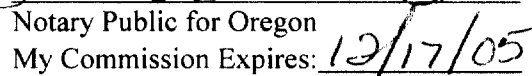


EXHIBIT "A"  
LEGAL DESCRIPTION

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

A tract of land situated in Sections 21 and 28, Township 40 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows.

Beginning at a point where the centerline of a U.S.B.R. Drain intersects the Northerly right of way line of State Highway No. 39, from which the Northeast corner of the Southeast Quarter of said Section 21 bears North 47° 21' 28" East 6085.30 feet; thence North 38° 35' 09" East along said centerline, 293.19 feet; thence North 08° 27' 19" East along said centerline 864.97 feet, thence South 81° 32' 41' East 46.22 feet to the centerline of an irrigation ditch, thence North 54° 34' East along the centerline of said irrigation ditch, 250 feet, more or less, to the West line of the E1/2 NW1/4 of said Section 28; thence Northerly along said West line and along the East line of the SW1/4 SW1/4 of said Section 21, 788.48 feet to the Northwesterly extended centerline of a drainage ditch; thence South 69° 56' 34" East along said centerline and its extension, 1362.88 feet; thence continuing along said centerline, the following three courses and distances; South 26° 38' 58" East 393.77 feet; South 38° 30' 26" East 76.29 feet; South 44° 50' 32" West 284.35 feet to a point lying 15 feet West of the West line of Government Lot 1 of said Section 28; thence Southerly parallel to the West line of said Government Lot 1, 752.06 feet to the centerline of a drainage ditch; thence North 87° 17' 09" West 1292.77 feet; thence South 08° 47' 17" West along a fence, 682.74 feet to the Northeasterly right of way line of State Highway No. 39; thence Northwesterly along said right of way line, 629.61 feet to the point of beginning

Tax Account No:	4010-02100-01200-000	Key No:	696456
Tax Account No:	4010-02100-01301-000	Key No:	476030
Tax Account No:	4010-02800-00300-000	Key No:	696465
Tax Account No:	4010-02800-00400-000	Key No:	99574
Tax Account No:	4010-02800-00500-000	Key No:	695894
Tax Account No:	4010-02800-00800-000	Key No:	99609

Special Exceptions:

- 1: 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.

2. The assessment roll and the tax roll disclose that the premises herein described have been specially assessed as Forest 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.  
Affects: 4010-02100-01301-000
3. Rights of the public in and to any portion of the herein described premises lying within the limits of streets, roads or highways.
4. The premises herein described are within and subject to the statutory powers, including the power of assessment and easements of Klamath Irrigation District.
5. Liens and assessments of Klamath Project and Klamath Irrigation District, and regulations, contracts, easements, water and irrigation rights in connection therewith.
6. Liens and assessments of Klamath Project and Upper Van Brimmer Drainage District and Van Brimmer Ditch Company and regulations, contracts, easements, water and irrigation rights in connection therewith.
7. Waiver of Riparian Rights, subject to the terms and provisions thereof, from A.F. Bunnell, to the United States of America, dated August 3, 1905, recorded September 16, 1905, Volume 18, page 356, Deed Records of Klamath County, Oregon.
8. Right of Way, subject to the terms and provisions thereof, to California Oregon Power Company, dated August 20, 1929, recorded August 27, 1929, I Volume 87 on page 620, Deed Records of Klamath County, Oregon.
9. Easement for transmission line, subject to the terms and provisions thereof, given by S.W. Chin et al., to Pacific Power & Light Company, a corporation, dated May 6, 1965, recorded July 13, 1966, Volume M66, page 7112, Deed Records of Klamath County, Oregon.
10. Easement for USBR 5-H Drain, as disclosed by the Assessor's Map.  
Affects: A Southwesterly portion of the herein described property
11. Easement for road, 20 feet in width, as disclosed by the Assessor's Map.  
Affects: The Westerly 20', more or less, of 4010-02100-01200-000
12. **Unrecorded Farm Lease Agreement dated September 2, 2005 between Leo G. Pierce & Joyce C. Pierce, Trustees of the Leo G. Pierce & Joyce C. Pierce Revocable Trust, as landlord and Allan Wiard, as tenant (expires November 30, 2005).**