

51574

WARRANTY DEED

m VOL. 71 PAGE 4236

KNOW ALL MEN BY THESE PRESENTS, that INVESTORS ACQUISITION CORPORATION, a California corporation, and BERT T. SWANSTON, hereinafter called the Grantors, for the consideration herein-after stated to the Grantors paid by MT. SCOTT PROPERTIES, a Joint Venture, hereinafter called the Grantee, do hereby grant, bargain, sell and convey unto the Grantee that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Klamath, State of Oregon, described as follows, to wit:

See EXHIBIT "A" attached hereto.

To Have and to Hold the above described and granted premises unto the said Grantee, its heirs and assigns forever.

And Grantors hereby covenant to and with Grantee and its assigns that Grantors are lawfully seized in fee simple of the above granted premises, free from all encumbrances except for the easements, liens and restrictions of record, and that Grantors 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 ONE HUNDRED TEN THOUSAND AND NO/100 (\$110,000.00) DOLLARS.

IN WITNESS WHEREOF, the individual Grantor has executed this instrument on the 8th day of May 1971, and the corporation has caused its corporate name to be signed and its corporate

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seal to be affixed hereunto by its officers duly authorized
thereunto by order of its board of directors.

INVESTORS ACQUISITION CORPORATION

By Gerard H. Davis, President

By Anthony M. Kennedy, Secretary

Bert T. Swanston
Bert T. Swanston

STATE OF CALIFORNIA)
COUNTY OF SACRAMENTO) SS

On this 8th day of May 1971, before me, the undersigned,
a Notary Public, State of California, duly commissioned and sworn,
personally appeared BERT T. SWANSTON, known to me to be the per-
son whose name is subscribed to the within instrument, and
acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed my official seal in the County of Sacramento the day
and year in this certificate first above written.



STATE OF CALIFORNIA)
COUNTY OF SACRAMENTO) SS

On this 8th day of May, 1971, before me, the undersigned,
a Notary Public, State of California, duly commissioned and sworn,
personally appeared GERARD H. DAVIS and ANTHONY M. KENNEDY, known
to me to be the President and Secretary, respectively, of the
corporation described in and that executed the within instrument,
and also known to me to be the persons who executed the within
instrument on behalf of the corporation therein named, and
acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed my official seal in the County of Sacramento the day and
year in this certificate first above written.



Beverly Hing
BEVERLY HING - NOTARY PUBLIC in
and for the County of Sacramento,
State of California

EXHIBIT "A"

All that property situate in the County of Klamath,
State of Oregon described as follows:

In Township 31 South, Range 7 East of the
Willamette Meridian:

PARCEL 1, SECTION 1: Lots 1 and 2, South
half Northeast quarter, Southeast quarter BUT
EXCEPTING from Lot 2 Highway #97 right of way
conveyed to the State of Oregon in Deed Book
190 at page 16.

PARCEL 2, SECTION 12: Northeast quarter,
Southeast quarter,

Subject to the following exceptions:

1. There is expressly excepted from the foregoing
PARCEL 1 and PARCEL 2 all of those lands situated
within Tract A and Tract B as shown on the Pre-
liminary Plat of Mount Scott Meadows, Tract No.
1027, attached hereto as Exhibit "B", which map
has been accepted by and is on file with the
Klamath County Planning Commission.
2. There is further expressly excepted from the
foregoing PARCEL 1 and PARCEL 2 that certain parcel
designated as "Existing Artesian Well" which is a
portion of Lot 4, Block 7, of the Preliminary Plat
of Mount Scott Meadows, Tract No. 1027, attached
hereto as Exhibit "B", which map has been accepted
by and is on file with the Klamath County Planning
Commission.
3. There is further expressly excepted from the
foregoing PARCEL 1 and PARCEL 2 a non-exclusive
easement of access to all existing wells, irrigation
structures, drainage canals, and drainage ditches,
including Scott Creek and the canals shown on the
map attached hereto as Exhibit "B". Together with
access rights for purposes of maintenance and repair
as follows:
 - a. A strip of land thirty (30) feet on each
side of the center line of Scott Creek as said
Creek is shown on the above referred to Pre-
liminary Plat of Mount Scott Meadows, Tract No.
1027.
 - b. A fifteen (15) foot strip of land lying
North of and adjacent to the center line of the
canal, which center lies along the South line of
Lots 4, 5, 7, 8 and 9 of Block 7 as shown on the
Preliminary Plat of Mount Scott Meadows, Tract
No. 1027.
 - c. A fifteen (15) foot strip of land lying
North of and adjacent to the center line of the
canal shown on the North line of Lots 20 and 21,
Block 11, and the North lines of Lot 1, Block 24,

