

28031

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WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That LOTTIE M. MILLER, a single woman, hereinafter called the grantor, in consideration of TEN AND NO/100 (\$10.00) DOLLARS to grantor paid by ELBERT STILES and WYOMING STILES, as tenants in common, hereinafter called grantee, does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Klamath, State of Oregon, described as follows, to-wit:

PARCEL NO. 1:

All that portion of the SE1/4 of the SW1/4 of Section 33, Township 38 South, Range 9 East of the Willamette Meridian, described as follows:

Beginning at the intersection of the Southerly line of Sixth Street and the Easterly line of Adams Street in the CITY OF KLAMATH FALLS, Oregon; thence Southeasterly along the Southerly line of Sixth Street 151.3 feet to the Westerly line of the Material Yard Spur right-of-way; thence South along the West line of said right-of-way to the beginning of the next curve; thence South on the same line produced a total distance of 980.8 feet, more or less, to the South line of Section 33; thence West along the Section line 125.0 feet; thence North 1066.0 feet, more or less, to the point of beginning.

LESS the following described parcel: Beginning at a point on the Township line between Section 33, Township 38 South, and Section 4, Township 39 South, all in Range 9 East of the Willamette Meridian, which is South 89°26' West 188.23 feet from the intersection of said Township line with the West line of Owens Street; thence South 89°26' West 125.0 feet along said Township line; thence North 0°45' West 180.0 feet; thence North 89°26' East 125.0 feet; thence South 0°45' East 120.0 feet to the point of beginning.

EXCEPTING THEREFROM that portion lying within South Sixth Street.

PARCEL NO. 2:

Beginning at a point which bears West from the South quarter corner of Section 33, Township 38 South, Range 9 East of the Willamette Meridian, 313.83 feet; thence North 0°45' West 1066.0 feet, more or less, to a point on the South line of Sixth Street, which point is 151.3 feet North 55°49' West from the intersection of the West line of the Material Yard Spur right-of-way and the South line of Sixth Street; thence North 55°49' West 73.19 feet along the South line of Sixth Street to a point; thence South 0°45' East to a point on the South line of Section 33, Township 38 South, Range 9 East of the Willamette Meridian; thence East along the South line of

net 6.
David R. Vandenberg, Jr.
ATTORNEY AT LAW
292 Main Street
Klamath Falls, Oregon
Phone 882-5501

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1 Section 33 to the point of beginning.

2 EXCEPTING THEREFROM that portion lying within
3 South Sixth Street.

4 PARCEL NO. 3:

5 Beginning at a point on the South line of
6 Section 33, Township 38 South, Range 9 East of
7 the Willamette Meridian, said point of beginning
8 being South 89°26' West 313.63 feet from the
9 quarter corner of said Section 33; thence
10 North 0°45' West 1050.0 feet, more or less, to the
11 Southwesterly right-of-way line of South Sixth
12 Street; thence North 55°43' West along the
13 Southwesterly right-of-way line of Sixth Street
14 a distance of 73.19 feet, more or less, to the
15 Northeasterly corner of that certain tract of
16 land deeded to Jacob and Martha Seutter as
17 shown in Deed Volume 160 at page 557, on record in
18 the office of the Clerk of Klamath County, Oregon;
19 thence South 0°45' East along the East line of said
20 Seutter property to the Southeast corner of said
21 Seutter property a distance of 229.23 feet; thence
22 South 89°15' West along the South line of said
23 Seutter property to the Southwest corner of said
24 Seutter property a distance of 350.0 feet; thence North
25 0°45' West along the West line of said Seutter
26 property to the Northwest corner of said Seutter
27 property a distance of 212.5 feet; thence South
28 89°15' West 198 feet, more or less, to the East
29 right-of-way of the Central Pacific Railway
30 Company; thence South 0°45' East along the East
31 line of said Central Pacific Railway Company
32 property a distance of 923 feet, more or less, to the
Northeasterly right-of-way line of the O. C. & E.
Railway Company; thence South 51°58' East along the
Northeasterly right-of-way line of said O. C. & E.
Railway Company a distance of 241.2 feet, more or
less, to the South line of Section 33; thence along
the South line of Section 33 North 89°26' East a
distance of 417.24 feet, more or less, to the
point of beginning.

