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WARRANTY DEED - Special

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This Indenture, Made this first day of May

in the year of our Lord one thousand nine hundred and fifty-eight

BETWEEN Hall-Atwater, Inc. and White Bros. Construction Co., Inc.

the parties of the first part and C. E. Atwater and White Bros. Construction Co., Inc.

parties of the second part

Witnesseth, That the said parties of the first part, for and in consideration of the sum of

Ten and no/100 DOLLARS lawful money of the United States, to them in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, do by these presents, Grant, Bargain, Sell, Convey and Confirm unto the said parties of the second part, and to their heirs and assigns, the following described tract of land, situate, lying and being in the County of Klamath State of Washington, and particularly bounded and described as follows, to-wit:

The South half of the Southeast Quarter of Section 26, Township 39 South, Range 9 East of the Willamette Meridian, Oregon, EXCEPT the following Parcels thereof, to-wit:

PARCEL NO. 1: That portion of said property conveyed by Frank D. Miles, a single man, to P. J. Elliott, by deed dated December 21, 1937, recorded December 22, 1937 in Book 113 at page 443, Deed Records of Klamath County, Oregon, described as follows, to-wit:

Beginning at a point on the east boundary of said Section 26 from which the Southeast corner of said Section 26 bears South 1193.0 feet distant, and running thence South 89°49' West 100.0 feet; thence North 50.0 feet; thence South 89°49' West 2559.0 feet to the West boundary of the Southeast Quarter of said Section 26; thence North 60.0 feet; thence North 89°49' East 2479.0 feet; thence South 64° 50' East 88.5 feet; thence South 72.0 feet to the point of beginning.

PARCEL NO. 2: EXCEPTING ALSO that portion of said property described as Parcel Four (Unit No. 11) in United States of America, Plaintiff vs Charles E. Drew et al, Defendants, Civil No. 4253. In the District Court of the United States for the District of Oregon in Judgment of Declaration of Taking and Order Granting Possession, recorded March 11, 1949 in Book 229, page 308, Deed Records of Klamath County, Oregon, and also described in United States of America, Plaintiff vs Jack C. Hayes et al, Defendants, Civil No. 4726. In the District Court of the United States for the District of Oregon in Order Fixing Value, Final Judgment in Condemnation and Order Disbursing Funds recorded March 9, 1951 in Book 246, page 73, Deed Records of Klamath County, Oregon, and described as follows, to-wit:

Beginning at a point in the easterly boundary of the Southeast Quarter of said Section 26, distant there along North 126.7 feet from the Southeast corner of said Section 26, said point being also distant North 165 feet from the center line of Lost River Diversion Channel Enlargement running thence from said point of beginning South 89°58' West 2658.0 feet to a point in the westerly boundary of the Southeast Quarter of said Section 26, distant therealong North 128.2 feet from the South Quarter corner of said Section 26, said point being also North 165 feet from said center line of Lost River Diversion Channel Enlargement; EXCEPTING THEREFROM, all that portion thereof lying within the present boundaries of the right of way for Lost River Diversion Channel owned by the United States of America.

PARCEL NO. 3: EXCEPTING ALSO that portion of said property conveyed by bestees herein to City of Klamath Falls, a municipal corporation of the State of Oregon by deed dated February 15, 1955, recorded February 16, 1955 in Book 272, page 328, Deed Records of Klamath County, Oregon, described as follows, to-wit:

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Beginning at the Northwest corner of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 26, Township 39 South, Range 9 E.W.M., said corner being on the center line of the U.S.B.R. drainage canal; thence South 89°57'15" East along the centerline of said canal a distance of 1026.63 feet to a point; thence South 88°29'45" West a distance of 1107.04 feet to an iron pin, said pin being on the Westerly one Quarter section line of the SE $\frac{1}{4}$ of said Section 26; thence North 0°27'45" East along said one quarter section line a distance of 406.77 feet to the point of beginning.

PARCEL NO. 4: EXCEPTING ALSO that portion of said property conveyed by bestees herein to City of Klamath Falls, a municipal corporation of the State of Oregon by deed dated September 16, 1955, recorded September 21, 1955 in Book 277, page 468, Deed Records of Klamath County, Oregon, described as follows, to-wit:

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Together with the appurtenances, to have and to hold the said premises, with the appurtenances, unto said parties of the second part, and to their heirs and assigns forever.

And the said parties of the first part, their heirs, executors and administrators, do by these presents covenant, grant and agree to and with the said parties of the second part, their heirs and assigns, that they the said parties of the first part, their heirs, executors and administrators, all and singular the premises hereinabove conveyed, described and granted, or mentioned with the appurtenances, unto the said parties of the second part, their heirs and assigns, and against all and every person or persons whomsoever lawfully claiming or to claim the same, or any part thereof, through, or under the said parties of the

first part shall and will WARRANT and forever DEFEND.

In Witness Whereof, The said parties of the first part have hereunto set their hand, seal and seal the day and year first above written.

Signed, Sealed and Delivered in Presence of

Robert L. Loughran
James C. Carey

C. E. Atwater (SEAL)
HALL-ATWATER, INC., C. E. Atwater, Pres.
O. A. White (SEAL)
WHITE BROS. CONSTRUCTION CO., INC.
O. A. White, Pres. (SEAL)

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This blank is guaranteed against successful alteration, which guaranty is insured in LLOYD'S, London—Pat. Pend.
Washington Legal Blank Co., Seattle. (Special Warranty Deed) Form No. 51.

