

1-1-74

WARRANTY DEED

Vol. 76 Page 16850

20677
KNOW ALL MEN BY THESE PRESENTS, That ROBERT D. TENBROOK and MARGARET ANN TENBROOK, husband and wife

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by E. MARTIN KERNS and SHIRLEY F. KERNS, 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:

LEGAL DESCRIPTION SET FORTH ON REVERSE

(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 except those of record and apparent upon 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 \$106,000.00. ~~However, the actual consideration consists of or includes other property or value given or promised which is the whole or part of the consideration (indicate which).~~ (The sentence between the symbols \odot , 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 15 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)

MISSOURI
STATE OF OREGON } ss.
County of Webster }
October 15, 1976

Personally appeared the above named Robert D. Tenbrook and Margaret Ann Tenbrook

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

Before me: Cecil Blankenship
(OFFICIAL SEAL)
Notary Public for Oregon
My commission expires: April 26, 1978

STATE OF OREGON, County of) ss.
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Personally appeared 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:

E. Martin Kerns
Rt 3 Box 302
Klamath Falls, Or.
NAME, ADDRESS, ZIP

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

Same as above
NAME, ADDRESS, ZIP

SPACE RESERVED FOR RECORDER'S USE

STATE OF OREGON,

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

LEGAL DESCRIPTION:

16851

Township 40 South, Range 13 East of the Willamette Meridian, Klamath County, Oregon.

Section 25: NW $\frac{1}{4}$; W $\frac{1}{2}$ NE $\frac{1}{4}$; and all that portion of the E $\frac{1}{2}$ NE $\frac{1}{4}$ lying Westerly of the Lost River Diversion Channel.

TOGETHER WITH:

The following perpetual easements, to run with the land, for the construction, repair, maintenance and joint use of irrigation ditches for irrigation purposes:

- (a) An easement 30 feet wide extending East from Langell Valley West Side Irrigation Canal along the North side of the South Section line of Sections 23 and 24 of Township 40 South, Range 13 East of the Willamette Meridian, a distance of 6400 feet, more or less, to Lost River Diversion Channel.
- (b) An easement 30 feet wide extending East from Langell Valley West Side Irrigation Canal along the South line of the NW $\frac{1}{4}$ of Section 26, Township 40 South, Range 13 East of the Willamette Meridian, a distance of 1790 feet, more or less, to the West side of said Parcels 1 and 2.
- (c) An easement 30 feet wide extending East from Langell Valley West Side Irrigation Canal along the north side of the East-West center line of Section 26, Township 40 South, Range 13 East of the Willamette Meridian, a distance of 1525 feet, more or less, to the Southwest corner of said Parcel 1.

EXCEPTING THEREFROM:

That portion lying within the main drain as conveyed to the United States of America by deed recorded October 23, 1927, in Volume 79, page 131, and by deed recorded January 22, 1929, in Volume 85, page 186, Deed Records of Klamath County, Oregon.

SUBJECT TO:

1. Taxes for the fiscal year 1976-1977, a lien but not yet due and payable.
2. The assessment roll and the tax roll disclose that the premises herein described have been specially assessed as Farm Use Land. If the land becomes disqualified for the special assessment under the statute, an additional tax may be levied for the last ten (10) or lesser number of years in which the farm use assessment was in effect for the land and in addition thereto a penalty may be levied if notice of disqualification is not timely given.
3. The premises herein described are within and subject to the statutory powers, including the power of assessment, of Langell Valley Irrigation District.
4. The rights of the public in and to that portion of the premises herein described lying within the limits of existing roads, including any portion lying within the County Road along the Westerly line of said property.
5. Agreement pertaining to sale of excess land, including the terms and provisions thereof, between the United States of America and Anton Suty, et al, recorded May 15, 1953, in Volume 260, at page 615, Deed Records of Klamath County, Oregon.

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of MOUNTAIN TITLE CO
 this 22nd day of October 1976 at 12:24 o'clock P M., and
 duly recorded in Vol. 1176 of DEEDS on Page 16850
 FEE \$ 6.00

Wm D. MILNE, County Clerk

By Hazel Drayce