

12554

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38-11263

## WARRANTY DEED

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CHARLES G. DUNCAN and LEONE M. DUNCAN, husband and wife, Grantors convey and warrant to RANDALL LOUIS TURNER and BONNIE SUE TURNER, husband and wife, Grantees, the following described real property located in Klamath County, State of Oregon, free of all encumbrances, except as specifically set forth herein:

PARCEL 1: That portion of the SE 1/4 SE 1/4 of Section 33, Township 40 South, Range 12 East of the Willamette Meridian, lying North of the Main Canal (70 foot lift) of the Shasta View Irrigation District.

## SUBJECT TO:

1. Reservations, restrictions, rights of way, easements of record and those apparent on the land;
2. Rights of the public in and to any portion of said premises lying within the limits of roads and highways;
3. Regulations, including levies, assessments, water and irrigation rights and easements for ditches and canals, of Shasta View Irrigation District;
4. Reservations and restrictions contained in deed from A. N. Kelsey, et ux., to C. M. Duncan, et ux., dated April 11, 1949, recorded April 13, 1949 in Book 230, at page 229, Deed Records;
5. Reservations and restrictions contained in deed from C. M. Duncan, et ux., to Charles C. Duncan, et ux., dated September 18, 1950, recorded September 18, 1950 in Book 242 at page 147, Deed Records of Klamath County, Oregon;
6. Overhang easement, including the terms and provisions thereof, granted to Pacific Power and Light Company by instrument recorded in Deed Volume 337 at page 416, recorded May 15, 1962 to construct and maintain electrical circuits in a position to overhang premises together with right to enter upon premises;
7. Agreement, including the terms and provisions thereof, recorded December 14, 1966 in M-66 at page 12430, between Robert Powell and Shasta View Irrigation District for ditch purposes over the SE 1/4 SE 1/4, Sec. 33, Twp. 40 S., R. 12 EWM;
8. An easement created by instrument, including the terms and provisions thereof:  
Dated: May 10, 1973  
Recorded: August 7, 1973 Book M-73 Page: 10236  
In favor of: Shasta View Irrigation District  
For: Water pipelines and access road
9. As disclosed by the assessment and tax roll, the premises herein have been specially assessed for farm use. If the land becomes disqualified for this special assessment under the statutes,

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an additional tax, plus interest and penalty, will be levied for the number of years in which this special assessment was in effect for the land;

10. We note an access easement is being perfected over adjacent property to the Northwest;

11. Regulations, including levies, assessments, water and irrigation rights and easements for ditches and canals, of Klamath Irrigation District;

12. An easement created by instrument, including the terms and provisions thereof:

Dated : August 15, 1931  
Recorded : December 1, 1931 Book: 96 Page: 353  
In favor of : California Oregon Power Company  
For : Power Lines.

The ture and actual consideraion paid for this conveyance is \$25,000.00.

WITNESS Grantors' hands this 28 day of September, 1976.

*Charles L. Duncan*  
*Leone M. Duncan*

STATE OF OREGON )  
 ) ss.  
County of Klamath )

Personally appeared CHARLES G. DUNCAN and LEONE M. DUNCAN, husband and wife, and acknowledged the foregoing instrument to be their voluntary act and deed.

BEFORE ME:

*Susan Kay Way*  
Susan Kay Way  
Notary Public for Oregon  
My commission expires 6/4/1977

Unless a change is requested all tax statements shall be sent to:

Department of Veteran's Affairs  
1225 Ferry Street, S. E.  
Salem, Oregon 97310

AFTER RECORDING RETURN TO:

Mr. and Mrs. Randall Louis Turner  
Box 137  
Malin, Oregon 97632

STATE OF OREGON, )  
County of Klamath )

Filed for record at request of  
Transamerica Title Ins

on this 28 day of Sept A.D. 19 76  
at 4:04 o'clock P M, and 00

recorded in Vol. M 76 of DEED

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W. D. MILNE, County Clerk

By *[Signature]* Deputy

Fee 6.00

WARRANTY DEED, PAGE TWO.