

89208

Vol 353 Page 292

KNOW ALL MEN BY THESE PRESENTS, That We, Arthur W. Jolly and Beatrice D. Jolly, husband and wife, grantors, in consideration of Ten and no/100 - - - Dollars, to us paid by Cloyd H. Johnson and Norma B. Johnson, husband and wife, do hereby grant, bargain, sell and convey unto the said grantees, their heirs and assigns, all the following real property, with the tenements, hereditaments and appurtenances, situated in the County of Klamath, and State of Oregon, bounded and described as follows, to-wit:

The East 100 feet of Lot 6 in Block 113 of BUENA VISTA ADDITION to the City of Klamath Falls, Oregon.



To Have and to Hold the above described and granted premises unto the said grantees, their heirs and assigns forever. And the grantors do covenant that we will and our heirs, executors and administrators, shall warrant and defend the above granted premises, and every part and parcel thereof, against the lawful claims and demands of all persons claiming by, through, or under the grantors. Witness Our hand and seal this 1st day of October, 1953.

STATE OF OREGON,

County of Klamath. On this 1st day of October, 1953, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Arthur W. Jolly and Beatrice D. Jolly, husband and wife,

who are known to me to be the identical individual described in and who executed the within instrument, and acknowledged to me that they executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal the day and year last above written.

Notary Public for Oregon.

My commission expires Jan. 1, 1957.

WARRANTY DEED

(FORM No. 723)

ARTHUR W. JOLLY and BEATRICE D. JOLLY, husband and wife

to CLOYD H. JOHNSON and NORMA B. JOHNSON, husband and wife.

STATE OF OREGON.

County of Klamath

I certify that the within instrument was received for record on the

2 day of June

A. D. 1961 at 1:11 o'clock P.M.

M., and recorded in book 353

on page 292 Records of Deeds

of said County.

Witness my hand and seal of

County of Klamath.

By F. Delap

County Clerk-Recorder.

Fee \$1.50

RECORDING LAW BY CH. PORTLAND, ORE.

540 Main

Klamath Falls, Oregon

IRRIGATION FACILITIES RELOCATION AND SLOPE EASEMENT AND CONVEYANCE OF ACCESS

KNOW ALL MEN BY THESE PRESENTS, That we, Ned F. Smith and Katherine M. Smith, husband and wife, legal owners; Harry H. Carriek and June G. Carriek, husband and wife, contract purchasers, Grantors, for the consideration of the sum of One Hundred Fifty and No/100 Dollars (\$150.00), to us paid, have granted and do hereby grant to the State of Oregon, by and through its State Highway Commission, hereinafter referred to as State, a permanent easement for the relocation of irrigation facilities and for the construction, operation and maintenance of highway slopes, over, across and upon the following described premises, to wit:

A parcel of land lying in Lots 4 and 5, Block 1, BAILEY TRACTS NO. 2, in Klamath County, Oregon; the said parcel being that portion of said Lots 4 and 5 included in a strip of land 5 feet in width, lying Southerly of and adjacent to the Northerly line of Lots 4 and 5, containing 700 square feet.

The State by virtue of the easement herein granted shall have the right to go upon the above described real property for the purpose of relocating thereon the irrigation facilities now constructed upon the property adjacent thereto as may be necessitated by the widening and improvement of the K. I. D. Canal-Madison Street Section of the relocated Klamath Falls-Lakeview Highway, and upon completion of said changes, the relocated irrigation facilities shall, for all intents and purposes, be considered permanently located, and the rights in said relocated irrigation facilities shall be the same as previously existed in that portion of the irrigation facilities which are being relocated; therefore, Grantors, as a part of the consideration hereinabove stated, do hereby grant to the legal owners of said facilities the right to operate, maintain and replace said facilities over and across said easement area, subject to the rights of the State under the slope easement herein granted. Nothing herein contained shall be construed to impose any duty, obligation, or liability upon the State by reason of the relocation, operation or maintenance of said facilities upon the hereinabove described property, nor shall there be imposed any liability, duty, or obligation upon the State to maintain, operate or replace said facilities.

The State by virtue of the easement herein granted shall also have the right to go upon the above-described property for the purpose of constructing, operating and maintaining slopes as may be necessitated by the widening and improvement of the adjoining Klamath Falls-Lakeview Highway, it being understood that nothing heretofore contained shall grant to the State of Oregon, by and through its State Highway Commission, the right to excavate beneath existing buildings or deposit fill materials