

24867

-WARRANTY DEED-

D. & B WAGNER FARMS CO., by Articles of Amendment thru the corporation Commission of the State of Oregon, which acquired title as B & W LAND AND CATTLE COMPANY, an Oregon corporation, Grantor, warrants and conveys to ELDIN CARTER and HAZEL CARTER, husband and wife, and CHARLES CARTER and TINA CARTER, husband and wife, Grantees, not as tenants in common, but with the right of survivorship, the following described real property situate in Klamath County, Oregon free of all encumbrances except as specifically set forth herein:

The NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 36, Township 38 South, Range 10 East of the Willamette Meridian, EXCEPTING THEREFROM the following described property: Beginning at a point which is the Southwest corner of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$, running thence due East along the quarter section line between NE $\frac{1}{4}$ NE $\frac{1}{4}$ and the SE $\frac{1}{4}$ NE $\frac{1}{4}$ 815 feet to a point; thence North 31° 47' 22" West 1,547.08 feet; thence due South along the quarter section line between the NE $\frac{1}{4}$ NE $\frac{1}{4}$ and the NW $\frac{1}{4}$ NE $\frac{1}{4}$ 1315' to the point of beginning, all being in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 36, Township 38 South, Range 10 East of the Willamette Meridian.

The Southeast quarter of the Southeast quarter of Section 25, Township 38 South, Range 10 East of the Willamette Meridian and that part of the Northeast quarter of the Southeast quarter of Section 25, Township 38 South, Range 10 East of the Willamette Meridian, lying South of the Oregon-California and Eastern Railway right of way.

That portion of the following described real property which lies Southerly of the South line of the Klamath Falls, Lakeview Highway as presently established to-wit:

The SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 31, Township 38 South, Range 11 $\frac{1}{2}$ East of the Willamette Meridian.

Government Lots 2 and 3, EXCEPT that portion of Lot 2 conveyed to California, Oregon Power Company by deed recorded March 21, 1952 in Book 253 at page 538, Deed Records, Section 31, Township 38 South, Range 11 $\frac{1}{2}$ East of the Willamette Meridian.

The SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 31, Township 38 South, Range 11 $\frac{1}{2}$ East of the Willamette Meridian, EXCEPTING THEREFROM that portion lying North of the Klamath Falls-Lakeview Highway.

SUBJECT TO: An easement created by instrument, including the terms and provisions thereof, dated May 1, 1973, recorded May 2, 1973 in Book M-73 at page 5251 in favor of Charles F. Bierer and Irene G. Bierer for ingress and egress over Government Lots 2 and 3, Section 31, Twp. 38 S., R. 11 $\frac{1}{2}$ EWM; said easement re-recorded February 1, 1977, in Vol. M-77 at page 1771, Deed Records of Klamath County, Oregon.

When recorded, return to:
Eldin Carter
Star Route
Dairy, OR 97625

WILLIAM P. BRANDSNESS
ATTORNEY AT LAW
411 PINE STREET
KLAMATH FALLS, OREGON 97601

1. WARRANTY DEED

ALSO SUBJECT TO: An easements created by instrument, including the terms and provisions thereof, dated May 1, 1973, re-recorded May 2, 1973 in Book M-73 page 5253 in favor of Donald E. Wagner and Betty A. Wagner for ingress and egress over Government Lots 2 and 3, Section 31, Twp. 38 S., Range 11½ EWM 30' on each side c/1, which easements was re-recorded on February 1, 1977 in Vol. M-77 at page 1774, Deed records of Klamath County, Oregon

and covenant that grantor is the owner of the above-described real property free of all encumbrances, except reservations, restrictions, easements and rights of way of record and those apparent upon the land; rules, regulations, liens and assessments of water users and sanitation districts; the assessment roll and the tax roll disclose that the within described premises were specially assessed as farm land; if the land becomes disqualified for the special assessment under the statute an additional tax may be levied for the last five years or lesser number of years, in which the land was subject to the special land use assessment; and will warrant and defend the same against all persons who may lawfully claim the same, except as shown above.

The true and actual consideration for this transfer is Eighty Five Thousand and NO/100ths (\$85,000.00) DOLLARS.

Until a change is requested, all tax statements shall be mailed to: Star Route. Dairv OR 97625

DATED this 31 day of January, 1977.

D & B WAGNER FARMS CO., by Articles of Amendment thru the Corporation Commission of the State of Oregon, which acquired title as B & W LAND AND CATTLE COMPANY, an Oregon corporation

By: Donald E. Wagner

By: Betty A. Wagner

STATE OF OREGON)
County of Klamath) ss. January 31, 1977.

Personally appeared Donald E. Wagner, who being sworn, stated that he was President, and Betty A. Wagner, who being sworn, stated that he was Secretary of D & B WAGNER FARMS CO., which acquired title as B & W LAND AND CATTLE COMPANY, an Oregon corporation, and that said instrument was signed in behalf of the corporation by authority of its Board of Directors; and they acknowledged said instrument to be its voluntary act and deed.

James J. Furbush
Notary Public for Oregon
My Commission expires: 6-13-80

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of TRANSAMERICA TITLE INS. CO.
this 1st day of FEBRUARY A. D. 1977 at 10:37 o'clock AM., and
 duly recorded in Vol. M 77, of DEEDS on Page 1778

WILLIAM P. BRANDSNESS
ATTORNEY AT LAW
411 PINE STREET
KLAMATH FALLS, OREGON 97601

FEE \$ 6.00

Wm D. McNe, County Clerk

2. WARRANTY DEED

By: James J. Furbush