

42645

WARRANTY DEED

Vol. M Page 2157

KNOW ALL MEN BY THESE PRESENTS, That FIR E'NUFF FARMS, INC.

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by Klamath County, a governmental subdivision of the State of Oregon, 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:

A strip of land, 60.00 feet wide, for County Road purposes, located in Sections 3 and 4, T.38S., R.9E., W.M., and Section 33, T.37S., R.9E., W.M., said strip being 30.00 feet on each side of the following described centerline:

Commencing at the northeast corner of Section 4, T.38S., R.9E., W.M.; thence south, 3571.70 feet; thence east, 717.64 feet to a point in the center of the Old Fort Road for the true point of beginning; thence northwesterly, 256.23 feet along the arc of a 1637.02 foot radius curve to the right (the long chord of which bears North 18°13'23" West, 255.97 feet); thence North 13°44'20" West, 173.37 feet; thence northwesterly, 206.97 feet along the arc of a 1432.40 foot radius curve to the right (the long chord of which bears North 9°35'59" West, 206.79 feet); thence North 5°27'37" West, 5.35 feet; thence northwesterly, 167.55 feet along the arc of a 716.20 foot radius curve to the left (the long chord of which bears North 12°09'44" West, 167.17 feet); thence North 18°51'52" West, 162.34 feet; thence northerly, (continued on reverse side)

(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, excepting that this conveyance is contingent upon the vacation of that portion of Old Fort Road lying outside the right-of-way and between the termini of the above described strip of land and upon the acceptance of this conveyance by Klamath County (see reverse side) 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 \$ None. However, the actual consideration consists of or includes other property or value given or promised which is 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 32 day of February, 1978; 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,)
County of _____) ss.
_____, 19____.

Personally appeared the above named _____

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

Before me,

(OFFICIAL SEAL)

Notary Public for Oregon
My commission expires _____

STATE OF OREGON, County of Klamath) ss.
February 3, 1978

Personally appeared Donald B. Lyons and Leo B. Morstad 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

Fir E'Nuff Farms, Inc., 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,
Notary Public for Oregon
My commission expires: 2/13/80

(OFFICIAL SEAL)

FIR E'NUFF FARMS, INC.

820 Main Street

Klamath Falls, OR 97601

GRANTOR'S NAME AND ADDRESS

Klamath County Road Dept.

Veterans Memorial Building

Klamath Falls, OR 97601

GRANTEE'S NAME AND ADDRESS

After recording return to:

Klamath County Engineer's Office

NAME, ADDRESS, ZIP

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

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

124.99 feet along the arc of a 184.83 foot radius curve to the right (the long chord of which bears North $00^{\circ}30'33''$ East, 122.63 feet); thence North $19^{\circ}52'58''$ East, 115.13 feet; thence northeasterly, 161.80 feet along the arc of a 520.87 foot radius curve to the left (the long chord of which bears North $10^{\circ}59'03''$ East, 161.15 feet); thence North $2^{\circ}05'07''$ East, 645.34 feet; thence northwesterly, 98.95 feet along the arc of a 197.57 foot radius curve to the left (the long chord of which bears North $12^{\circ}15'44''$ West, 97.92 feet); thence North $26^{\circ}36'35''$ West, 4.66 feet; thence northwesterly, 175.14 feet along the arc of a 763.94 foot radius curve to the right (the long chord of which bears North $26^{\circ}02'32''$ West, 174.75 feet); thence North $13^{\circ}28'28''$ West, 92.48 feet; thence northwesterly, 137.13 feet along the arc of a 369.65 foot radius curve to the left (The long chord of which bears North $24^{\circ}06'07''$ West, 136.35 feet); thence North $34^{\circ}43'47''$ West, 494.71 feet; thence northwesterly, 175.71 feet along the arc of a 381.97 foot radius curve to the right (the long chord of which bears North $21^{\circ}33'07''$ West, 174.16 feet); thence North $8^{\circ}22'26''$ West, 40.48 feet; thence northwesterly, 98.24 feet along the arc of a 208.35 foot radius curve to the left (the long chord of which bears North $21^{\circ}52'54''$ West, 97.33 feet); thence North $35^{\circ}23'22''$ West, 7.80 feet; thence northwesterly, 161.53 feet along the arc of a 440.74 foot radius curve to the right (the long chord of which bears North $24^{\circ}53'24''$ West, 160.63 feet); thence North $14^{\circ}23'26''$ West, 118.04 feet; thence northwesterly, 219.05 feet along the arc of a 1041.74 foot radius curve to the left (the long chord of which bears North $20^{\circ}24'51''$ West, 218.64 feet); thence North $26^{\circ}26'17''$ West, 66.17 feet; thence northwesterly, 156.73 feet along the arc of a 520.87 foot radius curve to the left (the long chord of which bears North $35^{\circ}03'30''$ West, 156.14 feet); thence North $43^{\circ}40'43''$ West, 142.91 feet; thence northwesterly, 200.22 feet along the arc of a 716.20 foot radius curve to the left (the long chord of which bears North $51^{\circ}41'15''$ West, 199.57 feet); thence North $59^{\circ}41'47''$ West, 698.26 feet; thence northwesterly, 111.15 feet along the arc of a 201.04 foot radius curve to the right (the long chord of which bears North $43^{\circ}51'25''$ West, 109.75 feet) to a point in the center of Old Fort Road and there terminating.

The basis of bearings for the above description is Survey No. 2578 on file in the Klamath County Surveyor's Office.

and unless said road is vacated and said conveyance is accepted, this conveyance shall be null and void.

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of Klamath County
 this 7th day of February A. D. 1978 at 9:06 clock A.M., and
 duly recorded in Vol. 1178, of Deeds on Page 2158.

Wm D. MILNE, County Clerk

By Bernice A. Litch

No fee