EXCEPTING THEREFROM any portion of the above
described property lying within the right-of-way
of South Sixth Street.

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

And said grantor hereby covenants to and with said
grantee and grantee's heirs, successors and assigns, that grantor
is lawfully seized in fee simple of the above granted premises,
free from all encumbrances except as follows:

1. Subject to an easement for pole line in favor of
The California Oregon Power Company and other easements apparent
on the ground as shown in an instrument recorded in Deed Volume
164 at page 164, Records of Klamath County, Oregon.

2. Easement, including the terms and provisions thereof,

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1 contained in an instrument recorded April 10, 1947, in Deed Volume
2 204 at page 475, Records of Klamath County, Oregon.

3 3. Limited access in deed to State of Oregon by and
4 through its State Highway Commission recorded September 11, 1952, in
5 Deed Volume 256 at page 559, Records of Klamath County, Oregon,
6 which provides that no right or easement of right of access to,
7 from or across the State Highway other than expressly therein
8 provided for shall attach to the abutting property.

9 4. Easement, including the terms and provisions thereof,
10 from W. D. Miller Construction Co. to Pacific Power and Light
11 Compnay, formerly California Oregon Power Company, recorded March 9,
12 1956, in Deed Volume 281 at page 378, Records of Klamath County,
13 Oregon.

14 5. Easement, including the terms and provisions thereof,
15 from Miller Construction Co. to City of Klamath Falls, recorded
16 June 12, 1957, in Deed Volume 292 at page 298, Records of Klamath
17 County, Oregon.

18 6. Easement, including the terms and provisions thereof,
19 from W. D. Miller Estate to City of Klamath Falls, recorded July 18,
20 1957, in Deed Volume 293 at page 162, Records of Klamath County,
21 Oregon.

22 7. Easement, including the terms and provisions thereof,
23 from W. D. Miller Construction Company to City of Klamath Falls,
24 recorded July 18, 1957, in Deed Volume 298 at page 160, and
25 recorded February 25, 1959, in Deed Volume 310 at page 114, Records
26 of Klamath County, Oregon.

27 8. Mortgage, including the terms and provisions thereof,
28 dated June 29, 1967, recorded July 5, 1967, in Mortgage Volume M67
29 at page 5025, given to secure the payment of monies and securing
30 of leases contained therein, and that grantor will warrant and
31 forever defend the above granted premises and every part and parcel
32 thereof against the lawful claims and demands of all persons
whomsoever.

33 In construing this deed and where the context so
34 required, the singular includes the plural.

35 WITNESS grantor's hand this 19th day of July, 1967.

36 Lottie M. Miller
37 LOTTIE M. MILLER, a single woman

38 STATE OF OREGON)
39 : ss. July 19th, 1967
40 County of Klamath)

41 Personally appeared the above named LOTTIE M. MILLER, a
42 single woman and acknowledged the foregoing instrument to be her
43 voluntary act and deed.

44 Herman J. Smith
45 Notary Public for Oregon
46 My Commission Expires: Dec 20 1970

David R. Vandenberg, Jr.
ATTORNEY AT LAW
292 Main Street
Klamath Falls, Oregon
Phone 882-5501

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STATE OF OREGON, } ss 8268
County of Klamath }
Filed for record at request of
David R. Vandenberg Jr.
on this 12 day of September A. D. 19 68
at 3:30 o'clock PM and duly
recorded in Vol. M-68 of Deeds
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DOROTHY ROGERS, County Clerk
by *Dorothy Rogers* Deputy
Fee 6.00 31