

STATUTORY SPECIAL WARRANTY DEED

GRANTOR: FRIEDA M. COPLEY.

9847

GRANTEE: ODELL I. PRESKITT and BARBARA J. PRESKITT, husband and wife.

TRUE AND ACTUAL CONSIDERATION: \$23,003.30

DATE: April 24, 1980.

Grantor conveys and specially warrants to Grantee the following described real property, free of encumbrances created or suffered by the Grantor except as specifically set forth herein.

That portion of the North 1/2 of the Southwest 1/4 of Section 3, Township 15 South, Range 13 East of the Willamette Meridian, Deschutes County, Oregon, lying East of the Oregon Trunk Railway.

TOGETHER WITH all the appurtenant water rights delivered through the Central Oregon Irrigation District, consisting of 51 acres.

RESERVING UNTO the Grantor, her heirs, successors and assigns a perpetual easement for the transmission, delivery, maintenance and upkeep of the existing irrigation ditch through which COID water passes, located on the above described property for the benefit of that portion of the N1/2SW1/4, Sec. 3, T. 15 S., R. 13 E.W.M., lying west of the Oregon Trunk Railway. This easement shall be appurtenant to and run with the land.

SUBJECT TO:

1. The easements, restrictions, and rights of way of record, and those appearing on the land.
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 an additional tax may be levied for the last ten (10) or lesser number of years in which the farm use assessment was in effect for the land, and in addition thereto, a penalty may be levied if notice of disqualification is not timely given.
3. Regulations, including levies, assessments, water and irrigation rights and easements for ditches and canals of Central Oregon Irrigation District.
4. Right of way of the Central Oregon Irrigation Lateral as disclosed by the Deschutes County Assessor's Map.
5. An easement created by instrument, including the terms and provisions thereof, dated December 28, 1940, recorded January 31, 1941 in Book 59, Page 466, Deschutes County Deed Records, in favor of United States of America for electric transmission and distribution line, affects the N1/2SW1/4.

IN WITNESS WHEREOF, the Grantor has executed this document on the day and year first above written.

*Frieda M. Copley*  
FRIEDA M. COPLEY

STATE OF OREGON, County of Deschutes ) ss.

Personally appeared the above named FRIEDA M. COPLEY and acknowledged the foregoing instrument to be her voluntary act and deed.

*Mauris J. Shaw*  
Notary Public for Oregon  
My commission expires: 2-22-84

Address for Filing Tax Statements:

FRANK G. MACMURRAY, JR.  
CRAIG P. EMERSON  
ATTORNEYS AT LAW  
331 SOUTH SEVENTH STREET - P. O. BOX C  
REDMOND, OREGON 97756  
(503) 548-6121

After recording return to:  
Key Escrow Company  
Redmond, Oregon  
Escrow #25-226 Title #27-2118

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STATE OF OREGON  
County of Deschutes

I hereby certify that the within instrument of writing was received for Record the 16 day of Oct A.D. 1980 at 2:17 o'clock P. M., and recorded in Book 330 on Page 461 Records of Deschutes

ROSEMARY PATTERSON  
County Clerk

By Rhenda Lamb Deputy