

1987 88-7687  
KNOW ALL MEN BY THESE PRESENTS, That Byron P. Maxwell and Viva L. Maxwell, husband and wife, hereinafter called the grantor, for the consideration hereinafter stated to the grantor paid by William E. Kafton and Janice B. Kafton, husband and wife

hereinafter called grantees, hereby grants, bargains, sells and conveys unto the said grantees, not as tenants in common but with the right of survivorship, their assigns and the heirs of the survivor of said grantees, all of the following described real property with the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining, situated in the County of Klamath, State of Oregon, to-wit:

A parcel of land in Section 32, Township 39 South, Range 10 East of the Willamette Meridian, more particularly described as follows: Beginning at the Northwest corner of the NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 32, Township 39 South, Range 10 East of the Willamette Meridian; thence East 205.0 feet along the North line of the NE $\frac{1}{4}$  NW $\frac{1}{4}$  to the true point of beginning; thence South parallel to the West line of the NE $\frac{1}{4}$  NW $\frac{1}{4}$  (for continuation of this deed see reverse side)

TO HAVE AND TO HOLD the above described and granted premises unto the said grantees, their assigns and the heirs of such survivor, forever; provided that the grantees herein do not take the title in common but with the right of survivorship, that is, that the fee shall vest absolutely in the survivor of the grantees.

And the grantor above named hereby covenants to and with the above named grantees, their heirs and assigns, that grantor is lawfully seized in fee simple of the above granted premises, that the said premises are free from all encumbrances except as noted of record as of the date of this deed and those apparent upon the land, if any, as of the date of this deed,

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 whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$6,000.00. However, the actual consideration consists of or includes other property or value given or promised which is part of the consideration (indicate which):

In construing this deed and where the context so requires, the singular includes the plural, the masculine includes the feminine and the neuter and, generally, all grammatical changes shall be made, assumed and implied to make the provisions hereof apply equally to corporations and to individuals.

IN WITNESS WHEREOF, the grantor has executed this instrument on the 20th day of August, 1974; if the grantor is a corporation, it has caused its corporate name to be signed and its corporate seal to be affixed hereunto by its officers duly authorized thereunto by order of its board of directors.

Byron P. Maxwell  
Byron P. Maxwell

Viva L. Maxwell  
Viva L. Maxwell

(If executed by a corporation, affix corporate seal)

STATE OF OREGON, ss.  
County of Klamath  
August 20, 1974

Personally appeared the above named Byron P. Maxwell and Viva L. Maxwell and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me, Notary Public for Oregon  
My commission expires: 5/19/77

Personally appeared \_\_\_\_\_ and \_\_\_\_\_ who, being duly sworn, each for himself and not one for the other, did say that the former is the president and that the latter is the secretary of \_\_\_\_\_ a corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

Notary Public for Oregon  
My commission expires:

(OFFICIAL SEAL)

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

WARRANTY DEED  
(SURVIVORSHIP)

TO

Wm. E. Kafton  
Rt. 2 Box 678C  
City, 97601

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

STATE OF OREGON

County of \_\_\_\_\_ ss.  
I certify that the within instrument was received for record on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., and recorded in book \_\_\_\_\_ on page \_\_\_\_\_ or as file number \_\_\_\_\_, Record of Deeds of said County.

Witness my hand and seal of County \_\_\_\_\_

By \_\_\_\_\_ Title.  
Deputy.

Until a change is requested, all tax statements shall be sent to the following name and address: Rt. 2 Box 678C Klamath Falls, Or 97601



10496

490.0 feet; thence East parallel to the North line of the NE $\frac{1}{4}$  NW $\frac{1}{4}$  200.0 feet; thence North parallel to the West line of the NE $\frac{1}{4}$  NW $\frac{1}{4}$  490.0 feet to the North line of the NE $\frac{1}{4}$  NW $\frac{1}{4}$ ; thence West along the North line of the NE $\frac{1}{4}$  NW $\frac{1}{4}$  200.0 feet to the point of beginning; less road right-of-way for Hill Road and subject to a 15 foot road easement along the West side of the parcel described; and subject to a 20 foot easement for a water line being 10 feet on either side of the following described center line beginning at the Northwest corner of the NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 32, Township 39 South, Range 10 East of the Willamette Meridian; thence East along the North line of the NE $\frac{1}{4}$  NW $\frac{1}{4}$  205.0 feet; thence South parallel to the West line of the NE $\frac{1}{4}$  NW $\frac{1}{4}$  330.0 feet to the true point of beginning; thence East parallel to the North line of the NE $\frac{1}{4}$  NW $\frac{1}{4}$  200.0 feet.

Subject, however, to the following:

1. Regulations, including levies, assessments water and irrigation rights and easements for ditches and canals, of Klamath Irrigation District.
2. Regulations, including levies, assessments, water and irrigation rights and easements for ditches and canals, of Klamath Basin Improvement District.
3. 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."
4. An easement created by instrument, including the terms and provisions thereof, dated November 11, 1971, recorded November 16, 1971 in Book M-71 at page 12023, Microfilm Records, in favor of Pacific Power & Light Co., for right of way over NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Sec. 32, Twp. 39 S., Rge 10 EWM.
5. Well Agreement dated December 8, 1971, recorded December 13, 1971 in Book M-71 at page 13056 between Donald L. Steers and Hazel Fern Steers and William E. Kafton and Janice B. Kafton. (Note: Terminates December 8, 1976)

STATE OF OREGON,  
County of Klamath  
Filed for record at request of

Transamerica Title Co.  
on this 27th day of August A.D. 1974  
at 3:55 o'clock P M. and duly  
recorded in Vol. M 74 of Deeds  
Page 10495  
By Win D. MILNE, County Clerk  
By Hazel Fern Steers Deputy  
Fee 4.00