

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That GERALD A. SMALLEY, hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by ALAN J. PRESCOTT and WANDA PRESCOTT, husband and wife, hereinafter called the grantees does hereby grant, bargain, sell and convey unto the said grantees and grantees' 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:

SW 1/4 NW 1/4 of Section 4 Township 41 South, Range 12, East of the Willamette Meridian, SAVING AND EXCEPTING therefrom the Easterly 136 feet thereof.

SUBJECT TO:

1. Reservations, restrictions, rights-of-way, and easements of record and those apparent on the Deed.
2. Liens and assessments of Klamath Project and Shasta View Irrigation District, and regulations, contracts easements, water and irrigation rights in connection therewith.
3. Any unpaid charges or assessments of Shasta View Irrigation District.
4. Lien of the United States of America by virtue of Water Facilities Loan Agreement recorded April 24, 1951, in Book 11 page 7, Mechanic's Lien Records of Klamath County, Oregon.
5. Right-of-way for pole line, including the terms and provisions thereof, given by George Smalley and Elva L. Smalley, husband and wife to the California Oregon Power Company, by instrument dated May 18, 1948, recorded May 24, 1948, in Deed Volume 221 page 43, records of Klamath County, Oregon.

To Have and to Hold the same unto the said grantees and grantees' heirs, successors and assigns forever.

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And said grantor hereby covenants to and with said grantees and grantees' heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances except as hereinabove stated and that grantor will warrant and forever defend the above granted 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 \$20,000.00. However, the actual consideration consists of or includes other property of value given or promised which is the whole consideration.

In construing this deed and where the context so requires, the singular includes the plural.

WITNESS grantor's hand this 22 day of August, 1973.

Gerald A. Smalley

STATE OF OREGON)
County of Klamath)

ss.

Personally appeared the above named GERALD A. SMALLEY and acknowledged the foregoing instrument to be his voluntary act and deed.

BEFORE ME this 22 day of August, 1973.

Notary
Ref. Alan J. [unclear]
Star Rt. Box 12
Malin, OR

NOTARY PUBLIC FOR OREGON
My Commission Expires 8-5-75

STATE OF OREGON, COUNTY OF KLAMATH, ss.

I hereby certify that the within instrument was received and filed for record on the 22nd day of SEPTEMBER A.D., 1973 at 4:52 o'clock P M., and duly recorded in Vol. M77 of DEEDS on Page 17827.

FEE \$ 6.00

WM. D. MILNE, County Clerk

By Bernice A. [unclear] Deputy