

A 26549

WARRANTY DEED

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9/26/29

KNOW ALL MEN BY THESE PRESENTS, That ROBERT L. KING, JR. and HELEN B. KING, husband and wife, hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by BLAKE D. BERVEN and MARILYN S. BERVEN, 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, situated in the County of Klamath and State of Oregon, described as follows, to-wit:

A tract of land situated in the SE $\frac{1}{4}$ of Section 23, Township 38 South, Range 8 E.W.M., Klamath County, Oregon, more particularly described as follows:

Beginning at a 5/8 inch iron pin marking the center one-quarter corner of said Section 23 as set by record of Survey No. 1571, as recorded in the Klamath County's Surveyor's Office; thence South 1128.12 feet; thence East 253.52 feet to a 1/4 inch iron pin on the Northeastly right-of-way line of Lakeshore Drive (Highway No. 421); thence North 28°59'50" West 35.33 feet along said right-of-way line; thence North 61°15'46" East 21.07 feet; thence along the arc of a curve to the right (central angle = 53°49'08" radius = 100.00 feet) 93.93 feet; thence South 64°55'06" East 109.68 feet; thence along the arc of a curve to the left (central angle = 19°52'30" radius = 400.00 feet) 138.75 feet; thence South 84°47'36" East 75.60 feet; thence North 11°43'00" West 215.66 feet to a 1/4 inch iron pin marking the true point of beginning of this description; thence South 11°43'00" East 61.14 feet; thence North 78°17'00" East 450 feet, more or less, to the Westerly shoreline of Upper Klamath Lake; thence Northwestly along said shoreline to a point which bears North 78°17'00" East from the true point of beginning; thence South 78°17'00" West 399 feet, more or less, to the true point of beginning.

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

And the 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 except subject to:

(1) Rights of the Federal Government, the State of Oregon, and the general public in and to that part of the herein described property lying below the high water line of Upper Klamath Lake.

(2) Easement and release of damages, including the terms and provisions thereof, given by F. H. McCornack et al to the California Oregon Power Company dated July 13, 1925, recorded September 9, 1925, Volume 68, page 278 and Volume 68, page 277, Deed Records of Klamath County, Oregon, relative to raising and/or lowering the waters of Upper Klamath Lake.

(3) Right-of-way for transmission line, including the terms and provisions thereof, given by F. H. McCornack et al to the California Oregon Power Company dated July 13, 1925, recorded September 9, 1925, Volume 68, page 281 and Volume 68, page 280, Deed Records of Klamath County, Oregon.

(4) No building whatever shall be erected, placed or permitted on the conveyed premises or any part thereof, said restriction being perpetual and running with the land.

The above property is conveyed together with a restriction providing that no building shall be erected, placed or permitted upon the property of grantors except in the Westerly 100 feet, measured perpendicular from the West line of grantor's property, said property owned by the grantors being more particularly described as follows:

A tract of land situated in the SE $\frac{1}{4}$ of Section 23, Township 38 South, Range 8 E.W.M. more particularly described as follows, located in Klamath County, Oregon:

Beginning at a 5/8 inch iron pin marking the center one-quarter corner of said Section 23 as set by record of Survey No. 1571, as recorded in the Klamath County Surveyor's Office; thence South 1128.12 feet; thence East 253.52 feet to a one-half inch iron pin on the Northeasterly right-of-way line of Lakeshore Drive (Highway No. 421); thence North 28°59'50" West 35.32 feet along said right-of-way line; thence North 61°15'46" East 21.07 feet; thence along the arc of a curve to the right (central angle = 53°49'08" radius = 100.00 feet) 93.93 feet; thence South 64°55'06" East 109.68 feet; thence along the arc of a curve to the left (central angle = 19°52'30" radius = 400.00 feet) 138.75 feet; thence South 84°47'36" East 75.60 feet; thence North 11°43'00" West 215.66 feet to a 1/4 inch iron pin marking the true point of beginning of this description; thence South 11°43'00" East 215.66 feet; thence North 84°47'36" West 26.13 feet; thence North 11°43'00" West 318.08 feet; thence North 78°20'00" East 283.66 feet to the Westerly shoreline of Upper Klamath Lake; thence southeasterly along said shoreline to a point which bears North 78°17'00" East from the true point of beginning; thence South 78°17'00" West 399 feet, more or less, to the true point of beginning, containing 1.00 acres, more or less, subject to a 10 foot easement along the Northerly side of the above described tract of land.

Grantor will warrant and forever defend the said 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 \$7,500.00.

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

IN WITNESS WHEREOF, the grantor has executed this instrument this 13th day of JANUARY, 1976.

Robert L. King Jr.
Robert L. King Jr.

Helen B. King
Helen B. King