

1-1-74

44765

BARGAIN AND SALE DEED

Vol. 78 Page 5068

KNOW ALL MEN BY THESE PRESENTS, That EMIL DEAN WELLS and GERALDINE C. WELLS

hereinafter called grantor,
WELLS FARMS, INC., an Oregon Corporation
 hereinafter called grantee, and unto grantee's heirs, successors and assigns all of that certain real property with the
 tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County
 of Klamath, State of Oregon, described as follows, to-wit:

Township 40 South, Range 11 East of the Willamette Meridian:

Section 3: Lots 13, 14, 19, and 20 SAVE AND EXCEPT that portion of Lots 19 and 20 lying south of the irrigation canal, as conveyed by deed recorded February 5, 1965 in Deed Volume 359 page 207, records of Klamath County, Oregon. ALSO saving and excepting that portion lying within the right of way of the County Road.

Section 4: Lots 7, 10, 15, 16, and 17, EXCEPT that portion of Lots 7 and 10 conveyed to the United States by deed recorded August 30, 1912 in Deed Volume 37 page 591, records of Klamath County, Oregon.

Real property described in Exhibit "A" attached hereto.

(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.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 385,035.00

However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration (indicate which).^⓪ (The sentence between the symbols ^⓪, 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 1st day of March, 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 KLAMATH } ss.
KLAMATH 16, 1978

Personally appeared the above named

EMIL DEAN WELLS
GERALDINE C. WELLS

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

Before me:

(OFFICIAL
 SEAL)

Notary Public for Oregon

My commission expires 7-10-81

STATE OF OREGON, County of _____) ss.

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 be-
 half 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:

Emil D. Wells
Box 2 Box 3712
Klamath Falls, Oregon 97601

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 _____) ss.

I certify that the within instru-
 ment 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.

Recording Officer

By _____ Deputy

EMIL DEAN WELLS and GERALDINE C. WELLS

GRANTEE, the following described real property situate in Klamath County, Oregon, free of encumbrances except as specifically set forth below:

PARCEL 1

A parcel of land situate in Lots 12, 13 and the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 35, Twp. 39 S.R. 11 $\frac{1}{2}$ E.W.M., more particularly described as follows: Beginning at a point on the South line of said Section 35 which bears N. 89°53' W. a distance of 803.4 feet from the Southeast corner of said Section 35; thence continuing along said South line N. 89°53' W. a distance of 2180.6 feet to the Southwest corner of tract described in Deed from Rockne Lane Fiegi to Ben F. Smith, Inc. dated October 25, 1974, recorded November 4, 1974, in Vol. M74, page 14245, Records of Klamath County, Oregon; thence N. 01°07' E. along the West line and West line extended of last mentioned tract a distance of 753.1 feet to the center of Lost River; thence Northeasterly along the centerline of Lost River a distance of 1125 feet, more or less, to the most Northerly point of tract described as Parcel #1 in Deed from Millet Ranch to Ben F. Smith, Inc., dated June 27, 1972, Recorded July 7, 1972 in Vol. M72, page 7365, records of Klamath County, Oregon; thence S. 59°19' E. a distance of 953.0 feet to a point; thence S. 33°29' E. a distance of 869.0 feet, more or less, to the point of beginning, containing 39.75 acres, more or less. LESS portion contained in the Right of Way of South Poe Valley Road.

PARCEL 2

In Section 2, Twp. 40 S.R. 11 E.W.M.

Lots 1, 2, 3, 6, 7 and 10; N $\frac{1}{2}$ of Lot 11; Those portions of Lots 4, 5 and 12 described as follows: Beginning at a point on the North line of Lot 4, said Section 2, Twp. 40 S.R. 11 E.W.M., which bears West along the North line of said Section 2 a distance of 2356.4 feet from the Northeast corner of Lot 3 in said Section 2, said point being the Northwest corner of tract described in Deed from Melvin D. Fiegi, et ux., to Ben F. Smith, Inc., dated March 29, 1973, recorded March 30, 1973, in Vol. M73, page 3700, Records of Klamath County, Oregon; thence South 540.7 feet; thence West 50.0 feet; thence South 618.0 feet; thence East 537.0 feet; thence Southeasterly in a straight line 1008.0 feet, more or less, to the most Westerly point of tract described as Parcel #3 in Deed from Millet Ranch to Ben F. Smith, Inc., dated June 27, 1972 recorded July 7, 1972, in Vol. M72, page 7365, records of Klamath County, Oregon; thence S. 01°40' E. a distance of 824.2 feet to a point; thence N. 88°45' E. to the West line of Lot 11, said Section 2; thence North along the West lines of Lots 11, 6 and 3 to the North line of Section 2 and the Northeast corner of Lot 4; thence West along the North line of said Lot 4 to the point of beginning. LESS portion contained in the Right of Way of South Poe Valley Road.

SAVING AND EXCEPTING THEREFROM that portion of the West 30 feet of Lot 10 described in Deed Vol. 129, page 148.

SUBJECT TO:

Terms and conditions of special assessment upon use and the right of Klamath County, Oregon, to additional taxes in the event said use should be changed, which obligations Purchaser assumes and agrees to pay and perform; acreage and use limitations under provisions of the United States statutes and regulations issued thereunder; liens and assessments of Klamath Project and Klamath Irrigation District, and regulations, contracts, easements, and water and irrigation rights in connection therewith; rules, regulations, liens and assessments of Klamath Basin Improvement District; reservations and restrictions of record; agreements relative to pumping and irrigation of record; easements and rights of way of record and apparent thereon.

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record ~~on~~ March 16th day of March A. D. 19 78 at 1:03 clock P.M., and

fully recorded in Vol. M78, of Deeds on Page 5068

Wm D. MILNE, County Clerk

By Bernard J. Delack
Fee \$6.00