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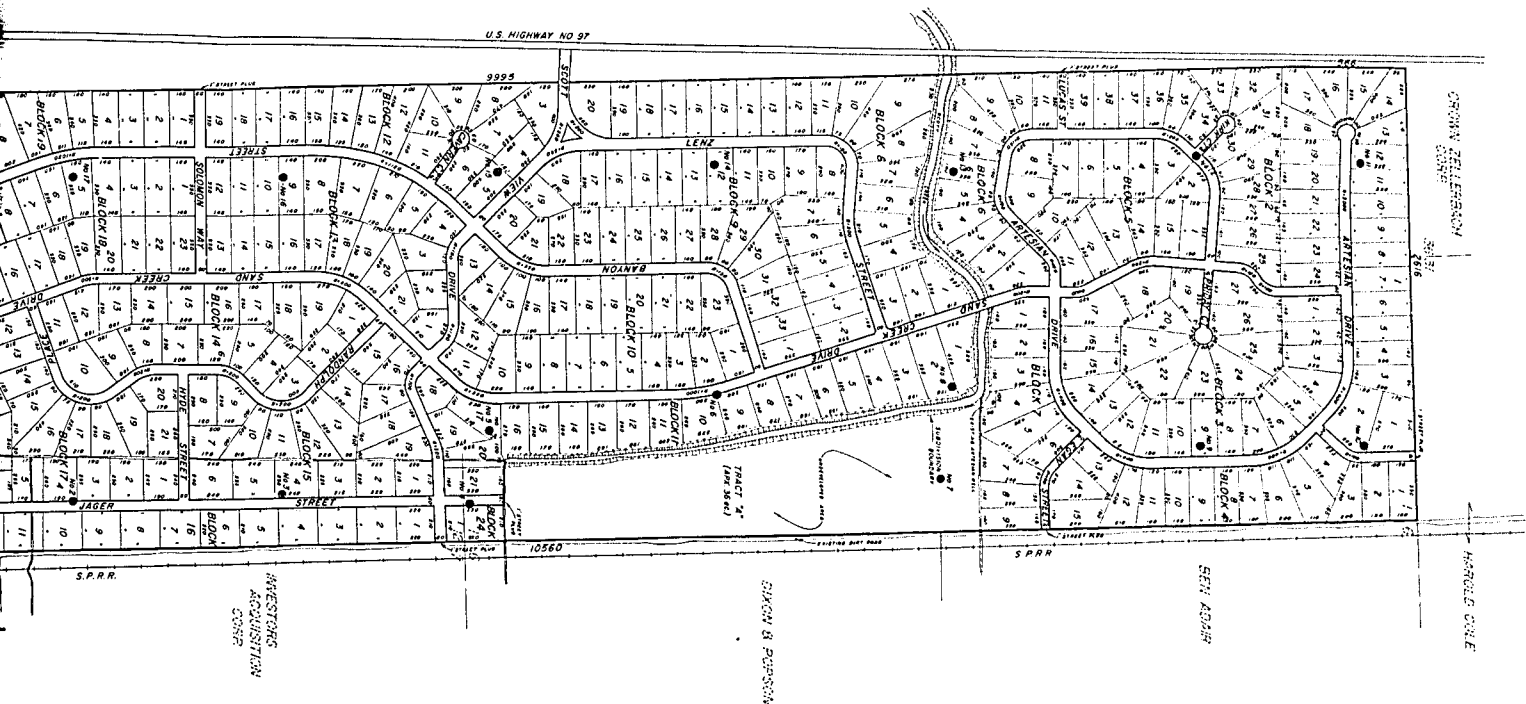
as shown on the Preliminary Plat of Mount Scott Meadows, Tract No. 1027.

