

13422

Vol. M-67

2582

WARRANTY DEED

THIS INDENTURE WITNESSETH, That T. G. ZINN, JR. and LYDIA ANN ZINN, husband and wife, herein called "grantors", in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS to them paid, have bargained and sold and by these presents do grant, bargain, sell and convey to JOE D. CARROLL and LOIS A. CARROLL, husband and wife, herein called "grantees", their heirs and assigns forever, the following-described premises, situated in Klamath County, State of Oregon:

Beginning at a point on the Section line, from which point the quarter corner common to Sections 28 and 33 bears West a distance of 1474.56 feet; thence North 22°53' West 538.96 feet, more or less, to the Southerly right of way boundary of the Ashland-Klamath Falls Highway; thence along said boundary North 67°48' East 152.9 feet; thence South 22°53' East 601.75 feet, more or less, to the above-mentioned section line; thence West along said section line 166.02 feet, more or less, to the point of beginning, containing 2.0 acres, more or less, and being in the S1/4, Section 28, Township 39 S., R. 8 E.W.M.

ALSO beginning at a point on the Section line, from which the quarter corner common to Sections 28 and 33 bears West 1475.3 feet, said point being the Southeasterly corner of that certain parcel conveyed by C. H. Fitzsimmons, et ux, to Ray E. Brownell and Eva M. Brownell, husband and wife, by deed dated August 17, 1943, recorded August 20, 1943, in Volume 158 of Deeds, Page 16, records of Klamath County, Oregon; thence North 22°53' West a distance of 536.23 feet, more or less, to a point on the Southeasterly right of way line of the Klamath Falls-Ashland Highway; thence South 67°34' West along said right of way line, a distance of 32.6 feet, more or less, to its intersection with an old established fence line, said point also being the Northeast corner of that certain parcel deeded to Ray E. Brownell, et ux, above described; thence South 26°26' East along said fence line, a distance of 537.8 feet, more or less, to the point of beginning.

SUBJECT TO: (1) Water Right Certificate issued by State of Oregon to C. G. Kerns, dated November 15, 1922, recorded December 4, 1922, in Volume 1 of Water Rights, Page 449, records of Klamath County, Oregon. (2) Right of way for transmission line, including the terms and provisions thereof, executed by George G. Kerns and Della Kerns, his wife, to The California-Oregon Power Company, a California corporation, dated July 1, 1926, recorded July 12, 1926, in Volume 72 of Deeds, Page 102, records of Klamath County, Oregon. (3) Charges and assessments of Emmitt District Improvement Company and any ditches, canals or laterals used in connection therewith, reference being made to Articles of Incorporation of Emmitt District Improvement Company and Agreement between U.S.A. and Emmitt District Improvement Company, dated December 1, 1947, recorded July 14, 1948, in Volume 222 of Deeds, Page 439, records of Klamath County, Oregon. (4) Easement, including the terms and provisions thereof, given by H. P. Dow and Emma Dow to The

Pacific Telephone and Telegraph Company, a California corporation, dated July 29, 1937, recorded December 15, 1937, in Volume 113 of Deeds, Page 371, records of Klamath County, Oregon. (5) Mortgage, including the terms and provisions thereof, given by T. G. Zinn, Jr., a single man, to First Federal Savings & Loan Association of Klamath Falls, a federal corporation, dated August 11, 1960, recorded August 15, 1960, in Volume 197 of Mortgages, Page 479, records of Klamath County, Oregon, to secure the payment of \$7200.00. (6) Mortgage, including the terms and provisions thereof, given by T. G. Zinn, Jr. and Lydia Ann Zinn, husband and wife, to First Federal Savings & Loan Association of Klamath Falls, a federal corporation, dated March 20, 1964, recorded April 10, 1964, in Volume 222, Page 489, records of Klamath County, Oregon, to secure the payment of \$7200.00 and as additional security for the mortgage dated August 11, 1960, the balance of which grantees assume and agree to pay,

together with all tenements, hereditaments and appurtenances hereunto belonging or appertaining, and all estate, right, title and interest in and to the same.

TO HAVE AND TO HOLD the said premises unto the grantees, their heirs and assigns forever. The said grantors do covenant to and with the said grantees, their heirs and assigns, that they are the owners of said premises, being lawfully seized in fee simple thereof; that said premises are free from all encumbrances, except as above stated; and that they, and their heirs and representatives, will warrant and defend the same from all lawful claims whatsoever.

IN WITNESS WHEREOF, We have hereunto set our hands and seals this the 30 day of July, 1966.

T. G. Zinn Jr.
Lydia Ann Zinn

STATE OF OREGON,

County of GILLIAM

ss.

BE IT REMEMBERED, That on this 30th day of July, 1966, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named T. G. Zinn, Jr. and Lydia Ann Zinn

known to me to be the identical individual.s. 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 affixed my official seal the day and year last above written.

Notary Public for Oregon

My Commission Expires

(Warranty Deed - 2)

FORM NO. 23 - ACKNOWLEDGMENT
 STEVENS-NESS LAW PUB. CO., PORTLAND, ORE.

2584

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of Klamath County Title Co.

this 12 day of April A. D. 1967 at 3:54 o'clock P. M. and

duly recorded in Vol. M-67, of Deeds on Page 2582.

Fee \$4.50

DOROTHY ROGERS, County Clerk
By *James H. Hearn*

23