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## WARRANTY DEED

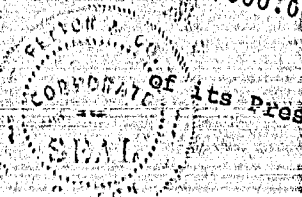
VOL. 70 PAGE 11502

PEYTON & CO., an Oregon Corporation, hereinafter called grantor, conveys to C. P. PEYTON and DORIS A. PEYTON, husband and wife, all that real property situated in Klamath County, State of Oregon, described as:

A tract of land 320 feet wide North and South, in Enterprise Tracts No. 38A and No. 41B, according to the duly recorded plat thereof, and lying North of the North line of the country road known as the extension of Eberlein Avenue and bounded on the North by the Northerly line of Wantland Avenue of Darrow Addition to the City of Klamath Falls, Oregon, according to the duly recorded plat thereof, extended East to the right of way of the U.S.R.S. Canal; also, such fragment of Enterprise Tracts No. 30 lying South of the U.S.R.S. Canal, as may remain after conveyance heretofore made by Enterprise Land and Investment Company to the U.S.R.S. for right of way, and to Klamath County, Oregon, for road purposes, together with vacated portions of Allandale and Applewood Streets described as Parcels 1 & 2 in Volume 70, page 4511, Klamath County, recorded June 5, 1970, containing in all 9 acres, more or less, in the SW 1/4, Section 34, Township 38 S., R. 9 E.W.M. EXCEPTING, HOWEVER, those certain parcels heretofore conveyed to the United States of America for right of way of the main canal and "B" Lateral of the United States of America Irrigation System, and to Klamath County, Oregon, for rights of way of roads known as the extension of Eberlein Avenue and Washburn Way. EXCEPTING ALSO the reservation to Enterprise Land and Investment Company, its successors and assigns, of the right to convey water through that portion of Enterprise Tracts No. 38A by means of the underground tile drain system now located and operated thereon, together with the right to enter upon such lands to make necessary repairs thereto. EXCEPTING ALSO that certain parcel of land deeded by Alfred D. Collier and Ethel F. Collier, husband and wife, to Geo. H. Merryman and Mabel C. Merryman, husband and wife, and George H. Merryman, Jr. and Elizabeth F. Merryman, husband and wife, recorded May 2, 1941, in Book 137, Page 359, Deed Records of Klamath County, Oregon, and containing .37 acres. EXCEPTING ALSO that certain parcel of land deeded by Alfred D. Collier and Ethel F. Collier, husband and wife, to Klamath County, Oregon, recorded May 11, 1941, in Book 137, Page 542, Deed Records of Klamath County, Oregon, containing 1.59 acres, more or less, BUT INCLUDING also the rights and privileges reserved in said deed to Alfred D. Collier and Ethel F. Collier, said land being deeded to Klamath County, Oregon, for the use as a county road as therein set forth. TOGETHER WITH the right and privilege to convey waters through that part of Enterprise Tracts No. 38A lying between the South line of the country road known as the extension of Eberlein Avenue and the South line of said Tract 38A, and through the North 10 acres of Enterprise Tracts No. 37, and through Enterprise Tracts No. 42,

WARRANTY DEED -1-

34



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by means of the underground tile system now operated thereon, together with the right to enter upon said tracts in order to make repairs thereto. SUBJECT TO: (1) 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 and water and irrigation rights in connection therewith. (2) Reservations, including the terms and provisions thereof, as shown in deed from Enterprise Land and Investment Company, a corporation, to Alfred D. Collier and Ethel F. Collier, husband and wife, dated January 18, 1941, recorded March 14, 1941, in Volume 136, Page 165, Deed Records of Klamath County, Oregon,

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 said premises unto grantees, their heirs and assigns forever. Said grantor does covenant to and with said grantees, their heirs and assigns, that it is the owner of said premises, being lawfully seized in fee simple thereof; that said premises are free from all encumbrances, except as above stated; and that it and its successors and representatives will warrant and defend the same from all lawful claims whatsoever.

The true and actual consideration for this transfer is \$20,000.00.

IN WITNESS WHEREOF, PEYTON & CO., pursuant to a resolution of its President and Secretary this 31 day of December, 1970.

PEYTON & CO.

By C. P. Peyton

By Doris A. Peyton

STATE OF OREGON )  
County of Klamath ) ss.

December 31, 1970

Personally appeared C. P. PEYTON & Doris A. Peyton, who, being sworn, stated that he is the President and SECRETARY, who, being sworn, stated that she is the Secretary of grantor corporation and that the seal affixed hereto is its seal and that this deed was voluntarily signed and sealed in behalf of the corporation by authority of its Board of Directors. Before me:

Clara P. Adams  
NOTARY PUBLIC FOR OREGON  
My Commission Expires April 8, 1972

35

WARRANTY DEED -2-

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of GAL PEYTON

this 31st day of DECEMBER, D., 1970, at 2:30 o'clock P.M., and duly recorded in Vol. M-70, of DEEDS, on Page 11502.

Fee \$3.00

WM. D. MILNE, County Clerk

By Harold W. Wozel

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DEC 31 1970