d. A fifteen (15) foot strip of land lying North of and adjacent to the center line of the canal shown traversing Lot 5, Block 17, and Lot 11, Block 16, on the above referred to Preliminary Plat of Mount Scott Meadows, Tract No. 1027.

e. A strip of land fifteen (15) feet in width lying East of and adjacent to the center line of the canal which traverses in a North and South direction through Blocks 11, 15, 17 and the Easterly boundary of Block 21 as shown on the Preliminary Plat of Mount Scott Meadows, Tract No. 1027.

4. There is further expressly excepted from the foregoing PARCEL 1 and PARCEL 2 an exclusive easement for the withdrawal of water from the artesian well located on the property described in Exception "1" and an exclusive easement to withdraw water from the creek, canals, and systems described in Paragraph "2" above.

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PRELIMINARY PLAT
OF
TRACT NO. 1027
MT. SCOTT MEADOW
SITUATE IN SEC. 18 1/2, T. 31 S, R. 7 E, W. 4 M
KLAMATH COUNTY, OREGON
SCALE 1"=500'



1. OWNER AND SUBDIVIDER: INVESTING ACQUISITION CORP., 555 CAPITOL HILL, SACRAMENTO, CALIF.
2. SURVEYORS: DONICH-GREDELL & ASSOCIATES, 1005 OREGON AVE., KAMATH FALLS, ORE.
3. EXISTING LAND USE: GRAZING - PROPOSED USE: RECREATIONAL/RESIDENTIAL.
4. BUILDING SET-BACK LINES: STREETS - 25' ON FRONT, 20' ON SIDES, LOT LINES - 20' ON SIDE AND BACK.
5. THIS TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS.
6. ROADS: ROW TO BE AS SHOWN AND SURFACED TO A WIDTH OF 24' WITH GRADUALLY CHANGING ADEQUATE DRAINAGE FACILITIES WILL BE PROVIDED. MAXIMUM STREET GRADE WILL BE 10%.
7. WATER AND SANITARY SEWER: INDIVIDUAL WELLS AND SEPTIC TANKS AS APPROVED BY THE KLAMATH COUNTY HEALTH DEPT. PERCOLATION TEST RESULTS HAVE BEEN SUBMITTED TO THE HEALTH DEPT.
8. MINIMUM LOT SIZE TO BE APPROX. 1 ACRE.
9. PROTECTIVE COVENANTS WILL BE ADOPTED TO INSURE ORIENTED DEVELOPMENT AND PREVENT SUBSTANDARD BUILDING.
10. SUBDIVISION TO CONTAIN APPROX. 587 ACRES, TO BE SUBDIVIDED INTO 429 LOTS.
11. PUBLIC UTILITIES EASEMENTS: 16' EASEMENT CENTERED ON ALL SIDE AND BACK LOT LINES.
12. PROPER TRAFFIC CHANNELIZATION AND CONTROL FACILITIES WILL BE PROVIDED AT ACCESS POINT ON HWY 97

LEGEND:
DISTANCES SHOWN ARE APPROXIMATE.
THIS COMPOUND METHOD OF PHOTO-
SURVEYING WAS USED TO OBTAIN THE
DATE OCT. 1970 TO 1971. SERVICE ESTIMATE
MODERATE PRECISION TEST WORK

