

79537

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SHERIFF'S DEED ON MORTGAGE FORECLOSURE

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THIS INDENTURE, Made this 16<sup>th</sup> day of July, 1973,

by and between J. M. BRITTON, Sheriff of Klamath County,  
Oregon, hereinafter called the grantor, and JULIUS LEVINE,  
NATHAN ENGELBERG, JACOB FEINSTEIN, MORRIS STARK and JEROME  
KAUFMAN, as tenants in common, hereinafter called the grantee;

W I T N E S S E T H:

RECITALS: In a suit in the Circuit Court of the State  
of Oregon for Klamath County, bearing register number 71-42 E,  
in which JULIUS LEVINE, NATHAN ENGELBERG, JACOB FEINSTEIN, MORRIS  
STARK and JEROME KAUFMAN, as tenants in common, was plaintiff  
and RANCHO KLAMATH FALLS, a limited partnership consisting of  
T. S. NAKANO and YURIKO NAKANO, husband and wife, BRUNO PROELL  
and A. JOY PROELL, husband and wife; and, ALFA EXECUTIVE INVEST-  
MENT CLUB, a copartnership consisting of DAVIS L. KITTINGER and  
DONALD REED; and RICHARD W. PEX; JOHN E. FERRIS; UNITED STATES  
OF AMERICA; and STATE OF OREGON, were defendants, a judgment was  
entered and filed on the 8th day of February, 1972, for the  
foreclosure of a mortgage on the real property described below;  
following the entry of said judgment, a writ of execution direct-  
ing the sale of said real property was issued out of said court,  
pursuant to which and on the 31st day of May, 1972, the said  
real property was sold, subject to redemption, in the manner  
provided by law, for the sum of \$184,721.25 to JULIUS LEVINE,  
NATHAN ENGELBERG, JACOB FEINSTEIN, MORRIS STARK and JEROME KAUFMAN,  
as tenants in common, who were the highest and best bidder and  
that being the highest and best sum bid therefor; at the time  
of said sale the said purchaser paid the amount bid for said

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property to the grantor or his predecessor in office; at said sale a certificate of sale as required by law was duly confirmed on the 21st day of June, 1972, said order of confirmation having been entered in volume M72 at page 3703 of the journal of said court, to which reference now is made.


The said real property has not been redeemed from such sale and the time for so doing has now expired; the grantee herein is the owner and holder of said certificate of sale.

NOW, THEREFORE, in view of the premises, in order to complete said sale pursuant to law and in consideration of the sum paid for said real property at said sale, the grantor has granted, bargained, sold and conveyed and by these presents does grant, bargain, sell and convey unto the grantees, as tenants in common, their heirs, successors-in-interest and assigns, that certain real property situated in Klamath County, Oregon, described on Exhibit "A" attached hereto and by this reference incorporated into and made a part of this deed as if fully set forth herein, together with all of the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining and all of the interest of the defendants and each of them in and to said real property;

TO HAVE AND TO HOLD the same unto the grantees and grantees' heirs, successors-in-interest and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$184,721.25.

IN WITNESS WHEREOF, the grantor has executed this instrument.

  
J. M. BRITTON  
SHERIFF OF KLAMATH COUNTY

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STATE OF OREGON     )  
                          ) ss.  
County of Klamath    )

Personally appeared the above named J. M. BRITTON,  
Sheriff of Klamath County, Oregon, and acknowledged the fore-  
going instrument to be his voluntary act and deed.

BEFORE me this 16<sup>th</sup> day of July, 1973.



*Phyllis G. Kinney*  
NOTARY PUBLIC FOR OREGON  
My Commission Expires: 4-30-76



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The following described real property in Klamath County, Oregon:

Township 38 South, Range 9 East of the Willamette Meridian, as follows:

Section 14:

S $\frac{1}{2}$  of NW $\frac{1}{4}$ , and SW $\frac{1}{4}$ .

Section 15:

S $\frac{1}{2}$  of NW $\frac{1}{4}$ , The South 465.44 feet of NW $\frac{1}{4}$  of NW $\frac{1}{4}$ , NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , and SW $\frac{1}{4}$ , together with a perpetual easement for water and sewer pipe lines, telephone and power lines over land described as follows:

That portion of Sections 28, 27, and 22 of Township 38 South, Range 9 East of the Willamette Meridian, in Klamath County, Oregon, lying within a strip of land 50 feet in width, the center line of which is described as follows:

Beginning at a point, same being on the half section line and 113.13 feet West of the Southwest corner of the Northwest  $\frac{1}{4}$  of Section 27; thence North 4° 45' East a distance of 366.14 feet to a point; thence North 7° 15' East a distance of 494.7 feet to a point lying in Section 27; thence North 29° 29' East a distance of 2196.5 feet; thence North 31° 2' East a distance of 4.1 feet to a point; thence North 8° 34' East a distance of 256 feet to a point; thence North 13° 45' East a distance of 242 feet to a point; thence North 46° 42' East a distance of 450 feet to a point; thence North 36° 50' East a distance

Schedule "A"

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Property Continued

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of 19.0 feet to a point; thence North  $44^{\circ}21'$  East a distance of 140.9 feet to a point; thence North  $31^{\circ}36'$  East a distance of 200 feet to a point; thence North  $22^{\circ}58'$  East a distance of 730 feet to a point; thence North  $20^{\circ}43'$  East a distance of 345 feet to a point; thence North  $3^{\circ}57'$  West a distance of 595 feet to a point; thence North  $27^{\circ}05'$  West a distance of 530 feet to a point; thence North  $23^{\circ}25'$  West a distance of 330 feet to a point; thence North  $15^{\circ}30'$  East a distance of 131.3 feet, same being on Section line between Sections 15 and 22.

