

1967/50

KNOW ALL MEN BY THESE PRESENTS, That D. E. COLWELL and BARBARA D. COLWELL, husband and wife,

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by WEYERHAEUSER COMPANY, a corporation,

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:

The real property described on Exhibit "A" attached hereto and by reference made a part hereof as though fully set forth herein.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

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 hereinabove 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 \$34,445.00. However, the actual consideration consists of or includes other property or value given or promised which is part of the consideration (indicate which) plus assumption of mortgage and purchase money note.

In construing this deed and where the context so requires, the singular includes the plural. WITNESS grantor's hand this 15th day of October 1971.

D. E. Colwell
Barbara D. Colwell

STATE OF OREGON, County of Klamath, ss. October 15, 1971.
Personally appeared the above named D. E. COLWELL and BARBARA D. COLWELL, husband and wife, and acknowledged the foregoing instrument to be their voluntary act and deed.

(OFFICIAL SEAL)

Before me: *Alameda E. Giacomini*
Notary Public for Oregon
My commission expires Aug. 5, 1974

NOTE—The sentence between the symbols ①, if not applicable, should be deleted. See Chapter 462, Oregon Laws 1967, as amended by the 1967 Special Session.

WARRANTY DEED

D. E. COLWELL and
BARBARA D. COLWELL
TO
WEYERHAEUSER COMPANY

AFTER RECORDING RETURN TO

Giacomini Office

(DON'T USE THIS
SPACE; RESERVED
FOR RECORDING
LABEL IN COUN-
TIES WHERE
USED.)

STATE OF OREGON,

County of

I certify that the within instru-
ment was received for record on the
day of , 19 ,
at o'clock M., and recorded
in book on page
Record of Deeds of said County.
Witness my hand and seal of
County affixed.

Title.

By

Deputy

OCT 23 4 02 PM 1971

Township 39 South, Range 8 East of the Willamette Meridian

Section 22: The E $\frac{1}{2}$ SE $\frac{1}{4}$ lying Southeasterly of the Klamath Falls-Ashland Highway.

Section 23: That part of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ lying South of the Klamath Falls-Ashland Highway.

All of the SW $\frac{1}{4}$, EXCEPT that part lying Northwest of the Klamath Falls-Ashland Highway.

Also that part of Government Lot 1 (also referred to as S $\frac{1}{2}$ SE $\frac{1}{4}$) Lying North and West of Klamath River.

Section 26: Government Lots 1, 2 and 3 (also referred to as the NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, and the NW $\frac{1}{4}$ NE $\frac{1}{4}$) lying North and West of Klamath River.

Section 27: The E $\frac{1}{2}$ NE $\frac{1}{4}$, and the NE $\frac{1}{4}$ SE $\frac{1}{4}$.

EXCEPTING from the above described property a strip of land 60 feet in width deeded to Weyerhaeuser Timber Company by deed recorded May 5, 1928, in Deed Volume 78 at page 483.

SUBJECT TO:

1. Right of Way for pole line across S $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 22, Township 39 South, Range 8 East of the Willamette Meridian, executed by H. H. Van Valkenburg, et ux, to the California Oregon Power Company, dated April 2, 1926, recorded April 26, 1926, in Deed Volume 69 at page 493, Records of Klamath County, Oregon.
2. Right of Way for pole line across S $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 22 and NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 27, Township 39 South, Range 8 East of the Willamette Meridian, executed by H. H. Van Valkenburg, et ux, to the California Oregon Power Company, dated March 31, 1928, recorded June 13, 1928, in Deed Volume 80 at page 478, Records of Klamath County, Oregon.
3. Pumping Contract, between the United States of America and H. H. Van Valkenburg and Emma Van Valkenburg, husband and wife, dated July 29, 1935, recorded August 21, 1935, in Deed Volume 105 at page 135, Records of Klamath County, Oregon. Affects 20.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, 30 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 22; 30 acres in W $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ and W $\frac{1}{2}$ E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 27; 30 acres in W $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ and W $\frac{1}{2}$ E $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 27; and 40 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 26, Township 39 South, Range 8 East of the Willamette Meridian.
4. Financing Statement filed September 20, 1965, under #466, D. E. and Barbara D. Colwell, debtor and the Prudential Insurance Company of America, secured party.

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5. Mortgage, including the terms and provisions thereof, dated September 8, 1965, recorded September 20, 1965, in M-65 at page 1822, given to secure the payment of \$100,000.00, with interest thereon and such future advances as may be provided therein, executed by D. E. Colwell sometimes known as Donald E. Colwell and Barbara D. Colwell, sometimes known as Barbara B. Colwell, to the Prudential Insurance Company of America, which mortgage grantee assumes and agrees to pay according to the terms thereof.
6. 1971-72 Klamath County Real Property Taxes and assessments now a lien but not yet payable; and any taxes which may become due under the provisions of the farm use assessment law.

STATE OF OREGON, COUNTY OF KLAMATH; ss.

Filed for record at request of Transamerica Title Ins. Co.
 this 29th day of October, A. D. 1971, at 4:02 o'clock P.M., and
 duly recorded in Vol. M71, of Deeds on Page 11358

Wm D. MILNE, County Clerk

Fee \$4.50

[Signature]

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