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WARRANTY DEED

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Vol 73 pg 94

KNOW ALL MEN BY THESE PRESENTS, that GEORGE SMALLEY and ELVA L. SMALLEY, husband and wife, hereinafter called the Grantors, for the consideration hereinafter stated, to Grantors paid by ALBERT FRANCIS SMITH, JR. and BARBARA ANN SMITH, husband and wife, hereinafter called the Grantees, do hereby grant, bargain, sell and convey unto the said Grantees and Grantees' 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:

PARCEL 1: The East 136 feet of the SW 1/4 NW 1/4 of Section 4, Township 41 South, Range 12 East of the Willamette Meridian, EXCEPTING THEREFROM the East 30 feet for road purposes AND EXCEPTING THEREFROM that portion lying North of the Shasta View Irrigation Ditch, Klamath County, Oregon.

PARCEL 2: A tract of land in the SE 1/4 of the NW 1/4 of Section 4, Township 41 South, Range 12 East of the Willamette Meridian, more particularly described as follows:

Beginning at the Southwest corner of said SE 1/4 NW 1/4; thence East along the South line of said SE 1/4 NW 1/4 to the West boundary of the Shasta View Irrigation Ditch running Northwest and Southeast through said SE 1/4 NW 1/4; thence Northwest along the West line of said SE 1/4 NW 1/4 to its intersection with the West line of said SE 1/4 NW 1/4; thence South along the West line of said SE 1/4 NW 1/4 to the point of beginning, EXCEPTING THEREFROM THAT portion lying within the County Road.

AND EXCEPTING THEREFROM a tract of land in the SE 1/4 NW 1/4 of Section 4, Township 41 South, Range 12 East of the Willamette Meridian, more particularly described as follows:

Beginning at a point in the South line of SE 1/4 NW 1/4 of Section 4, Township 41 South, Range 12 East of the Willamette Meridian, which point is East 450 feet and four inches from the Southwest corner of said SE 1/4 NW 1/4; and running thence North parallel with the West line of said SE 1/4 NW 1/4 a distance of 268 feet to the West line of the Shasta View Irrigation District Ditch; thence Southeast along the West line of said ditch to the South line of said SE 1/4 NW 1/4; thence West along said South line of said SE 1/4 NW 1/4 to the point of beginning. EXCEPTING THEREFROM that portion lying within the County Road.

SUBJECT TO: 1. Reservations, restrictions, rights of way, and easements of record and those apparent on the land. 2. The assessment roll and the tax roll disclose that the within described premises were specially assessed as farm use. If the land becomes disqualified for the special assessment under the statute, an additional tax may be levied for the last five years or lesser number

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of years in which the land was subject to the special land use assessment. 3. An easement created by instrument, including the terms and provisions thereof, dated May 18, 1948, recorded June 24, 1948, in Book 221 at page 43, Deed Records, in favor of The California Oregon Power Company for the installation of a Down Guy and Down Guy Anchor just North of and adjacent to the East-West County Road (Affects the SW 1/4 NW 1/4) 4. Regulations, including levies, assessments, water and irrigation rights and easements for ditches and canals, of Shasta View Irrigation District. 5. Regulations, including levies, assessments, water and irrigation rights and easements for ditches and canals, of Klamath Basin Improvement District, and 6. Subject to the terms and provisions of that certain instrument recorded July 24, 1970, in Volume M-70 at page 6187 as "Notice to persons intending to Plat Lands within the Klamath Basin Improvement District."

TO HAVE AND TO HOLD the same unto the said Grantees and Grantees' heirs, successors and assigns forever.

And said Grantors hereby covenants to and with said Grantees and Grantees' heirs, successors and assigns, that Grantors are lawfully seized in fee simple of the above granted premises free from all encumbrances, except those stated above, 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 is, stated in terms of dollars, \$22,500.00.

WITNESS Grantors' hands this 11 day of ^{December}~~October~~, 1972.

George Smalley
Elva L. Smalley
Grantors

STATE OF OREGON)
County of Klamath) ss.

Personally appeared the above-named GEORGE SMALLEY and ELVA L. SMALLEY, husband and wife, and acknowledged the foregoing instrument to be their voluntary act and deed.

James D. Bocchi
NOTARY PUBLIC FOR OREGON
My Commission Expires: 10-25-74

WARRANTY DEED, PAGE TWO.

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of Klamath County Title

this 18th day of Jan. A. D., 19 73 at 4:03 o'clock P.M., and duly recorded in Vol. M73 of Deeds on Page 685

Fee \$4.00

WM. D. MILNE, County Clerk
By Hazel Drayton

FORM No. 716-WA
1967

KNOW

A-20567

FORM No. 716-WA
1967

KNOW

A-20567

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