EXCEPTING however from the above property the following described tract, referred to herein as the Rifle Range Area, located within, and being a part of, the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 15 and the SW $\frac{1}{4}$  of Section 14, all in Township 38 South, Range 9 East of the Willamette Base and Meridian, Klamath County, Oregon, said tract being more particularly described as follows:

Beginning at the section corner common to Sections 14, 15, 22, and 23, Township 38 South, Range 9 East of the Willamette Base and Meridian; thence N.  $28^{\circ}07'05''$  W., a distance of 1500.00 feet to the north boundary of the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 15; thence N.  $46^{\circ}03'22''$  E., a distance of 950.00 feet to the section line common to Sections 15 and 14; thence S.  $60^{\circ}26'25''$  E., a distance of 1310.41 feet to the north boundary of the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 14; thence N.  $89^{\circ}17'08''$  E. along said boundary a distance of 850.00 feet to a point on same which is distant 350.00 feet from the northeast corner of the SE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of said Section 14; thence S.  $1^{\circ}44'37''$  E., parallel with the east boundary of the SE $\frac{1}{4}$  of Section 14 a distance 1319.58 feet to the south boundary of Section 14; thence S.  $89^{\circ}14'34''$  W. along same, a distance of 2008.25 feet, more or less, to the point of beginning.

But including with the above property the following:  
The Water Storage Area, located within the Rifle Range Area in the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 15, Township 38 South, Range 9 East of the Willamette Base and Meridian, Klamath County, Oregon and being more particularly described as follows:

Beginning at the section corner common to Sections 14, 15, 22 and 23, Township 38 South, Range 9 East of the Willamette Base and Meridian; thence N.  $0^{\circ}38'06''$  W. along the boundary common to Sections 14 and 15, a distance of 792.02 feet, thence N.  $42^{\circ}22'W.$  a distance of 256.73 feet to the true point of beginning of this description; thence N.  $28^{\circ}40'30''$  W., 207.87 feet; thence N.  $61^{\circ}15'W.$ , 172.93 feet; thence S.  $9^{\circ}08'W.$ , 185.69 feet; thence S.  $73^{\circ}40'51''$  E. a distance of 292.61 feet to the true point of beginning.

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TOGETHER WITH the perpetual right of joint use of the road in the Rifle Range Area providing access to the above described Water Storage Area, and said access roadway being a strip not to exceed 40 feet in width, lying 20 feet on each side of the following described center line:

Beginning at the southeast corner of Section 15, Township 38 South, Range 9 East of the Willamette Base and Meridian; thence N. 87°09'W. along the South boundary of said Section 15 a distance of 1552.84 feet to the centerline of the Old Fort Road as now located and constructed, and being the true point of beginning of this description; thence following the aforesaid centerline northward on the following courses: (1) along the arc of a 7.007' curve to the right a distance of 428.15 feet; (2) along the arc of a 3.997' curve to the left a distance of 353.98 feet; (3) N. 21°35'E. 210.75 feet; (4) along the arc of a 10.00' curve to the left a distance of 397.83 feet; and (5) S. 18°12'W. a distance of 485.01 feet to the centerline of an existing road intersecting from the northeast; thence leaving the Old Fort Road and following the centerline of said intersecting road on the following courses: (1) along the arc of a 41.00' curve to the right a distance of 97.15 feet; (2) S. 21°38'E. 517.04 feet; (3) along the arc of a 29.00' curve to the right a distance of 440.59 feet; (4) S. 30°36'E. 106.85 feet; (5) along the arc of a 13.00' curve to the left a distance of 406.28 feet; (6) S. 83°25'E. 32.39 feet and (7) along the arc of a 30.00' curve to the right a distance of 393.39 feet, more or less, to the boundary of Rifle Range Area.

STATE OF OREGON,  
County of Klamath

Filed for record at request of

TRANSAMERICA TITLE INSURANCE CO

on this 3rd day of November A.D. 1969

at 11:42 o'clock A.M. and duly

recorded in Vol. M 69 of Mortgages

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Wm D. MILNE, County Clerk

By *[Signature]* Deputy

Fee \$18.00

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STATE OF OREGON,  
County of Klamath } ss.

Filed for record at request of:  
Robert Boivin

on this 7 day of August A.D. 1973

at 12:34 o'clock P.M. and duly

recorded in Vol. M-73 of deeds

Page 10198 Fee 12.00

WM D. MILNE, County Clerk

Fee 12.00 By *[Signature]* Deputy.

(SEAL)  
STATE OF OREGON  
who, being duly sworn,  
secretary of  
signed and sealed in behalf of  
said instrument to be  
(OFFICIAL SEAL)  
NOTE: The entire