

45725

WARRANTY DEED

Vol. *m*

Page 6415

KNOW ALL MEN BY THESE PRESENTS, That Lawrence Hall

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by Ambrose McAuliffe and Susan J. McAuliffe, husband and wife, 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:

SEE 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. 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

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 \$ 237,690.00.  
~~However, the actual consideration consists of or includes other property or value given or promised which is the whole or part of the 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 31 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.

*Lawrence Hall*

(If executed by a corporation, affix corporate seal)

STATE OF OREGON, )  
 County of Klamath ) ss.  
March 31, 1978.

Personally appeared the above named Lawrence Hall

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

(OFFICIAL SEAL)

*Glenn Gennels*  
 Notary Public for Oregon

My commission expires: 9/23/81

STATE OF OREGON, County of \_\_\_\_\_ ) ss.  
 \_\_\_\_\_, 19\_\_\_\_.

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 \_\_\_\_\_

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:

(OFFICIAL SEAL)

GRANTOR'S NAME AND ADDRESS

GRANTEE'S NAME AND ADDRESS

After recording return to:

Ambrose McAuliffe  
Box 456  
Fort Klamath 97626

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

## "EXHIBIT A"

A parcel of land situated in Section 19, Section 30, Township 34 South, Range 7 East, Willamette Meridian, more particularly described as follows:

Beginning at a 5/8" iron pin on the north line of Govt. Lot 4 in said Section 19 and on the east right of way line of Highway 427, from which the northwest corner of said Govt. Lot 4 bears North 88°57'13" West 980.28 feet; thence from said point of beginning South 88°57'13" East along the north line of said Govt. Lot 4 327.55 feet to a 5/8" iron pin marking the northeast corner of said Govt. Lot 4; thence South 00°51'06" East along the east line of said Govt. Lot 4 1323.49 feet to a 5/8" iron pin marking the southeast corner of said Govt. Lot 4; thence South 88°55'04" East along the south line of the southeast one quarter of the southwest one quarter of said Section 19 344.17 feet to a 5/8" iron pin; thence South 09°13' East 808.61 feet to a 5/8" iron pin; thence South 88°53'51" East 96.35 feet to a 5/8" iron pin on the west right of way line of Highway 62; thence

South  $11^{\circ}38'44''$  East along the west right of way line of said Highway 62, 224.45 feet to a  $5/8''$  iron pin marking the west right of way of said Highway 62 and the north right of way of Highway 422; thence North  $83^{\circ}47'44''$  West along the north right of way of said Highway 422, 629.53 feet to a  $5/8''$  iron pin; thence continuing along the right of way of said Highway 422 and along the arc of a 143.24 feet radius curve to the right (Delta =  $78^{\circ}15'12''$ , Chord = 180.78 feet) 195.63 feet to a  $5/8''$  iron pin on the east right of way of said Highway 427; thence North  $05^{\circ}32'32''$  West along the east right of way of said Highway 427, 2169.21 feet to the point of beginning.

Containing 22.06 acres, more or less.

And beginning at a  $5/8''$  iron pin marking the southeast corner of the North  $1/2$  of the Southwest  $1/4$  of the Southeast  $1/4$  of the Northwest  $1/4$  of said Section 30; thence from said point of beginning North  $88^{\circ}48'43''$  West along the south line of said North  $1/2$  of Southwest  $1/4$  of the Southeast  $1/4$  of the Northwest  $1/4$  624.35 feet to a  $5/8''$  iron pin on the east right of way of Highway 427; thence North  $05^{\circ}32'32''$  West along the east right of way of said Highway 427, 1142.88 feet to a  $5/8''$  iron pin; thence continuing along the right of way of said Highway 427 and along the arc of a 143.24 feet radius curve to the right (Delta =  $101^{\circ}44'48''$ , Chord = 222.24 feet) 254.37 feet to a  $5/8''$  iron pin on the south right of way of Highway 422; thence South  $83^{\circ}47'44''$  East along the south right of way line of said Highway 422, 576.81 feet to a  $5/8''$  iron pin on the west right of way line of Highway 62; thence South  $11^{\circ}38'44''$  East along the west right of way line of said Highway 62, 55.37 feet to a  $5/8''$  iron pin; thence South  $00^{\circ}23'16''$  West along the east line of the West  $1/2$  of the East  $1/2$  of the Northwest  $1/4$  of Section 30, 1190.17 feet to the point of beginning.



Containing 20.07 acres, more or less.

