

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That John Fehlen and Elsie V. Fehlen, husband and wife in consideration of ten and no/100 dollars, to us paid by Warren Poole and Marion Poole, husband and wife, do hereby grant, bargain, sell and convey unto said Warren Poole and Marion Poole, husband and wife, their heirs and assigns, 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:

Lots 1 to 14 of FEHLEN'S SHOPPING CENTER LOTS, a subdivision in Klamath County, Oregon, according to the official plat thereon on file in the records of Klamath County, Oregon, being further described as that six acres, more or less, being a portion of Tract 17, Enterprise Tract, situated in the East one half of the Southwest 1/4 of the Southeast 1/4 of Section 34, Township 38, South Range nine, East of the Willamette Meridian, known as Fehlen Shopping Center Lots.

To Have and to Hold the above described and granted premises unto the said Warren Poole and Marion Poole, husband and wife, their heirs and assigns forever.

And John Fehlen and Elsie V. Fehlen, husband and wife, the grantors above named do hereby covenant to and with the above named grantees their heirs and assigns that they are lawfully seized in fee simple of the above granted premises, that the above granted premises are free from all encumbrances, except liens and assessments of Klamath Project and Enterprise Irrigation District, and regulations, contracts, easements, water and irrigation rights in connection therewith. Overhang easement granted including terms and provisions, given by Klamath Post #8 The American Legion, an Oregon corporation, to the California Oregon Power Company, a California corporation, dated January 31, 1949, recorded February 8, 1949, on page 422 of Volume 228 of Deeds, records of Klamath County, Oregon.

Conditions contained in deed from John Fehlen and Arleta Fehlen.

DAVID R. VANDENBERG, JR.  
ATTORNEY AT LAW  
UNDERWOOD BLDG.  
MATH FALLS, ORE.  
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1 husband and wife, to the State of Oregon, by and through its State  
 2 Highway Commission, dated June 6, 1955, recorded June 10, 1955, in  
 3 Volume 275 of Deeds, page 121, records of Klamath County, Oregon, as  
 4 follows: "As a part of the consideration hereinabove stated there  
 5 is also bargained, sold, conveyed and relinquished to the Grantee  
 6 all existing future, or potential common law or statutory easements  
 7 of access between the right of way of the public way identified  
 8 as the relocated Klamath Falls-Main Highway and all of the Grantor's  
 9 remaining real property consisting of all parcels contiguous one to  
 10 another, whether acquired by separate conveyances or otherwise, all  
 11 of which parcels either adjoin the real property conveyed by this  
 12 instrument, or are connected thereto by other parcels owned by  
 13 Grantors.

14 "Grantee shall build a frontage road within the boundaries of  
 15 any present or hereafter acquired right of way on the Easterly side  
 16 of the Highway, and the Grantors, their heirs and assigns, shall  
 17 have access to the frontage road or roads. Said frontage road or  
 18 roads shall be connected to the main highway, or to other public  
 19 ways, only at such places as the Grantee may select.

20 It is expressly intended that these covenants, burdens and  
 21 restrictions shall run with the land and shall forever bind the  
 22 Grantors, their heirs and assigns."

23 Easement for pipe line, including the terms and provisions  
 24 thereof, conveyed by John Fehlen and Arleta Fehlen, husband and wife,  
 25 to the Oregon Water Corporation, an Oregon corporation, dated  
 26 August 20, 1956, recorded August 20, 1956, on page 107 of Volume 286  
 27 of Deeds, records of Klamath County, Oregon.

28 Reservations and restrictions contained in the dedication  
 29 of Fehlen Shopping Center lots, and that we will and our heirs,  
 30 executors and administrators, shall warrant and forever defend the  
 31 above granted premises, and every part and parcel thereof, against  
 32 the lawful claims and demands of all persons whomsoever.

12230

1 Witness our hands and seals this 6<sup>th</sup> day of June, 1966.  
2 Executed in the Presence of

3 \_\_\_\_\_  
4 John Fehlen (Seal)  
5 \_\_\_\_\_  
6 Elsie V. Fehlen (Seal)  
7 \_\_\_\_\_ (Seal)  
8 \_\_\_\_\_ (Seal)  
9 \_\_\_\_\_

10 STATE OF OREGON )  
11 : ss.  
12 County of Klamath )

13 BE IT REMEMBERED, That on this 6<sup>th</sup> day of June, 1966, before  
14 me, the undersigned, a Notary Public in and for said County and  
15 State, personally appeared the within named John Fehlen and Elsie  
16 V. Fehlen, husband and wife who are known to me to be the identical  
17 individuals described in and who executed the within instrument and  
18 acknowledged to me that they executed the same freely and  
19 voluntarily.

20 IN TESTIMONY WHEREOF, I have hereunto set my hand and  
21 official seal the day and year last above written.

22 David Klendenberg  
23 Notary Public for Oregon  
24 My Commission Expires: 5-22-70

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STATE OF OREGON  
County of Klamath  
Filed for record at request of  
Transamerica Title Co.  
on this 19th day of October A.D. 1972  
at 3:47 o'clock P. M. and duly  
recorded in Vol. M 72 of Deeds  
12228  
Wm. J. MILNE, County Clerk  
By Hazel Bagel  
6.00

ENDERG, JR.  
AT LAW  
10 BLDG.  
S. ORE.  
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