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13805

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PARCEL #1

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That EDWIN REZENDES and ROSA A. REZENDES, husband and wife, hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by CLIFFORD J. EMMICH, hereinafter called grantee, does hereby grant, bargain, sell and convey unto the said grantee and grantee's 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:

Township 36 South, Range 12, East of the Willamette Meridian

Section 36: E $\frac{1}{2}$, E $\frac{1}{2}$ NW $\frac{1}{4}$

Section 35: SW $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$

Township 37 South, Range 12 East of the Willamette Meridian

Section 2: NW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ N $\frac{1}{2}$ NW $\frac{1}{4}$, also described as Government lots 4 and 6, E $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$

Section 1: Government lot 3, also known as the NE $\frac{1}{2}$ NW $\frac{1}{4}$

Also, an easement for a road right of way 50 feet in width along the west side of the east line of Section 25, Twp 36 S. Range 12 EWM from a point where that certain access easement described in an instrument dated June 20, 1967 and recorded in M 67 at page 4669 record of Klamath County, Oregon, thence south to the north line of Section 36, Twp 36 S. R 12 EWM. Also the right to use jointly with the grantor herein the rights retained by them in that certain easement heretofore granted by the grantor by instrument found in M-67 at page 4669 of the record of Klamath County, Oregon.

SUBJECT TO THE FOLLOWING:

1. Rights of the public in and to any portion of the herein described property lying within the limits of roads and highways.
2. Reservations for State Highway, existing easements for public roads and highways, public utilities and for railroads, pipelines and any other easement or rights of way of record, including the terms and provisions thereof, contained in deeds dated July 18, 1958, recorded July 23, 1958 in Volume 301 at page 246; dated September 10, 1958, recorded September 10, 1958 in Deed Volume 303 at page 303, Records of Klamath County.
3. Reservations, including the terms and provisions thereof, contained in deeds dated July 18, 1958, recorded July 23, 1958, in Deed volume 301 at page 246.
4. Part of this property is within the boundaries of Spring Creek Irrigation Unit established by Klamath Indian Agency and is apparently now operated by the water users. It is therefore, subject to such uses and obligations as have been established by such users.
5. Mineral reservations, including the terms and provisions thereof, as set forth in deed from Dallas G. Givans, et us., to Rena Ross and Jerry Lee Stephens, recorded November 10, 1964 in Deed Volume 357 at page 397.
6. An access road easement created by instrument, including the terms and provisions thereof, dated June 20, 1967, recorded June 21, 1967 in M-67 at page 4669 in favor of Pacific Northwest Bell Telephone Company.

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7. Subject to application for road right of way, including the terms and provisions thereof, as disclosed by an instrument recorded March 2, 1960 in Miscellaneous Volume 13 at page 654.

8. Subject to the reservation of all subsurface rights, except water, to various owners as disclosed by instruments recorded August 7, 1958 in Deed Volume 301 at pages 612 and 614.

9. An easement created by instrument, including the terms and provisions thereof, dated September 27, 1965, recorded September 27, 1965 in Book M-65 at page 2005, Microfilm Records, in favor of United States of America, for transmission line easement over 150 foot strip on the southeasterly portion of lands described in Section 35, Twp. 36 S. R. 12 EWM and lands in Sections 1 and 2 in Twp 37 South, Range 12 EWM described herein.

10. An easement created by instrument, including the terms and provisions thereof, dated April 19, 1966, recorded April 27, 1966 in Book M-66 at page 3771, Microfilm Records, in favor of Portland General Electric Co., an Oregon corporation, for electric line over a 150 foot strip over the southeasterly portion of said lands in Section 35, Twp. 36 S. R. 12 EWM and Lands in Sec. 1 and 2 in Twp 37 S. R 12 EWM.

11. An easement created by instrument, including the terms and provisions thereof, dated November 6, 1972, recorded November 10, 1972 in Book M-72 at page 12958, Microfilm Records, between Klamath County and United States of America for temporary 60 foot right of way easement along existing road known as the Manhattan Springs road to expire January 1, 1978.

12. A 60 foot right-of-way, including the terms and provisions thereof, to The United States of America, as disclosed by an instrument dated April 3, 1958 recorded June 11, 1958, in Miscellaneous Volume 12 at page 540, Records of Klamath County, Oregon. Affects Government Lot 3, Section 1, Twp 37 S. R. 12 EWM.

TO HAVE AND TO HOLD the same unto the said grantee and grantee's heirs, successors and assigns forever. And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances, and that grantor will warrant and forever defend the above granted premises and every part and parcel thereof against the lawful claims and demands of all persons whosoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars is \$45,000.

In construing this deed and where the context so requires, the singular includes the plural.

WITNESS grantor's hand this 10th day of October, 1973.

STATE OF OREGON, County of Klamath)ss

BE IT REMEMBERED that on this 10th day of October, 1973, before me, the undersigned, a notary public in and for said county and state, personally appeared the within named Edwin Rezendes and Rosa A. Rezendes, husband and wife, known to me to be the identical individuals described in and who executed the within instrument and acknowledged to me that they executed the same freely and voluntarily.

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

Notary Public for Oregon

My commission expires:

July 13, 1975

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of Transamerica Title

this 15 day of Oct A. D., 1973 at 1:50 o'clock a. M., and duly recorded in Vol. M-73, of deeds on Page 13807.

4.00

WM. D. MILNE, County Clerk
By Hazel Drayton deputy