

WARRANTY DEED

28-2456

MAR 31 3 16 PM 1972

KNOW ALL MEN BY THESE PRESENTS, that JOHN A. GARDNER, a single man, in consideration of Thirty Eight Thousand and no/100 Dollars to him paid by FINLEY STACEY and BETTY JEAN STACEY, husband and wife, does hereby grant, bargain, sell and convey unto the said FINLEY STACEY and BETTY JEAN STACEY, their heirs and assigns, all of the following real property, with the tenements, hereditaments and appurtenances thereto belonging or appertaining, situated in the County of Klamath and State of Oregon, bounded and described as follows, to wit:

1. All that tract of land recorded in Volume 266, Page 629, Parcel 1, of deed records of Klamath County, Oregon, described as: Beginning at the intersection of a line marking the east line of the $W\frac{1}{2}$ E $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 32, T.39S., R.8E., W.M. with the centerline of the Ashland-Klamath Falls Highway as now located; thence North along the east line of the $W\frac{1}{2}$ E $\frac{1}{2}$ NE $\frac{1}{4}$ of said Section 32 and the east line of the $W\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 29 in said Township and Range, a distance of 2257.5 feet more or less to the south line of Emmitt Ditch in said last mentioned 40 acre tract; thence West along said ditch 385 feet; thence South and parallel with the first mentioned course to center of said highway; thence northeasterly along the centerline of the highway to the point of beginning, containing 20 acres more or less in addition to the land included in the highway and situated in the $W\frac{1}{2}$ E $\frac{1}{2}$ NE $\frac{1}{4}$ of said Section 32 and the $W\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 29.

EXCEPTING THEREFROM that portion thereof under contract to RAY and LORRAINE PINOLE, which portion lies westerly of a line joining a point on the north boundary, distant 359.0 feet easterly from the northwest corner thereof and a point on the northerly right of way boundary of the Klamath Falls-Ashland Highway (Oregon 66) as constructed this date; said point being distant 381.7 feet as measured easterly along the aforesaid highway right of way boundary from the westerly boundary thereof, containing 18.5 acres, more or less.

2. All that tract of land recorded in Volume 266, Page 629, Parcel 2, Deed Records of Klamath County, Oregon, described as; That portion of the E $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 32, T.39S., R.8E., W.M. in Klamath County, Oregon, described as follows: Beginning at a point which is S.0°32'W., 558.25 feet and S.89°58'W., 95 feet from the section corner common to Sections 28, 29, 32 and 33, T. 39S., R.8E., W.M., being the point of beginning; thence S.89°59'W., 517.5 feet to a point; thence S.0°32'W., 922.25 feet to a point on the northerly right of way line of the Klamath Falls-Ashland Highway; thence N.74°E. along the northerly right of way of said highway 539.8 feet to a point; thence N.0°32'E., 761.76 feet to the point of beginning, comprising 10 acres, more or less.

3. All that tract of land recorded in Volume 324, Page 146 of Deed Records of Klamath County, Oregon described as: Beginning at a point on the lower bank of the Upper Emmitt Ditch 25 feet west and 590.7 feet north of the section corner common to Sections 28, 29, 32 and 33, T.39S., R.8E., W.M.; thence N.89°36'W. 582.78 feet to the boundary fence on the west line of the E $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 29; thence S.0°32'W. along said boundary fence 1154.34 feet to a fence corner; thence N.89°59'E., 837.5 feet to the west line of a tract of land conveyed to Nellie Anderson by deed recorded in Volume 194, Page 441, August 28, 1946; thence N.0°21'W. along said fence 1117.0 feet to a stake in the southerly bank of Upper Emmitt Ditch; thence N.78°28'W., along said ditch 245.0 feet to the point of beginning, containing 21.7 acres, more or less, and being in Sections 28, 29, 32 and 33, T.39S., R.8E., W.M., Klamath County, Oregon.
4. All that tract of land recorded in Volume 320, Page 358 of Deed Records of Klamath County, Oregon, described as: Beginning at the section corner common to Sections 28, 29, 32 and 33, T.39S., R.8E., W.M.; thence North 590.7 feet and West 24.4 feet to a point on the lower bank of the Upper Emmitt Ditch; this point is the most northeasterly corner of that land described in Volume 163, Page 544, Deed Records of Klamath County, Oregon, said point also being on the common boundary of the aforesaid tract and that land described in Volume 164, Page 447 of aforesaid deed records, said point also being the true point of beginning; thence westerly along the aforesaid common boundary 635.6 feet to the southwest corner of land described in the last mentioned deed volume and page; thence North along the West boundary thereof 730.0 feet to the northwest corner of the E $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 29; thence East along the 1/16 sub-divisional sectional line 875.6 feet; thence South 779.0 feet to the northeast corner of the land described in Volume 279, Page 39; thence N.78°28'W. along the north boundary thereof a distance of 245.0 feet to the point of beginning, containing 14.8 acres and being in Klamath County, Oregon.