TOGETHER WITH:

A right of way along the "Klamath Agency Farm Irrigation Canal" varying in width from 40 feet to 20 feet of which the centerline is more particularly described as follows:

Beginning at a point on the north line of Govt. Lot 4, Section 19, Township 34 South, Range 7 East, Willamette Meridian, and the centerline of said "Klamath Agency Farm Irrigation Canal", from which the northwest corner of said Govt. Lot 4 bears WEST 483 feet more or less; thence northerly along the centerline of said "Klamath Agency Farm Irrigation Canal" the following bearings and distances: North  $21^{\circ}21'$  West 153.3 feet to a point, from this point southerly the right of way is 40 feet in width, from this point northerly the right of way is 20 feet in width; thence continuing along the centerline of said "Klamath Agency Farm Irrigation Canal" North  $04^{\circ}24'$  East 600.2 feet, North  $03^{\circ}37'$  West 315.5 feet, North  $18^{\circ}14'$  West 517.7 feet, North  $11^{\circ}28'$  West 264.3 feet, North  $24^{\circ}26'$  West 246.1 feet, North  $10^{\circ}46'$  East 231.7 feet, North  $22^{\circ}38'$  East 432.0 feet, North  $04^{\circ}40'$  West 503.9 feet, North  $21^{\circ}28'$  East 302.4 feet, North  $26^{\circ}58'$  West 306.6 feet, North  $05^{\circ}20'$  West 253.2 feet, North  $01^{\circ}47'$  West 439.4 feet, northeasterly along the arc of a 154 feet radius curve to the right (Delta =  $55^{\circ}42'$ ; Long Chord = North  $26^{\circ}04'$  East 143.9 feet) 149.7 feet, North  $53^{\circ}55'$  East 351.5 feet, North  $58^{\circ}55'$  East 158.1 feet to the head gate at a water reservoir at Agency Spring from which the northwest corner of said Section 19 bears South  $40^{\circ}53'$  West 1129.7 feet more or less.

And a twenty foot wide right of way along an existing irrigation ditch of which the centerline is described as follows:

Beginning at a point on the north line of Govt. Lot 4, Section 19, Township 34 South, Range 7 East, Willamette Meridian, and on the centerline of an existing irrigation ditch, from which the northwest corner of said Govt. Lot 4 bears WEST 483 feet more or less; thence from said point of beginning southerly along the centerline of an existing irrigation ditch to a point that is located the following three bearings and distances from the northwest corner of said Govt. Lot 4 South 88°57'13" East 919.88 feet; South 05°32'32" East 668.74 feet, South 60°36'37" West 51.3 feet.

And a twenty foot wide right of way along an existing irrigation ditch of which the centerline is described as follows:

Beginning at a point on the centerline of an existing irrigation ditch from which the northwest corner of Govt. Lot 4, Section 19, Township 34 South, Range 7 East, Willamette Meridian, bears the following three bearings and distances: North 60°36'37" East 51.3 feet; North 05°32'32" West 668.74 feet; North 88°57'13" West 919.88 feet; thence from the said point of beginning southeasterly along the centerline of an existing irrigation ditch to a point on the west right of way line of Highway 427, said point also being located from the northwest corner of said Govt. Lot 4 the following two bearings and distances: South 88°57'13" East 919.88 feet, South 05°32'32" East 747 feet.

SUBJECT TO: All right of ways and easements of record and those apparent upon the land.

And a twenty foot wide right of way along an existing irrigation ditch of which the centerline is described as follows:

Beginning at a point on the centerline of an existing irrigation ditch and on the east right-of way line of Highway 427, from which the northwest corner of Govt. Lot 4, Section 19, Township 34 South, Range 7 East, Willamette Meridian, bears the following two bearings and distances: North  $05^{\circ}32'32''$  West 758 feet, North  $88^{\circ}57'13''$  West 980.28 feet; thence from said point of beginning southeasterly along the centerline of an existing irrigation ditch to a point on the north right of way line of Highway 422, said point being located from the northwest corner of said Govt. Lot 4 the following three bearings and distances: South  $88^{\circ}57'13''$  East 980.28 feet, South  $05^{\circ}32'32''$  East 2285.75 feet, South  $83^{\circ}47'44''$  East 313.5 feet.