COUNTY TITLE CO.
at 3:20 o'clock PM., and duly recorded in
Page 4236

WM. D. MILNE, County Clerk

By *W. D. Milne*

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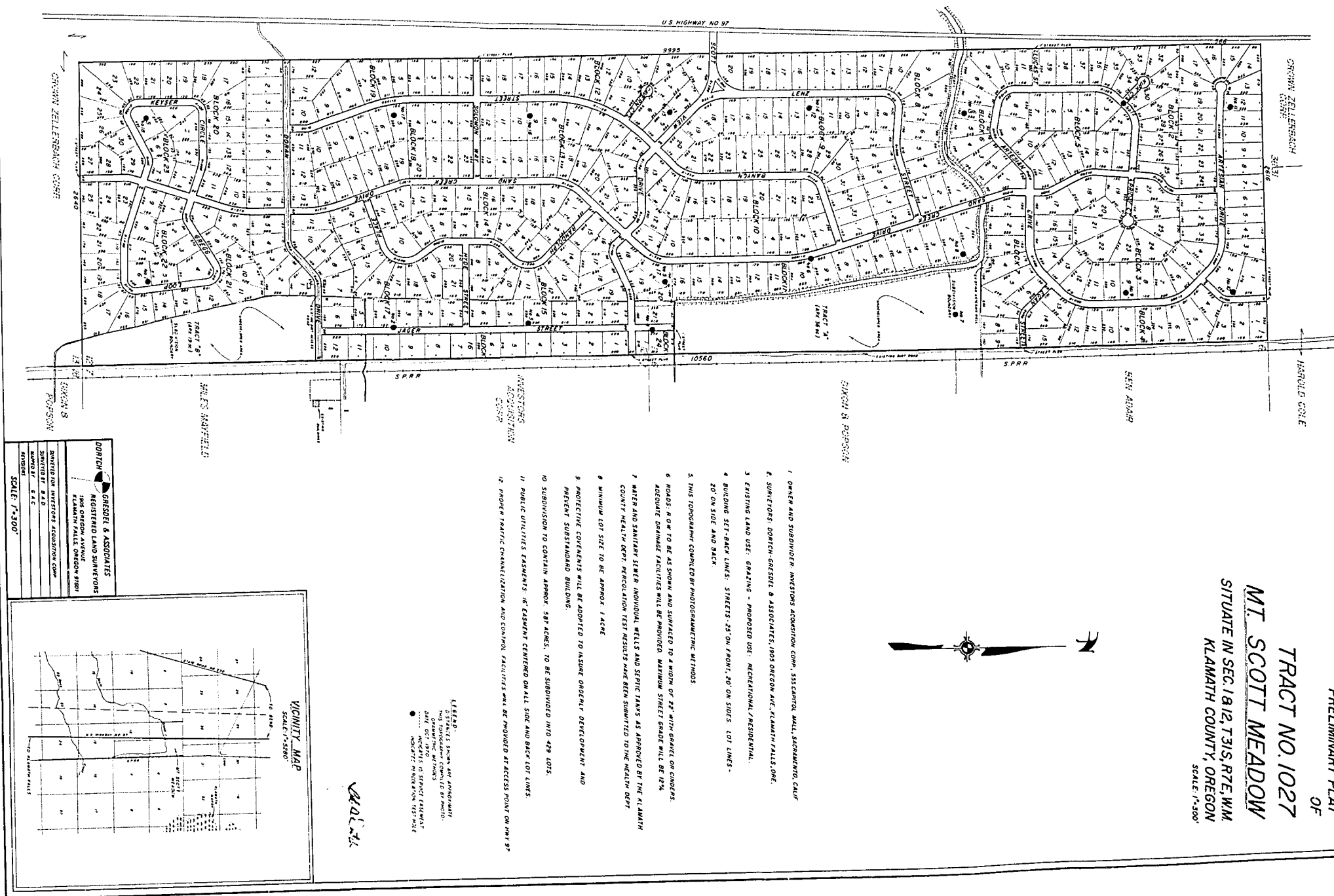


EXHIBIT "B"

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of KLAMATH COUNTY TITLE CO.

this 11th day of May A. D. 1971 at 3:20 o'clock P.M., and duly recorded in
Vol. M.71 of DEEDS on Page 4236.

FEE \$9.00

WM. D. MILNE, County Clerk

By *W. D. Milne*