EXCEPTING THEREFROM all that portion thereof deeded to Wm. J. Hollinger, recorded in M.71, Page 3882, Deed Records of Klamath County, Oregon; described as: A parcel of land consisting of the north 312.00 feet (as measured along the east and west boundaries from the north boundary thereof) of that tract of real property recorded in Volume 320, Page 358 of Deed Records of Klamath County, Oregon, described therein as being situated in the E $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 29 and in the W $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 28, all in Township 39 South, Range 8 East of the Willamette Base and Meridian, Klamath County, Oregon, said parcel containing 6.3 acres, more or less.

3400

ALSO, for way of ingress and egress to the above described parcel of land from the Klamath Falls-Ashland Highway, the right of use of a 16.0 foot existing roadway, the centerline of which is particularly described as follows: Beginning at a point on the northerly right of way boundary of the Klamath Falls-Ashland Highway, distant 398.5 feet easterly of the most southwesterly corner of that tract of land designated as Parcel No. 1 recorded in Volume 266, Page 629 of Deed Records of Klamath County, Oregon; thence north following the centerline of aforesaid existing roadway 1987.0 feet; thence N.65°00'E., 117.0 feet; thence North 91.0 feet; thence N.24°00'W., 205.0 feet, more or less, to a point 8.0 feet distant easterly from the west boundary of aforesaid tract of real property recorded in Volume 320, Page 358 of Deed Records of Klamath County, Oregon; thence north, parallel with and 8.0 feet distant easterly from said west boundary 200.0 feet, more or less, to the south boundary of that parcel of land to which this description pertains.

All above described lands being herein conveyed are subject to:

1. Those provisions of the Emmitt Improvement District Company relative to contracts, water rights, taxes, assessments, rights of way for roads, ditches, canals and conduits, where applicable.
2. Rights of the public in and to any portion thereof lying within the bounds of public roads and highways.
3. Any and, or, all other agreements, easements and rights of way of record and those apparent on the land.

TO HAVE AND TO HOLD the above described premises unto the said FINLEY STACEY and BETTY JEAN STACEY, their heirs and assigns forever.

And JOHN A. GARDNER, the grantor above named, does covenant to and with the above named grantees, their heirs and assigns, that he is lawfully seized in fee simple of the above granted premises; that the above granted premises is free from all encumbrances, except as hereinabove set forth, and that he will and his heirs, executors and administrators shall 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.

WITNESS grantor's hand this 27th day of March, 1972

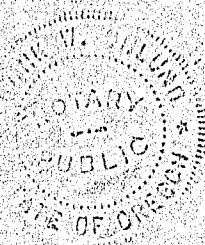
John A. Gardner

STATE OF OREGON, County of Klamath) ss March 27, 1972

Personally appeared the above named JOHN A. GARDNER and acknowledged the foregoing instrument to be his voluntary act and deed.

Before me:

Frank W. Oklund
Notary Public for Oregon
My commission expires April 19, 1973



STATE OF OREGON, COUNTY OF KLAMATH; ss.

Filed for record at request of Transamerica Title Co.

this 31st day of March A.D., 1972 at 3:16 o'clock P.M., and duly recorded in Vol. M 72 of Deeds on Page 3398.

WM. D. MILNE, County Clerk

Fee 6.00 By *Hazel Duval*