And a twenty foot wide right of way along an existing irrigation ditch of which the centerline is described as follows:

Beginning at a point on the centerline of an existing irrigation ditch and the south right of way line of Highway 422 from which the northwest corner of Govt. Lot 4, Section 19, Township 34 South, Range 7 East, Willamette Meridian, bears the following three bearings and distances: North  $83^{\circ}47'44''$  West 409.14 feet, North  $05^{\circ}32'32''$  West 2347.00 feet, North  $88^{\circ}57'13''$  West 980.28 feet; thence from said point of beginning southwesterly along the centerline of an existing irrigation ditch to a point on the westerly right of way line of Highway 427, said point being located from the northwest corner of Govt. Lot 4, Section 19, Township 34 South, Range 7 East, Willamette Meridian, the following two bearings and distances: South  $88^{\circ}57'13''$  East 919.88 feet, South  $05^{\circ}32'32''$  East 3596 feet.

SUBJECT TO THE FOLLOWING:

1. Rights of the public in and to any portion of said premises lying within the limits of roads and highways.



2. An easement created by instrument, including the terms and provisions thereof:

Dated : November 15, 1960  
Recorded : November 29, 1960  
Book 325, Page 507  
In favor of : California Oregon Power  
Company  
For : Transmission lines

(Affects Lot 4, Section 19; Lot 1, West 1/2 Northeast 1/4 Northwest 1/4 Section 30, Township 34 South, Range 7 East, Willamette Meridian; Southeast 1/4 Southwest 1/4 Section 12; North 1/2 Northwest 1/4, Southeast 1/4 Northwest 1/4, Northeast 1/4 Southwest 1/4, West 1/2 Southeast 1/4 Section 13; North 1/2 Northeast 1/4, Southeast 1/4 Northeast 1/4, East 1/2 Southeast 1/4 Section 24, Township 34 South, Range 7-1/2 East Willamette Meridian.)

3. Unrecorded Trust Agreement, including the terms and provisions thereof and such other exceptions as may appear necessary upon the recording thereof, as disclosed by Deed of Tribal Property recorded March 5, 1959 in Book 310 at page 324, Deed Records.

4. Subject to an access road as set forth on Exhibit "A" of instrument dated December 28, 1964, recorded January 6, 1965 in Book 358 at page 471, Deed Records, to Tulana Farms, an Oregon Corporation. (Affects Southwest 1/4 Southwest 1/4 Section 19, Township 34 South, Range 7 East of the Willamette Meridian; Southeast 1/4 Southeast 1/4 Section 24 and North 1/2 Section 25, Township 34 South, Range 7-1/2 East of the Willamette Meridian.)

A parcel of land situated in Section 25, Township 34 South, Range 7½ East of the Willamette Meridian, and Section 19, Section 30, Township 34 South, Range 7 East of the Willamette Meridian, more particularly described as follows: Beginning at a point on the South line of said Section 25 and the mean high water line of the Wood River, from which the Southeast corner of said Section 25 bears North 89°46'47" East 1866.00 feet, more or less, thence from said point of beginning North 89°46'47" East along the South line of said Section 25, 1866.00 feet to the Southeast corner of said Section 25; thence South 88°52'24" East along the South line of said Section 25, 1288.06 feet to a 5/8 inch iron pin marking the Southeast corner of Government Lot 4, of said Section 30; thence North 00°21'09" East along the Last line of Government Lot 4 and Government Lot 3 of said Section 30, 2595.23 feet to a 5/8 inch iron pin on the Westerly line of Highway 427; thence North 05°32'32" West along the Westerly line of said Highway 427, 3377.02 feet to a 5/8 inch iron pin in the center of a road as said point is described in Deed Volume 358 at page 471; thence Westerly along the line described in Deed Volume 358 at page 471 the following bearings and distances: South 60°36'37" West 1799.44 feet, South 83°51'34" West 869.25 feet, North 85°16'31" West 420.66 feet, South 69°16'28" West 339.99 feet, South 52°04'22" West 307.99 feet, South 28°50'12" West 134.01 feet, South 43°40'20" West 224.00 feet, South 29°27'04" West 201.00 feet, South 04°07'38" East 42.10 feet, South 23°32'52" East 415.26 feet, more or less, to the mean high water line of the Wood River; thence Southerly along the mean high water line of said Wood River to the point of beginning.

