

KNOW ALL MEN BY THESE PRESENTS, That  
VADA H. SCHMECK, husband and wife,

ALBERT W. SCHMECK and

, hereinafter called the grantor, for the consideration hereinafter stated,  
to grantor paid by FREDERIC SCHILDMAYER and ROBERTA SCHILDMAYER, husband and  
wife,

, hereinafter called the 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, sit-  
uated in the County of Klamath and State of Oregon, described as follows, to-wit:  
Government lots 5, 6, and 7; the SE $\frac{1}{4}$ SW $\frac{1}{4}$  and that portion of the NE $\frac{1}{4}$ SW $\frac{1}{4}$  ly-  
ing West of the State Highway, all in Section 6; Lots 1, 2 and 3 and the  
E $\frac{1}{2}$ NW $\frac{1}{4}$  and the NE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 7; all in Township 37 South, Range 9 East  
of the Willamette Meridian.

Lot 1, Section 1, and Lots 1, 2, and 3 of Section 12, all in Township 37  
South, Range 8 East of the Willamette Meridian.

Beginning at a point on the North right of way boundary of the Dalles-  
California Highway, now a county road known as Algoma Road, which point is  
North 56°50' East 460 feet from the iron pin which is 1328 feet North of the  
Southwest corner of Section 18, Township 37 South, Range 9 E.W.M. From said  
point of beginning run North 10°25' West 82 feet; thence North 56°50' East  
378 feet; thence South 10°25' East 82 feet to North boundary of Dalles-  
California Highway, also known as Algoma Road; thence South 56°50' West  
(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

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 law-  
ful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$314,306.13.  
However, the actual consideration consists of or includes other property or value given or promised which is  
part of the consideration (indicate which).<sup>①</sup>

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

WITNESS grantor's hand this 19th day of July, 1973.

STATE OF OREGON, County of Klamath,

Personally appeared the above named Albert W. Schmeck and Vada H. Schmeck

and acknowledged the foregoing instrument to be their voluntary act and deed.

(OFFICIAL SEAL)

Before me:

Notary Public for Oregon

My commission expires Sept. 23, 1974

NOTE—The sentence between the symbols ①, if not applicable, should be deleted. See Chapter 462, Oregon Laws 1967, as amended by the 1967 Special Session.

## WARRANTY DEED

TAKES TO FREDERIC SCHILDMAYER

Rte 3 - Box 1306

Cove Point Road

Klamath Falls, Ore.

AFTER RECORDING RETURN TO

FREDERIC SCHILDMAYER

Rte 3 Box 1306

Cove Point Road

Klamath Falls, Ore.

## STATE OF OREGON

County of \_\_\_\_\_

I certify that the within instru-  
ment was received for record on the  
day of \_\_\_\_\_, 19\_\_\_\_,  
at \_\_\_\_\_ o'clock \_\_\_\_\_ M., and recorded  
in book \_\_\_\_\_ on page \_\_\_\_\_ or as  
filing fee number \_\_\_\_\_, Rec-  
ord of Deeds of said County.

Witness my hand and seal of  
County affixed.

By \_\_\_\_\_ Title \_\_\_\_\_

By \_\_\_\_\_ Deputy \_\_\_\_\_

(DON'T USE THIS  
SPACE, RESERVED  
FOR RECORDING  
LABEL IN COUN-  
TIES WHERE  
USED.)

along said North boundary to the point of beginning, being a portion of the NW $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 18.

ALSO, an undivided  $\frac{1}{2}$  interest in that portion of the NE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 6, Township 37 South, Range 9 E.W.M., lying Northeasterly of the State Highway.

SUBJECT TO:

1. Rights of the public in and to any portion of said premises lying within the limits of roads or highways.
2. Rights of the Federal Government, the State of Oregon, and the general public in any portion of the property described herein lying below the high water line of Klamath Lake.
3. Agreement, including the terms and provisions thereof, between John Hagelstein and Wm. G. Hagelstein, et al., and The California Oregon Power Company, a California corporation, recorded in Book 91, page 75, Deed Records of Klamath County, Oregon.
4. Agreement, including the terms and provisions thereof, between John Hagelstein et al., and The California Oregon Power Company, dated February 24, 1930, recorded March 15, 1930, Deed Vol. 91, page 78, records of Klamath County, Oregon, pertaining to control of water of Upper Klamath Lake and damages which may arise therefrom.
5. Restrictions and limitation and grant of easement, including the terms and provisions thereof, contained in deed executed by William G. Hagelstein and Hazel Hagelstein, husband and wife, to the State of Oregon, by and through its State Highway Commission, dated March 20, 1948, recorded May 14, 1948, Deed Vol. 220, page 395, records of Klamath County, Oregon.
6. Terms and provisions contained in deed executed by William G. Hagelstein and Hazel Hagelstein, husband and wife, to State of Oregon, by and through its State Highway Commission, dated March 21, 1950, recorded March 28, 1950, Deed Vol. 237, page 565, records of Klamath County, Oregon.
7. An easement created by instrument, including the terms and provisions thereof, dated July 31, 1950, recorded August 9, 1950, Deed Vol. 241, page 148, in favor of Wm. G. Hagelstein and Hazel Hagelstein for right of way over Lot 5, SW $\frac{1}{4}$ NW $\frac{1}{4}$  of Sec. 6 and Lot 6, NW $\frac{1}{4}$ SW $\frac{1}{4}$  of Sec. 6, Twp. 37 S., R. 9 E.W.M.
8. Limited access in deed to State of Oregon, by and through its State Highway Commission recorded November 20, 1951, Deed Book 257, page 405, records of Klamath County, Oregon, which provides that no right or easement or right of access to, from or across the State Highway other than expressly therein provided for shall attach to the abutting property.
9. Agreement, including the terms and provisions thereof, recorded December 13, 1961, Vol. 334, page 329, records of Klamath County, Oregon, from William G. Hagelstein and Hazel Hagelstein to Klamath County, Oregon, for the purpose of a park.
10. Lease, including the terms and provisions thereof, between Central Pacific Railway Company, lessor, and Southern Pacific Company, lessee, dated April 19, 1950, recorded June 23, 1953, Deed Vol. 261, page 421, Records of Klamath County, Oregon.
11. Lease, including the terms and provisions thereof, between Central Pacific Railway Company, lessor, and Southern Pacific Company, lessee, dated April 19, 1950, recorded August 4, 1950, Deed Vol. 241, page 72, Records of Klamath County, Oregon.
12. Easement and right of way, including the terms and provisions thereof, given by Scott Warren et ux, to The California Oregon Power Company dated February 16, 1951, recorded February 23, 1951, Deed Vol. 245, page 395, records of Klamath County, Oregon.
13. Mortgage, including the terms & provisions thereof, given by Albert W. Schmeck and Vada H. Schmeck, husband & wife, to The Federal Land Bank of Spokane, a corporation, dated Sept. 7, 1972, recorded Sept. 18, 1972, Vol. M72, page 10490, Microfilm Records of Klamath County, Oregon, to secure payment of \$160,000.00.



STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of ALBERT SCHECK  
this 11th day of January A. D., 19 74 at 10:01 o'clock AM., and duly recorded in  
Vol. M 74 of DEEDS on Page 313

FEE \$ 6.00

WM. D. MILNE, County Clerk

By Hazel Brazil Deputy

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