

18571

KNOW ALL MEN BY THESE PRESENTS, That Richard J. Smith

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by  
 Everett L. Leach and Wayne M. Cole, 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 ap-  
 pertaining, situated in the County of Klamath and State of Oregon, described as follows, to-wit:

See Attached Exhibit A

(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  
 SUBJECT TO Contracts and/or liens for irrigation and/or drainage, and  
 reservations, and easements, restrictions, and rights of way of record  
 and those apparent on the land 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 \$ 375,000.00  
 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 ORS 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 31 day of August, 19 76,  
 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, )  
 County of Klamath ) ss.  
 August 31, 19 76.

STATE OF OREGON, County of ) ss.  
 Personally appeared , 19  
 who, being duly sworn,

Personally appeared the above named  
 Richard J. Smith

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

and acknowledged the foregoing instru-  
 ment to be his voluntary act and deed.

, 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 be-  
 half of said corporation by authority of its board of directors; and each of  
 them acknowledged said instrument to be its voluntary act and deed.

(OFFICIAL  
SEAL)

Notary Public for Oregon

My commission expires: 10-30-79

(OFFICIAL  
SEAL)

Notary Public for Oregon

My commission expires:

Richard J. Smith  
 210 North 4th  
 Klamath Falls, OR 97601

GRANTOR'S NAME AND ADDRESS

Everett Leach and Wayne Cole  
 Rt. 1, Box 923 Tingley Lane  
 Klamath Falls, OR 97601

GRANTEE'S NAME AND ADDRESS

After recording return to:

Everett Leach and Wayne Cole  
 Rt. 1, Box 923 Tingley Lane  
 Klamath Falls, OR 97601

NAME, ADDRESS, ZIP

Until a change is requested all tax statements shall be sent to the following address.

Everett Leach and Wayne Cole  
 Rt. 1, Box 923 Tingley Lane  
 Klamath Falls, OR 97601

NAME, ADDRESS, ZIP

STATE OF OREGON, ) ss.

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  
 file/reel number.

Record of Deeds of said county.

Witness my hand and seal of  
 County affixed.

Recording Officer

By

Deputy

SPACE RESERVED  
FOR  
RECORDER'S USE

13870

MTC NO. 2067

## DESCRIPTION

PARCEL I

A parcel of land situated in Section 21, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Commencing at the northwest corner of the SW $\frac{1}{4}$  NW $\frac{1}{4}$  of said Section 21; thence North 88° 50' 30" East, 2205.00 feet to a point on the southerly right of way line of Joe Wright Road, a county road and the POINT OF BEGINNING for this description; thence South 00° 10' West, 560 feet more or less, to the northeasterly right of way line of the U.S.B.R. C-4-E-1 lateral; thence southeasterly along said northeasterly right-of-way line to it's intersection with the west line of the SE $\frac{1}{4}$  of said Section 21; thence southerly along said west line to the southwest corner of SW $\frac{1}{4}$  SE $\frac{1}{4}$  of said Section 21; thence easterly along the south line of said Section 21 to the southeast corner of the SW $\frac{1}{4}$  SE $\frac{1}{4}$  of said Section 21; thence northerly along the east line of the SW $\frac{1}{4}$  SE $\frac{1}{4}$  of said Section 21 to it's intersection with the southwesterly right-of-way line of the U.S.B.R. Lost River Diversion Canal; thence northwesterly along said right-of-way line to it's intersection with the west line of the NE $\frac{1}{4}$  of said Section 21; thence northerly along said west line 60 feet more or less to said south right-of-way line of Joe Wright Road; thence westerly along said south right-of-way line 450 feet more or less to the point of beginning.

EXCEPTING THEREFROM any portion lying within the LOST RIVER DIVERSION CHANNEL and any portion lying within the U.S.B.R. C-4-E-1 lateral.

PARCEL II

NW $\frac{1}{4}$  NE $\frac{1}{4}$ , SW $\frac{1}{4}$  NE $\frac{1}{4}$ , NE $\frac{1}{4}$  NE $\frac{1}{4}$  lying westerly of the westerly right-of-way line of the U.S.B.R. C-4-E lateral; (SE $\frac{1}{4}$  NW $\frac{1}{4}$ , NE $\frac{1}{4}$  NW $\frac{1}{4}$ ) excepting therefrom the westerly 85 feet. All of the above in Section 28, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon,

EXCEPTING THEREFROM any portion lying within the U.S.B.R. C-4-E-1 lateral and the U.S.B.R. C-4-E lateral.

## EXHIBIT A

STATE OF OREGON; COUNTY OF KLAMATH; ss.

I hereby certify that the within instrument was received and filed for record on the 3 rd day of September A.D., 19 76 at 4:17 o'clock P. M., and duly recorded in Vol M76 of Deeds on Page 13869.

FEE \$6.00

WM. D. MILNE, County Clerk

By Hazel Drake Deputy