

70-374

41722 WARRANTY DEED

4638
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KNOW ALL MEN BY THESE PRESENTS, That R M RANCH CO., a partnership, composed of JOHN C. MONTGOMERY, LOYD W. REED and VIRGINIA MAE REED, hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by WILLIAM R. OWENS and MARGARET H. OWENS, 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, situated in the County of Klamath and State of Oregon, described as follows, to-wit:

Beginning at a point 100 feet West of the Southeast corner of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 23, Township 36 South, Range 14 East of the Willamette Meridian; thence North 200 feet; thence West 200 feet; thence South 200 feet; thence East 200 feet to the place of beginning.

W $\frac{1}{2}$ of Section 24, Township 36 South, Range 14 East of the Willamette Meridian;
E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ of Section 25, Township 36 South, Range 14 East of the Willamette Meridian;
All of Section 26, Township 36 South, Range 14 East of the Willamette Meridian;
NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 36, Township 36 South, Range 14 East of the Willamette Meridian;
W $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 16, Township 36 South, Range 15 East of the Willamette Meridian;
NW $\frac{1}{4}$, SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 17, Township 36 South, Range 15 East of the Willamette Meridian;
S $\frac{1}{2}$ N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$ of Section 18, Township 36 South, Range 15 East of the Willamette Meridian;
All of Section 19, Township 36 South, Range 15 East of the Willamette Meridian;
NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 20, Township 36 South, Range 15 East of the Willamette Meridian;
NW $\frac{1}{4}$, S $\frac{1}{2}$ of Section 21, Township 36 South, Range 15 East of the Willamette Meridian;
NW $\frac{1}{4}$, S $\frac{1}{2}$ of Section 27, Township 36 South, Range 15 East of the Willamette Meridian;
NE $\frac{1}{4}$, S $\frac{1}{2}$ of Section 29, Township 36 South, Range 15 East of the Willamette Meridian;
E $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 31, Township 36 South, Range 15 East of the Willamette Meridian;
NW $\frac{1}{4}$, S $\frac{1}{2}$ of Section 33, Township 36 South, Range 15 East of the Willamette Meridian;
S $\frac{1}{2}$ of Section 35, Township 36 South, Range 15 East of the Willamette Meridian.

The East one-half of Section 24, Township 36 South, Range 14 East of the Willamette Meridian.

NW $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 31, Township 36 South, Range 15 East of the Willamette Meridian.

EXCEPTING FROM the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 21, the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 31 and the N $\frac{1}{2}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 33, Township 36 South

Range 15 East of the Willamette Meridian a strip of land 66 feet in width conveyed to Weyerhaeuser Timber Company by deed recorded July 28, 1958, in Deed Book 301 at page 347 and by deed recorded January 13, 1959, in Book 308 of Deeds at page 577, Records of Klamath County, Oregon.

SUBJECT TO: Additional ad valorem tax upon termination of Special Assessments for Farm Use status; rights of the public and of governmental bodies in and to any portion of the above described property lying below the high water mark of Sprague River; right of way, including the terms and provisions thereof, from W. R. Campbell to United States of America recorded November 28, 1942, in Deed Book 151, at page 333, records of Klamath County, Oregon; right of way, including the terms and provisions thereof, from Henry C. Gerber to Pacific Power and Light Company, recorded November 22, 1946, in Deed Book 199 at page 53, and recorded November 18, 1946, in Deed Book 198 at page 401, Records of Klamath County, Oregon; easement, including the terms and provisions thereof; from W. R. Campbell et ux, to United States of America, by and through the Forest Service, dated December 20, 1948, and recorded January 28, 1963, Deed Book 342 at page 617, Records of Klamath County, Oregon; easement recorded in M-65, page 1223, Deed Records of Klamath County, Oregon, between United States of America, acting through the Forest Service, Department of Agriculture and Weyerhaeuser Company, a corporation; easement recorded in M-68, page 10828, Deed Records of Klamath County, Oregon, between R M Ranch Co., an Oregon corporation, and Weyerhaeuser Company, a corporation; an undivided one-half interest of Henry C. Gerber in the Campbell Reservoir site in SE 1/4 of Section 29, Township 36 South, Range 15 East of the Willamette Meridian; mortgage, including terms and provisions thereof, recorded in Book 219, page 527, Mortgage Records of Klamath County, Oregon, wherein Gordon Dolan and Roberts C. Dolan, husband and wife, are mortgagor, and The Travelers Insurance Company, a corporation, is mortgagee, which mortgage was subordinated by subordination agreement recorded in M-68, page 10835, Mortgage Records of Klamath County, Oregon; mortgage, including the terms and provisions thereof, recorded in Book 219, page 535, Mortgage Records of Klamath County, Oregon, wherein Gordon Dolan and Roberts C. Dolan, husband and wife, are mortgagor and Dave J. Campbell, is mortgagee, which mortgage was subordinated by subordination agreement recorded in Book M-68, page 10832, Mortgage Records of Klamath County, Oregon, and modified by a mortgage assumption, modification and extension agreement between Dave J. Campbell et ux and William R. Owens et ux, dated the 8th day of May, 1970, and recorded in M-70, page 4645, Mortgage Records of Klamath County, Oregon, whereby grantee herein assumes and agrees to pay the aforesaid obligations subject to the terms and conditions of said mortgage assumption, modification and extension agreement; financing statement filed October 8, 1963, under instrument No. 83216; easements and rights of way of record and apparent thereon.

To Have and to Hold the same 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 above set forth and that grantor will warrant and forever defend the above granted premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$325,000.00. However, the actual consideration consists of or includes other property or value given or promises which is part of the consideration, i.e., \$30,662.50 cash upon closing plus assumption of \$294,337.50 of obligations.

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

WITNESS grantor's hand this 16th day of May 1970.

R M RANCH CO.

By John C. Montgomery Partner

By Lloyd W. Reed Partner

By Virginia Mae Reed Partner

STATE OF Virginia)
COUNTY OF Stafford) ss.

May 16, 1970

Personally appeared the above named John C. Montgomery and acknowledged the foregoing instrument to be his voluntary act and deed.

Before me:

George H. Robinson
Notary Public for
My Commission Expires: May 6, 1971

(SEAL)

STATE OF OREGON)
COUNTY OF KLAMATH) ss.

May 29, 1970

Personally appeared the above named Lloyd W. Reed and Virginia Mae Reed and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:

Blanche E. Geacomini
Notary Public for Oregon
My Commission expires: Aug 5, 1970

(SEAL)

STATE OF OREGON, }
County of Klamath } ss. 4641

Filed for record at request of:
Transamerica Title Insurance Co.
on this 9th day of June A. D. 1970
at 4:26 o'clock P. M. and duly
recorded in Vol. M70 of Deeds
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WM. D. MILNE, County Clerk
By *Cynthia Porter* Deputy
Fee \$6.00