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Printing Date 10/20/45

PARCEL NO. 3: EXCEPTING ALSO that portion of said property conveyed by bestees herein to City of Klamath Falls, a municipal corporation of the State of Oregon by deed dated February 15, 1955, recorded February 16, 1955 in Book 272, page 328, Deed Records of Klamath County, Oregon, described as follows, to-wit:

2181

Beginning at the Northwest corner of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 26, Township 39 South, Range 9 E.W.M., said corner being on the center line of the U.S.B.R. drainage canal; thence South 89°57'15" East along the centerline of said canal a distance of 1026.63 feet to a point; thence South 88°29'45" West a distance of 1107.04 feet to an iron pin, said pin being on the Westerly one Quarter section line of the SE $\frac{1}{4}$ of said Section 26; thence North 0°27'45" East along said one quarter Section line a distance of 406.77 feet to the point of beginning.

PARCEL NO. 4: EXCEPTING ALSO that portion of said property conveyed by bestees herein to City of Klamath Falls, a municipal corporation of the State of Oregon by deed dated September 16, 1955, recorded September 21, 1955 in Book 277, page 468, Deed Records of Klamath County, Oregon, described as follows, to-wit:

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Beginning at an iron pin on the west line of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 26, Township 39 South, Range 9 E.W.M., said pin being South 0°27'45" West a distance of 408.54 feet from the Northwest corner of said SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 26, Township 39 South, Range 9 E.W.M.; thence North 68°29'45" East a distance of 1107.04 feet, to a point on the north line of the said SW $\frac{1}{4}$ SE $\frac{1}{4}$, said point being also the centerline of the U.S.R.S. drainage ditch; thence South 89°57'15" East along said north line of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ a distance of 53.50 feet to a point; thence South 21°30'15" East a distance of 1312.11 feet to an iron pin, said pin being on the northerly right of way line of the Lost River Diversion Canal and being within the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 26; thence North 89°49'09" West along said northerly right of way line a distance of 1571.10 feet to an iron pipe, said pipe being on the west line of said SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 26; thence North 0°27'25" East along said west line a distance of 809.83 feet, to the point of beginning.

Together with the appurtenances, to have and to hold the said premises, with the appurtenances, unto said part ies of the second part, and to their heirs and assigns forever.
And the said part ies of the first part, their heirs, executors and administrators, do by these presents covenant, grant and agree to and with the said part ies of the second part, their heirs and assigns, that they the said part ies of the first part, their heirs, executors and administrators, all and singular the premises hereinabove conveyed, described and granted, or mentioned with the appurtenances, unto the said part ies of the second part, their heirs and assigns, and against all and every person or persons whomsoever lawfully claiming or to claim the same, or any part thereof, through, or under the said part ies of the

first part
shall and will WARRANT and forever DEFEND.

In Witness Whereof, The said part ies of the first part have hereunto set their hand A and seal A the day and year first above written.

Signed, Sealed and Delivered in Presence of

Leslie L. Latham
Leslie L. Latham

C. E. Atwater (SEAL)
HALL-ATWATER, INC. C. E. Atwater, Pres.
O. A. White (SEAL)
WHITE BROS. CONSTRUCTION CO., INC.
O. A. White, Pres. (SEAL)

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Oregon
STATE OF WASHINGTON

ss. (INDIVIDUAL ACKNOWLEDGMENT)

County of Klamath

I, Lena Oney, Notary Public in and for the State of Washington residing at
Seattle, Washington do hereby certify that on this first

day of May, 19 58, personally appeared before me

C. E. Atwater and O. A. White

to me known to be the individual as described in and who executed the within instrument and acknowledged that
they signed and sealed the same as their free and voluntary act and deed for the uses and
purposes herein mentioned.

GIVEN UNDER MY HAND AND OFFICIAL SEAL this First day of

May, 19 58

Lena Oney
Notary Public in and for the State of Washington, residing at Seattle in said County.

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of Ott-Atwater Co.

this 13 day of January A.D. 19 59 at 2:25 o'clock P. M., and

duly recorded in Vol. 308, of Deeds on Page 562

Fee \$4.50

CHAS. F. DELAP, COUNTY CLERK

By Lena Oney Deputy

STATE OF WASHINGTON

County of KING

On this 1st day of May, A.D. 19 58, before me, the under-
signed, a Notary Public in and for the State of Washington, duly commissioned
and sworn personally appeared O. A. White and XXXXXX, respectively, of
to me known to be the President and Secretary, respectively, of
White Bros. Construction Co., Inc.

the corporation that executed the foregoing instrument, and acknowledged the said instrument to be the free and volun-
tary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that he
is authorized to execute the said instrument and that the seal affixed is the corporate seal of said
corporation.

WITNESS my hand and official seal hereto affixed the day and year in this certificate above written.

Lena Oney
Notary Public in and for the State of Washington
residing at Seattle

STATE OF WASHINGTON

County of KING

ss. (corporation, Washington Title Insurance Company, Form L 29)

On this 1st day of May, A.D. 19 58, before me, the under-
signed, a Notary Public in and for the State of Washington, duly commissioned
and sworn personally appeared C. E. Atwater and XXXXXX, respectively, of
to me known to be the Vice-President and Secretary, respectively, of
Hall-Atwater, Inc.

the corporation that executed the foregoing instrument, and acknowledged the said instrument to be the free and volun-
tary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that he
is authorized to execute the said instrument and that the seal affixed is the corporate seal of said
corporation.

WITNESS my hand and official seal hereto affixed the day and year in this certificate above written.

Lena Oney
Notary Public in and for the State of Washington
residing at Seattle

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of Ganong, Ganong, & Gordon, Attorneys

this 12th day of March A.D. 19 71 at 12:47 o'clock P. M., and duly recorded in

Vol. M-71, of Deeds on Page 2180

Fee \$4.50

WM. D. MILNE, County Clerk

By Ganong, Ganong, & Gordon