

1190880

2008-010882

Klamath County, Oregon



00050725200800108820030034

07/31/2008 03:35:18 PM

Fee: \$31.00

Recording Requested By:

Drew Hill  
P O Box 208  
Merrill, OR 97633

When Recorded Mail To:

Drew Hill  
P O Box 208  
Merrill OR 97633

Mail Tax Statements To:

P O Box 208  
Merrill, OR 97633

(This Space for Recorder's Use)

WARRANTY DEED

1st 1190880

David D. Hill and Sandra A. Hill, husband and wife, hereinafter referred to as "Grantors", convey and specially warrant unto Hill Land Co., LLC, an Oregon Limited Liability Company, all that real property situated in Klamath County, State of Oregon and described as:

See Exhibit "A" attached, including all appurtenant irrigation rights.

Grantors covenant that title to same is free from encumbrances excepting:

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 Klamath Irrigation District, and regulations, contracts, easements, water and irrigation rights in connection therewith.
3. Acceptance of the Terms and Conditions of Reclamation Extension Act, including terms and provisions thereof recorded in Volume 43, Page 165, Deed Records of Klamath County, Oregon.
4. Easement, including terms and provisions contained therein recorded June 13, 1931 in Volume 95, Page 455, Deed Records of Klamath County, Oregon by and between Arthur Frazier and Martha C. Frazier, husband and wife, and Great Northern Railway Company, a corporation, for a right of way.

The true and actual consideration for this transfer is \$3,080.00. ✓

As additional consideration to Grantors, they hereby reserve a Right of First Refusal in favor of all members of the Hill family which includes Grantor David D. Hill, Dale R. Hill, Laura L. Brant, Dean F. Hill, and William F. Hill, as well as all of the children of said family members. This Right shall remain in effect for 10 years from the date hereof. Before Grantee's successor, Drew Hill, shall sell the subject property to any third party, he must first notify all holders of this Right with a single notice to Dean Hill and David Hill

DAVIS, HEARN  
SALADOFF & BRIDGES  
A Professional Corporation  
515 EAST MAIN STREET  
ASHLAND, OREGON 97520  
(541) 482-3111 FAX (541) 488-4455  
www.davishearn.com

Warranty Deed -1-

F 31

at fax number (541)798-5532 and P O Box 544 in Merrill, OR 97633. If said fax number or post office box shall become unavailable for notification during this period, he shall deliver notice to said recipients at their last-known addresses. If any holders of the Right elect to exercise same, they must notify him in writing no later than 30 days following delivery of said notice. In such event, they shall join with him in selecting an appraiser agreeable to all. The cost of the appraisal will be divided 50/50 between Drew Hill and all buyers in the transaction. It shall also include all equipment then in use on the subject property. Closing will occur 75 days following issuance of the appraisal and it shall be a cash purchase by any holders of the Right willing to purchase. If none of the holders of the Right notify him of their exercise of same as provided above, or if closing fails to occur as provided above due to the buyer's default, this right shall be considered void and he shall be free to sell the subject property to said third party.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. THIS INSTRUMENT DOES 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 THE FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930. AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 197.352.

DATED this \_\_ day of July, 2008.

David D. Hill  
David D. Hill

Sandra A. Hill  
Sandra A. Hill

STATE OF OREGON                     )  
  ) §  
COUNTY OF KLAMATH             )

Personally appeared the above-named David D. Hill and Sandra A. Hill and acknowledged the foregoing instrument to be a voluntary act. Before me:



Sarah Kness  
Notary Public for Oregon  
My Commission Expires: 10/16/2010

DAVIS, HEARN  
SALADOFF & BRIDGES  
A Professional Corporation  
515 EAST MAIN STREET  
ASHLAND, OREGON 97520  
(541) 482-3111 FAX (541) 488-4455  
www.davishearn.com

**Exhibit "A"**

Real property in the County of Klamath, State of Oregon, described as follows:

A TRACT OF LAND SITUATED IN THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 35, TOWNSHIP 40 SOUTH, RANGE 10 EAST, WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THAT PORTION OF SAID SOUTHWEST QUARTER OF THE NORTHWEST QUARTER LYING NORTHEASTERLY OF THE CENTERLINE OF THE U.S. BUREAU OF RECLAMATION D-3-A IRRIGATION LATERAL.

PER PROPERTY LINE ADJUSTMENT 15-07.

Tax Parcel Number: R696474