

40136

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THIS INDENTURE WITNESSETH, that HAZEL HAGELSTEIN, a widow, hereinafter known as Grantor, for the consideration hereinafter stated has bargained and sold, and by these presents does grant, bargain, sell and convey unto ALBERT W. SCHMECK and VADA H. SCHMECK, husband and wife, Grantees, the following described premises, situated in Klamath County, Oregon, to-wit:

PARCEL 1: Government Lots 5, 6 and 7; the SE $\frac{1}{4}$ SW $\frac{1}{4}$ and that portion of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ lying West of the State Highway, all in Section 6; and Lots 1, 2 and 3 and the E $\frac{1}{4}$ NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 7 all in Township 37 South, Range 9 East of the Willamette Meridian. Also all of Lot 1, Section 1 and Lots 1, 2 and 3 of Section 12, all in Township 37 South, Range 8 East of the Willamette Meridian.

PARCEL 2: An undivided one-quarter interest in and to: That portion of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6, Township 37 South, Range 9 East of the Willamette Meridian lying Northeasterly of the State Highway. EXCEPTING THEREFROM those portions lying within the boundaries of the State Highways and the Southern Pacific Right of Way.

PARCEL 3: All of grantor's interest in and to: Beginning at the intersection of the southerly boundary line of the Winema National Forest if extended westerly, and the easterly right of way line of the Dalles-California Highway; thence southwest along the easterly right of way line of said highway to its intersection with the north bank of the irrigation canal as same is now located; thence south 84°50' east along the north bank of said canal to its intersection with the westerly right of way line of the Algoma county road; thence northwesterly along the westerly right of way line of said county road to its intersection with the southerly boundary of the Winema National Forest; thence westerly along said boundary line to the point of beginning, located in Section 6, Township 37 South, Range 9 East, W. M. Together with the rights reserved by grantors in deed from William G. Hagelstein and Hazel Hagelstein, husband and wife, to Klamath County, Oregon, recorded Dec. 13, 1961 in Vol. 334 at page 329, Klamath County, Deed Records, and subject to the terms thereof. Together with all water rights appurtenant thereto, (parcels 1 and 2)

Also grain bins situated on Southern Pacific property under Lease Permit No. 417468/21 and all of grantor's interest in and to said lease permit.

SUBJECT TO: Acreage and use limitations under provisions of the United States Statutes and regulations issued thereunder; All contracts, water rights, proceedings, taxes and assessments relating to irrigation, drainage and/or reclamation of said lands, and all rights of way for roads, ditches, canals and conduits, if any there may be; Agreement, including the terms and provisions thereof, recorded in Book 91 at page 75 of Deed Records of Klamath County, Oregon; Any portion of the above described property which may lie lakeside of the government meander line; Restrictions and limitation and grant of easement as set forth in that certain deed dated March 20, 1948, recorded May 14, 1948, in Book 220, page 395, Klamath County Deed Records; The terms and provisions in that certain deed dated March 21, 1950 and recorded March 28, 1950, in Vol. 237 at page 565 of Deed Records of Klamath County, Oregon; Easement created by instrument, including the terms and provisions thereof, dated July 31, 1950, recorded August 9, 1950 in Deed Volume 241 at page 148, in favor of Wm. G. Hagelstein and Hazel Hagelstein for right of way over Lot 5, SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 6, and Lot 6 NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 6,

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

Warranty Deed - Page 1.

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APR 13 3 14 PM 1970

Township 37 South, Range 9 East W.M.; Limited Access in Deed to State of Oregon by and through its State Highway Commission recorded November 20, 1951, in Deed Book 257 at page 405; Agreement, including the terms and provisions thereof, recorded Dec. 13, 1961 in Volume 334 at page 329, from William G. Hagelstein and Hazel Hagelstein to Klamath County, Oregon, for the purpose of a park; Lease, including the terms and provisions thereof, dated April 19, 1950, recorded June 23, 1953, in Deed Book 261 at page 421, between Central Pacific Railway Company, lessor and Southern Pacific Company, lessee; Lease, including the terms and provisions thereof, dated April 19, 1950, recorded August 4, 1950 in Deed Book 241 at page 72 between Central Pacific Railway Company, lessor, and Southern Pacific Company, lessee; Rights of the public in and to any portion of said premises lying within the limits of roads and highways.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$125,000.00.

TO HAVE AND TO HOLD the said premises with their appurtenances unto the said grantees as an estate by the entirety. And the said grantor does hereby covenant, to and with the said grantees, and their assigns, that she is the owner in fee simple of said premises; that they are free from all incumbrances, except those above set forth, and that she will warrant and defend the same from all lawful claims whatsoever, except those above set forth.

IN WITNESS WHEREOF, she has hereunto set her hand and seal this 10th day of April, 1970.

Hazel Hagelstein (SEAL)

STATE OF CALIFORNIA)
County of Siskiyou) SS

April 11th, 1970

Personally appeared the above named Hazel Hagelstein, a widow, and acknowledged the foregoing instrument to be her voluntary act and deed.

Before me:

Sylvia K. Copeland
Notary Public for California

(SEAL)

My Commission Expires:

SYLVIA K. COPELAND
My Commission Expires June 29, 1972
SYLVIA K. COPELAND
My Commission Expires June 29, 1970

STATE OF OREGON, }
County of Klamath } ss.

Filed for record at request of:
TRANSAMERICA TITLE INSURANCE CO

on this 13th day of April A. D., 1970
at 3:05 o'clock P. M. and duly
recorded in Vol. M 70 of Deeds
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WM. D. MILNE, County Clerk

By Hazel Hagelstein Deputy.
Fee \$3.00

Warranty Deed - Page 2.

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

al Schmeck
11 N. 7th
city