

1-74

20569

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That DARRELL L. JOHNSTON and JOANNE J. JOHNSTON, husband and wife

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by CARL C. CLAYTON and MYRTLE E. CLAYTON, 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: SEE LEGAL DESCRIPTION MARKED EXHIBIT A ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.....

SUBJECT TO:

1. Taxes for the fiscal year 1976-'77, a lien not yet due and payable.
2. Rights of the public in and to any portion of the herein described property lying within the limits of streets and roads.
3. An easement created by instrument, including the terms and provisions thereof recorded May 23, 1922 in Volume 58 at page 541, Deed Records of Klamath County, Oregon.
4. A right of way created by instrument, including the terms and provisions thereof, recorded November 23, 1966 in Volume M66 at page 11969, Microfilm Records of Klamath County, Oregon.
5. Restrictions contained in instrument recorded March 30, 1967 in Volume M67 at page 2206, Microfilm Records of Klamath County, Oregon.
6. Well Agreement, including the terms and provisions thereof, recorded September 1, 1970\*

(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 \*in Volume M70 at page 7654, Microfilm Records of Klamath County, Oregon.

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 \$ 35,000.00. However, the actual consideration consists of or includes other property or value given or promised which 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 15th day of October, 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 Yamhill  
October 19th, 1976

Personally appeared the above named Darrell L. Johnston and Joanne J. Johnston

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

Before me, Peggy Matthews, Notary Public for Oregon, My commission expires Sept. 30, 1977

STATE OF OREGON, County of \_\_\_\_\_, ss.  
Personally appeared \_\_\_\_\_, 19\_\_\_\_, 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.

Before me: (OFFICIAL SEAL)

Notary Public for Oregon  
My commission expires: \_\_\_\_\_

GRANTOR'S NAME AND ADDRESS

GRANTEE'S NAME AND ADDRESS

After recording return to:  
Mr. & Mrs. Carl C. Clayton  
Harriman Pt. Box 100  
Klamath Falls, Oregon 97601  
NAME, ADDRESS, ZIP

Until a change is requested all tax statements shall be sent to the following address:  
Dept. of Veterans Affairs  
General Services Bldg. 122 Perry St.  
Salem, Oregon 97310  
NAME, ADDRESS, ZIP

STATE OF OREGON, } ss.  
County of \_\_\_\_\_  
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/reel number \_\_\_\_\_  
Record of Deeds of said county.  
Witness my hand and seal of County affixed.

By \_\_\_\_\_ Recording Officer  
Deputy

SPACE RESERVED FOR RECORDER'S USE



16661

DESCRIPTION  
EXHIBIT "A"

Beginning at a point South 37' West along the North-South center section line a distance of 465 feet from the center of Section 10, Township 36 South, Range 6 East of the Willamette Meridian, Klamath County, Oregon; thence continuing along said section line a distance of 135 feet; thence North 89° 17' East parallel to the East-West center section line a distance of 100 feet to a point; thence North 37' East, parallel to said North-South section line a distance of 135 feet to a point; thence South 89° 17' West, parallel to said East-West center section line a distance of 100 feet, more or less, to the point of beginning. Together with an easement for roadway purposes which shall be appurtenant to said land, over and across the 50 foot strip immediately East of the above Tract, which said easement is non-exclusive and is to be used with other lands bordering on said roadway.

STATE OF OREGON; COUNTY OF KLAMATH; ss.  
Filed for record at request of MOUNTAIN TITLE CO  
this 20th day of OCTOBER A. D. 1976 at 2:20 o'clock P. M., and  
duly recorded in Vol. M 76, of DEEDS on Page 16660  
FEE \$ 6.00  
By Wm D. MILNE County Cler.