

Recording requested by:

31830

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Vol. 77 Page 11577

LAZARUS, KROGER, GREEN, VANCE & DAVALL
401 West Fourth Street
San Bernardino, CA 92401

And when recorded mail to:

Bank of America
Trust Department
303 N. "D" St.
San Bernardino, CA 92401

Mail tax statements to:

Charles & Bonnie Whittemore
1421 Pacific Terrace
Klamath Falls, Oregon 97601

WARRANTY DEED

ALBERT A. MITCHELL and BETTY MAE MITCHELL, his wife, of Klamath County, Oregon, and warrant to PHILIP M. SAWYER III, as Trustee of the Albert Allen Mitchell and Betty Mae Mitchell Trust dated May 24, 1974, and amended April 7, 1977, hereby, the following described real property tract or tracts hereinafter more particularly set forth herein. The true consideration for this conveyance is the willingness of the Trustee to act as Trustee.

The property conveyed is the following parcel located in Klamath County, Oregon, described as follows:

A tract of land situated in that portion of the SE 1/4 NE 1/4 of Section 3, Township 36 South, Range 6 East of the Willamette Meridian, which lies North of Harriman Creek and which is more particularly described as follows:

Commencing at the Northeast corner of the SE 1/4 NE 1/4 of said Section 3; thence West along the North line of said SE 1/4 NE 1/4 of said Section 3 a distance of 236.2 feet to the Northwest corner of the tract of land conveyed to C. L. Darley by Deed recorded in Volume 236 at page 548 of Klamath County, Oregon Deed Records; thence South 89° West along the West line of said Darley tract a distance of 241.0 feet, more or less, to an iron pipe; thence South 35° 57' West a distance of 225.1 feet to an iron pin located on the bank of Harriman Creek, and which pin is the true point of beginning; starting at the true point of beginning thence South 77° 32' West on said North bank 69.1 feet; thence North 4° 24' West 97.5 feet to the center line of a 20 foot width roadway; thence North 70° 24' East on said road center line 54.2 feet; thence South 10° 44' East 89.4 feet to the true point of beginning.

SUBJECT TO:

1. Reservations, restrictions, rights of way, easements of record and those apparent on the land;
2. Agreement, including the terms and provisions hereof, between Herbert Fleishacker, et ux., and the California Oregon Power Co., recorded February 15, 1924, in Book 63 at page 466, Deed Records, regulating Upper Klamath Lake between the elevations of 4137 and 4143.3 feet above sea level;

3. A covenant, condition, restriction, or other limitation, relating to the use of the property, shall be deemed to be a covenant, condition, restriction, or other limitation, if it is a covenant, condition, restriction, or other limitation, which is enforceable against the property, and which is not a covenant, condition, restriction, or other limitation, which is enforceable against the person or persons who executed the instrument.

4. An easement, whether or not it is a right of way, shall be deemed to be an easement, if it is a right of way, which is enforceable against the property, and which is not a right of way, which is enforceable against the person or persons who executed the instrument.

5. Conditions and restrictions, including restrictions, if any, based on race, color, religion or national origin, imposed by instruments, including the terms set out, set out in deed dated February 21, 1962, recorded in Book 330 at page 45, and in deed dated February 21, 1962, recorded in Book 330 at page 46, between William H. Johnson, et al., and Harold A. Jones, et al.

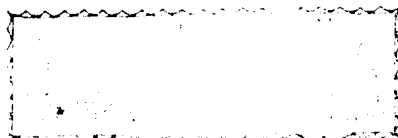
DATED: May 1, 1977

Albert A. Mitchell
Albert A. Mitchell

Betty Mae Mitchell
Betty Mae Mitchell

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO) ss

On May 15, 1977 Before me, the undersigned, a Notary Public in and for said County and State, personally appeared ALBERT A. MITCHELL and BETTY MAE MITCHELL, known to me to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same. Witness my hand and official seal.



Notary Public
Notary Public

RECORDED IN BOOK 330 AT PAGE 45
JUNE 1, 1977
FILED
11577
By *Harold A. Jones*
VIZ D. MILD