

1 KNOW ALL MEN BY THESE PRESENTS, That Orville Elliott, a widower, of Klamath  
2 County, Oregon, Grantor, in consideration for the exchange of certain lands in  
3 Klamath County and One Thousand Five Hundred and Twenty-Five Dollars (\$1,525.00)  
4 to him paid by the State of Oregon, acting by and through its State Game  
5 Commission, Grantee, does hereby grant, bargain, sell and convey unto the said  
6 grantee, its successors and assigns, all the following real property, with the  
7 tenements, hereditaments and appurtenances, situated in the County of Klamath  
8 and State of Oregon, bounded and described as follows, to-wit:

9 A piece or parcel of land containing one (1) acre, more or less, and  
10 situate in Lot 4 of Section 10, of the survey of that portion of Town-  
11 ship 34 South, Range 7½ East, Willamette Meridian, which lies East of  
Wood River in Klamath County, Oregon, and more particularly described  
as follows:

12 Commencing at the Northeasterly corner of the said Section 10, and running  
13 West along the Section line 5,144.2 feet; thence South 256.0 feet to the  
14 true point of beginning of this description which is a point on the  
15 Westerly bank of a toe-drain along the Westerly side of the said Section  
16 10; thence South 317.0 feet; thence West 145.0 feet, more or less, to a  
17 point in the Section line marking the Westerly boundary of the said Sec-  
tion 10; thence North along said Section line 250.0 feet, more or less,  
to a point in the left or Easterly bank of Wood River; thence following  
upstream along said left bank to a point West of the said true point of  
beginning; thence East 31.0 feet, more or less, to the said true point  
of beginning.

18 Together with the right and privilege of use for roadway purposes for  
19 the benefit of the public (1.) a strip of land thirty feet (30 ft.) in  
20 width and lying immediately adjacent and parallel with the left or  
21 Easterly bank of Wood River from the County road along the Northerly  
22 side of the said Section 10 to the Northerly side of the above described  
23 one (1) acre tract and (2.) that portion of the Wood River Dike con-  
24 tiguous with said county road and not contained in said thirty-foot  
25 (30 ft.) strip together with the right to construct, reconstruct, and  
26 maintain a road surface on said strip and portion with the right of in-  
27 gress and egress in common with the grantor, his heirs and assigns.

28 Saving, Excepting and Reserving therefrom unto the grantor, his heirs,  
29 grantees and assigns a perpetual non-exclusive easement of ingress and  
30 egress between all of the adjacent premises retained by the grantor and  
31 said County road on the roadway running along the top of the Wood River  
32 Dike across the premises herein conveyed. Said grantee, its successors,  
grantees and assigns covenants in consideration of this conveyance that  
it will keep and maintain said dike and roadway in as good condition as  
the same now are. If grantee fences said premises, it must install and  
maintain gates for the benefit of grantor, his heirs, grantees and assigns  
at the places where said fences intersect said dike and roadway.

To Have and to Hold the above described and granted premises unto said  
grantee, its successors and assigns forever.

And the grantor does covenant that he is lawfully seized in fee simple of  
the above granted premises free from all encumbrances, and that he will and his

1 heirs, executors and administrators, shall warrant and forever defend the above  
2 granted premises, and every part and parcel thereof, against the lawful claims  
3 and demands of all persons whatsoever.

4 WITNESS my hand and seal this 28 day of Jan., 1968.

5 Orville Elliott  
6 Orville Elliott

7 APPROVED AS TO FORM:

8  
9 Assistant Attorney General

10  
11  
12  
13 STATE OF OREGON )  
14 County of Klamath ) SS

15 On this 28<sup>th</sup> day of January, 1968, before me the undersigned Notary  
16 Public in and for said County and State, personally appeared the within named  
17 Orville Elliott, a widower, who is known to me to be the individual described  
18 in and who executed the within instrument, and acknowledged to me that he  
19 executed the same freely and voluntarily.

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

22 B. D. Hall  
23 Notary Public for Oregon

24 My Commission Expires: Aug 18, 1968

25 STATE OF OREGON; COUNTY OF KLAMATH; ss

26 Filed for record at request of Oregon State Game Commission.

27 this 28 day of March, A.D. 1966 at 1:15 o'clock P.M., and

28 duly recorded in Vol. M-66, of Deeds on Page 2657.

29 Fee \$3.00

30 DONOTHY ROGERS, County Clerk  
31 By Jan. 1968

32 Warranty Deed - Page 2.

GANONG, GANONG,  
& GORDON  
ATTORNEYS AT LAW  
KLAMATH FALLS, ORE.