## TOGETHER WITH:

A right of way along the "Klamath Agency Farm Irrigation Canal" varying in width from 40 feet to 20 feet of which the centerline is more particularly described as follows: Beginning at a point on the North line of Government Lot 4, Section 19, Township 34 South, Range 7 East of the Willamette Meridian, and the centerline of said "Klamath Agency Farm Irrigation Canal", from which the Northwest corner of said Government Lot 4 bears West 483 feet, more or less; thence Northerly along the centerline of said "Klamath Agency Farm Irrigation Canal", the following bearings and distances: North 21°21' West 153.3 feet to a point, from this point Southerly the right of way is 40 feet in width, from this point Northerly the right of way is 20 feet in width; thence continuing along the centerline of said "Klamath Agency Farm Irrigation Canal" North 04°24' East 600.2 feet, North 03°37' West 315.5 feet, North 18°14' West 517.7 feet, North 11°23' West 264.3 feet, North 24°26' West 246.1 feet, North 10°46' East 231.7 feet, North 22°38' East 432.0 feet, North 04°40' West 503.9 feet, North 21°23' East 302.4 feet, North 26°58' West 306.6 feet, North 05°00' West 253.2 feet, North 01°47' West 439.4 feet, Northeasterly along the arc of a 154 feet radius curve to the right (Delta = 55°42' Long Chord = North 26°04' East 143.9 feet) 149.7 feet, North 53°55' East 351.5 feet, North 58°55' East 158.1 feet to the head gate at a water reservoir at Agency Spring, from which the Northwest corner of said Section 19 bears South 40°53' West 1129.7 feet, more or less.

And a twenty foot wide right of way long an existing irrigation ditch of which the centerline is described as follows: Beginning at a point on the North line of Government Lot 4, Section 19, Township 34 South, Range 7 East, of the Willamette Meridian, and on the centerline of an existing irrigation ditch, from which the Northwest corner of said Government Lot 4 bears West 483 feet, more or less; thence from said point of beginning Southerly along the centerline of an existing irrigation ditch to a point that is located the following three bearings and distances from the Northwest corner of said Government Lot 4 South 88°57'13" East 919.88 feet, South 05°32'32" East 668.74 feet, South 60°36'37" West 51.3 feet.



And a twenty foot wide right of way along an existing irrigation ditch of which the centerline is described as follows: Beginning at a point on the centerline of an existing irrigation ditch and on the East right of way line of Highway 427, from which the Northwest corner of Government Lot 4, Section 19, Township 34 South, Range 7 East of the Willamette Meridian, bears the following two bearings and distances: North 05°32'32" West 758 feet, North 88°57'13" West 980.28 feet; thence from said point of beginning Southeasterly along the centerline of an existing irrigation ditch to a point on the North right of way line of Highway 422, said point being located from the Northwest corner of said Government Lot 4 the following three bearings and distances: South 88°57'13" East 980.28 feet, South 05°32'32" East 2285.75 feet, South 83°47'44" East 313.5 feet.

And a twenty foot wide right of way along an existing irrigation ditch of which the centerline is described as follows: Beginning at a point on the centerline of an existing irrigation ditch and the South right of way line of Highway 422 from which the Northwest corner of Government Lot 4, Section 19, Township 34 South, Range 7 East of the Willamette Meridian, bears the following three bearings and distances: North 83°47'44" West 409.14 feet, North 05°32'32" West 2347.00 feet, North 88°57'13" West 980.28 feet; thence from said point of beginning Southwesterly along the centerline of an existing irrigation ditch to a point on the Westerly right of way line of Highway 427, said point being located from the Northwest corner of Government Lot 4, Section 19, Township 34 South, Range 7 East of the Willamette Meridian, the following two bearings and distances: South 88°57'13" East 919.88 feet, South 05°32'32" East 3596 feet.

SUBJECT TO: All right of ways and easements of record and those apparent upon the land.

And a twenty foot wide right of way along an existing irrigation ditch of which the centerline is described as follows: Beginning at a point on the centerline of an existing irrigation ditch from which the Northwest corner of Government Lot 4, Section 19, Township 34 South, Range 7 East of the Willamette Meridian, bears the following three bearings and distances: North 60°36'37" East 51.3 feet, North 05°32'32" West 668.74 feet, North 88°57'13" West 919.88 feet; thence from the said point of beginning Southeasterly along the centerline of an existing irrigation ditch to a point on the West right of way line of Highway 427, said point also being located from the Northwest corner of said Government Lot 4 the following two bearings and distances: South 88°57'13" East 919.88 feet, South 05°32'32" East 747 feet.

And that certain indenture recorded in Deed Volume 358 at page 471, Klamath County Deed Record.

STATE OF OREGON; COUNTY OF KLAMATH; ss.

led for record at request of Klamath County Title Co.

this 4th day of April A. D. 1978 at 11:37 o'clock A. M., an

tuly recorded in Vol. M78, of Deeds on Page 6415

Wm D. MILNE, County Clerk

By Barbara D. Litch

Fee \$27.00