

17425

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That LEOPOLD BAUMSTARK and MARIA BAUMSTARK, husband and wife,
hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by D. S. GARNER
and IRMA GARNER, husband and wife,
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:

PARCEL 1: A portion of Government Lot 16 in Section 6, Township 35 South, Range 7 East of the Willamette Meridian, described as follows: Beginning at a point located on the East Bank of Agency Lake, which is West 988.9 feet and North 0°14' East 240 feet from the Southeast corner of Lot 16, said township and range; thence East 331.9 feet to an iron pin on the West boundary of State Highway No. 427; thence North 0°14' East along said boundary 90 feet to a point; thence West 331.1 feet more or less to the East bank of Agency Lake; thence Southerly along the East bank of Agency Lake to the point of beginning.

PARCEL 2: The North one-half of a tract of land situated in Lot 16, Section 6, Township 35 South, Range 7 East of the Willamette Meridian, and more particularly described as follows: Beginning at an iron pin located on the East bank of Agency Lake said point also being West a distance of 988.9 feet and North 0°14' East a distance of 240.0 feet from the Southeast corner of Lot 16; thence East 331.9 feet; thence South 0°14' West, 80.0 feet; thence West 328.2 feet; thence Northerly to point of beginning.

SUBJECT TO: Acreage and use limitations under provisions of the United States Statutes and regulations issued thereunder; Rights of the public and of Governmental bodies in and to that portion of the herein described property lying below the ordinary high water mark of Agency Lake; Perpetual easement for the raising and lowering of the water level of Upper Klamath Lake by Agreement, including the terms and provisions thereof, between Edwin G. Warner and Euphemia J. Warner, husband and wife, to California Oregon Power Company, a California Corporation, dated February 27, 1924 and recorded May 3, 1924 in Deed Book 64 at page 76, Klamath County records; Easements and rights of way of record and apparent thereon.

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 except as hereinabove set forth, and that 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 \$37,000.00.
However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration (indicate which) (The sentence between the symbols @, if not applicable, should be deleted; See ORE 93.030.)

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 9th day of August, 1976; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

(If executed by a corporation, affix corporate seal)

STATE OF OREGON, } ss.
County of Klamath,
August 9, 1976.

Personally appeared the above named LEOPOLD BAUMSTARK and MARIA BAUMSTARK, husband and wife,

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

Before me, Robert D. Puckett
(OFFICIAL SEAL)
Notary Public for Oregon
My commission expires: 1/11/79.

State of Oregon, } ss.
County of Klamath

STATE I hereby certify that the within instrument was received and filed for record on the 10th day of AUGUST, 1976, at 10:11 o'clock A M. and recorded on Page 12282 in Book M 76 Records of DEEDS of said County.

WM. D. MILNE, County Clerk
By Hazel Davis Deputy

Send tax statements to: Robert D. Puckett
280 Main St.
Klamath Falls, OR 97601

(OFFICIAL SEAL)