

64783

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that we, S. Marie Stearns and Ralph W. Stearns, wife and husband, in consideration of Ten Dollars and other valuable considerations to us in hand paid by Bill D. Russell and Leo T. Zell, do hereby grant, bargain, sell and convey unto Bill D. Russell, his heirs and assigns, an undivided one-half interest, and unto Leo T. Zell, his heirs and assigns, an undivided one-half interest, in and to all the following real property, with the tenements, hereditaments and appurtenances situated in the County of Klamath and State of Oregon, bounded and described as follows, to-wit:

PARCEL 1:

Beginning at a point on the Northerly boundary of Tract 805, ENTERPRISE TRACTS, as shown by the duly recorded plat thereof, which point is South 55°08' East a distance of 225 feet from the most Northerly corner of said Tract 805, and which point of beginning is the Northeasterly corner of a parcel of land deeded by Ralph W. Stearns to S. Marie Stearns, and recorded in Klamath County Deed Volume 105 at page 93; thence South 55°18' East, along the Northerly boundary of said Tract 805, a distance of 50 feet; thence South 34°52' West at right angles to said Northerly boundary a distance of 200 feet; thence North 55°08' West parallel to said Northerly boundary, a distance of 135.6 feet, more or less, to the Westerly boundary of said Tract 805; thence North along said Westerly boundary a distance of 85.32 feet, more or less, to the South-westerly corner of a parcel of land deeded by R. H. Bunnell to Kate Fales and recorded in Deed Volume 106 at page 286, Records of Klamath County, Oregon; thence South 55°08' East, parallel to said Northerly boundary a distance of 134.4 feet to the Southeasterly corner of said S. Marie Stearns property; thence North 34°52' East 130 feet to the point of beginning, being a portion of said Tract 805; EXCEPTING THEREFROM that portion conveyed to the State of Oregon by and through its State Highway Commission by deed recorded June 26, 1946, in Deed Volume 191 at page 240, Records of Klamath County, Oregon.

PARCEL 2:

Beginning at a point on the Southwesterly boundary line of the right-of-way of the Dalles-California Highway from which the intersection of the said boundary line with the Section line marking the boundary between Sections 3 and 4, Township 39 South, Range 9 East of the Willamette Meridian bears South 55°52' East 570.0 feet distant, and running thence South 34°08' West at right angles to the said boundary line 130.0 feet, thence North 55°52' West, parallel with the said boundary line 100.0 feet; thence North 34°08' East 130.0 feet, to a point in the said boundary line, thence South 55°52' East, along the said boundary line 100.0 feet to the point of beginning, and being a portion of Tract 805 of the ENTERPRISE TRACTS, according to the duly recorded Plat of said Tracts; EXCEPTING THEREFROM that portion conveyed to the State of Oregon, by and through its State Highway Commission by deed recorded May 22, 1943, in Deed Volume 155 at page 380, Records of Klamath County, Oregon.

5950

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. Easement, including the terms and provisions thereof, contained in an instrument to the State of Oregon by and through its State Highway Commission, recorded June 26, 1946, in Deed Volume 191 at page 240, Records of Klamath County, Oregon.

TO HAVE AND TO HOLD the above described and granted premises unto the said Bill D. Russell, his heirs and assigns, an undivided one-half interest, and unto the said Leo T. Zell, his heirs and assigns, an undivided one-half interest, forever.

And we, S. Marie Stearns and Ralph W. Stearns, wife and husband, the grantors above named, do covenant to and with the above named grantees, their heirs and assigns, that we are lawfully seized in fee simple of the above granted premises, that the above granted premises are free from all encumbrances, save and except as above stated, and that we will and our 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.

WITNESS our hands and seals this 14th day of March, 1964.

S. Marie Stearns (SEAL)

Ralph W. Stearns (SEAL)

STATE OF OREGON }
County of Klamath } ss.

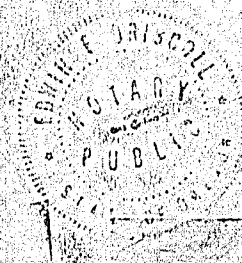
March 14th, 1964.

Personally appeared the above named S. Marie Stearns and Ralph W. Stearns, wife and husband, and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:

Edwin O. Dammell
NOTARY PUBLIC FOR OREGON

My Commission expires: 8/10/65



STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of TRANSAMERICA TITLE INS. CO

this 5th day of May A. D., 1972 at 10:52 o'clock A.M., and duly recorded in
Vol. M 72 of DEEDS on Page 5949

FEE \$11.00

WM. D. MILNE, County Clerk

By Hazel Drazil