

26528

VOLUME PAGE 8884

KNOW ALL MEN BY THESE PRESENTS, That LEO DONOVAN and HALLENE DONOVAN, husband and wife, hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by JOSEPH R. GLODOSKI and GERTRUDE N. GLODOSKI, husband and wife, hereinafter called the 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, situate in the County of Klamath and State of Oregon, described as follows, to-wit:

All the real property described in Exhibit "A" attached hereto and thereby made a part hereof as if fully set forth hereat.

SUBJECT TO: Acreage and use limitations under provisions of the United States statutes and regulations issued thereunder; liens and assessments of Klamath Project and Klamath Irrigation District and regulations, contracts, easements, water and irrigation rights in connection therewith; rights of the public in and to Elliott Road on the west and Zuckerman Road on the south; waiver of riparian rights, including the terms and provisions thereof to the United States of America, by instrument recorded September 16, 1905, in Deed Volume 82 at page 342; rights of the public and of governmental bodies in and to that portion of the herein described property lying below the ordinary high water mark of Lost River; right of way for pole line for transmission of electricity, including the terms and provisions thereof, as granted to Pacific Power and Light Company by easement recorded October 5, 1964, in Deed Volume 356 at page 485; easements and rights of way of record thereon; and mortgage, including the terms and provisions thereof, dated September 27, 1965, recorded September 30, 1965, in Vol. M-65, page 2157, mortgage records of Klamath County, Oregon, given to secure payment of \$31,599.50, with interest thereon and such future advances as may be provided therein, executed by the Leo Donovan and Hallene Donovan, husband and wife, as mortgagors, in favor of Joy Dale Lihs and Frieda V. Lihs, as joint tenants, mortgagees, which mortgage grantee assumes and agrees to pay according to the terms thereof.

To Have and to Hold the same unto the said grantee and grantee's heirs and successors and assigns forever.

The grantor covenants with the grantee that the above described property is free from encumbrances, except as above set forth, created or suffered by grantor to and including February 21, 1967, and that grantor will warrant and defend the same against all persons who may lawfully claim by, through or under grantor.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$56,439.50. However, the actual consideration consists of or includes other property or value given or promised which is part of the consideration as follows: \$18,000.00 cash, \$10,000.00 second mortgage and \$28,439.50 assumption of first mortgage, plus interest thereon from November 1, 1967.

Warranty Deed -1-

8885

In construing this deed and where the context so requires, the singular includes the plural.

WITNESS grantor's hand this 27th day of September, 1968.

Leo Donovan

Hallene Donovan

STATE OF OREGON)
COUNTY OF KLAMATH) ss.

September 27th, 1968

Personally appeared the above named LEO DONOVAN and HALLENE DONOVAN and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:

Alameda E. Giacomini
Notary Public for Oregon

(SEAL)

My Commission expires: Aug. 5, 1970

8886

The following described real property in Klamath County, Oregon:

A tract of land situated in the S $\frac{1}{2}$ SW $\frac{1}{4}$ and in Government Lot 4, Section 17 T. 40 S., R. 10 E.W.M., Klamath County, Oregon, more particularly described as follows:

Beginning at a point on the West line of said Section 17, said point being South a distance of 1574.97 feet from the 5/8 inch iron pin marking the West one-fourth corner of said Section 17, said point being in the centerline of the County road known as the Elliott Road and said point being the Northwest corner of that strip of land as described in Deed Volume 350, page 632, Klamath County Deed Records; thence South along the West line of said Section 17 and along the centerline of the Elliott Road a distance of 1066.63 feet to a 5/8 inch iron pin marking the Southwest corner of said Section 17, said point also being in the centerline of the County road known as Zuckerman Road; thence South 89°58'45" East along the South line of said Section 17 and along the centerline of the Zuckerman Road a distance of 2770.00 feet; thence North parallel with the west line of said Section 17 a distance of 30.00 feet to a 5/8 inch iron pin on the north line of the Zuckerman Road; thence continuing North a distance of 849.85 feet to a 5/8 inch iron pin; thence North 86°56' East a distance of 212.71 feet to a 5/8 inch iron pin; thence continuing North 86°56' East to the Westerly bank of Lost River; thence Northwesterly along the westerly bank of Lost River to a point that bears North 86°56' East from the point of beginning, said point being the northeasterly corner of that strip of land as described in deed volume 350, page 632, Klamath County Deed Records; thence following the Northerly line of said strip of land: South 86°56' West to a 5/8 inch iron pin that is North 86°56' East a distance of 2624.95

feet from the point of beginning; thence continuing South 86° 56' West a distance of 2794.91. feet to a 5/8 inch iron pin on the East line of the Elliott Road; thence continuing South 86°56' West a distance of 30.04 feet to the point of beginning.

EXCEPTING road right of way along the West and South boundaries

STATE OF OREGON, COUNTY OF KLAMATH; ss.

Filed for record at request of Transamerica Title Insurance Co.,

this 30th day of September A.D. 1968 at 3:51 o'clock P.M., and

duly recorded in Vol. M. 68, of Deeds on Page 8884.

DOROTHY ROGERS, County Clerk

Fee \$ 4.50

By *Carol Heller* Deputy
EXHIBIT "A"

L.D. 41
H. J.