

54489

WARRANTY USED

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KNOW ALL MEN BY THESE PRESENTS, That

MARY FIKE

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by RICHARD H. BRUNELLE & DOROTHY L. BRUNELLE, 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 LEGAL DESCRIPTION SET FORTH ON REVERSE ***

(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 except as set forth on reverse, and apparent upon the land,

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 \$26,250.00. 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 5th day of September, 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.

Mary E. Fike

(If executed by a corporation, affix corporate seal)

STATE OF OREGON,

County of Klamath

System 515 78

Personally appeared the above named Mary E. Fike

NOTARY

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

Before me, Judy B. Ruben

Notary Public for Oregon

My commission expires: 8-23-81

STATE OF OREGON, County of _____ ss.

Personally appeared _____, 19____

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 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:

(OFFICIAL SEAL)

Notary Public for Oregon

My commission expires:

GRANTOR'S NAME AND ADDRESS

GRANTEE'S NAME AND ADDRESS

Richard H & Dorothy L Brunelle
Star Route 1 Box 108
Chiloquin, Or 97624

Until a change is registered all tax statements shall be sent to the following address:

Same as above

NAME, ADDRESS, ZIP

STATE OF OREGON,

County of _____ ss.

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/serial number _____, Record of Deeds of said county.

Witness my hand and seal of County affixed.

Recording Officer

By _____ Deputy

The Northerly 100 feet of that certain parcel of land situated in Lot 9, Section 7, Township 35 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, described as follows:

Beginning at a point 564 feet West of the Northeast corner of Lot 9, Section 7, Township 35 South, Range 7 East of the Willamette Meridian, or on the North line of said Lot 9 and the East line of Dalles-California Highway right of way; thence West 469 feet to the lake shore line; thence West of South approximately 650 feet to the North line of 100 foot lot owned by Chas. Blair Knight by deed dated May 23, 1936, approved September 9, 1936, L-Adj. 13295 BDS; thence East along North line of said 100 foot lot, 592 feet to a point on the East line of Dalles-California Highway right of way; thence North 600 feet to the point of beginning, being all that part of Lot 9, Section 7, Township 35 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, West of East line of Dalles-California Highway right of way and North of the North line of the 100 foot lot owned by Chas. Blair Knight by deed mentioned above.

1. Taxes for the fiscal year 1978-1979, a lien, but not yet due and payable.
 2. Rights of the public in and to any portion of the herein described premises lying within the limits of streets, roads or highways.
 3. Rights of the public and governmental bodies in and to that portion of the herein described premises lying below the high water mark of the Klamath Lake.
 4. Reservations as contained in instrument recorded in Volume 306, page 304, Records of Klamath County, Oregon, as follows:
"And there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States."
 5. Reservations as disclosed by Land Status Report recorded in Volume 311, page 121, Records of Klamath County, Oregon, as follows:
"Agreement entered into on April 28, 1925, between Carlos Blair, a single man, party of the first part, and The California Oregon Power Company, a California corporation, party of the second part, wherein the party of the first part gives and grants to the party of the second part the perpetual right, privilege and easement of raising and/or lowering the water level of Upper Klamath Lake in its operation of the dam and/or regulation and control of the water levels of said lake between elevations of 4137 feet and 4143.3 feet above sea level."
 6. Reservations as contained in Land Status Report recorded in Volume 311, page 136, Records of Klamath County, Oregon, as follows:
"Right of way to Klamath County Court for Dalles - California Highway approved by F. M. Goodwin, Assistant Secretary, on May 28, 1924, subject to provisions of the Act of March 3, 1901 (31 Stat. L. 1058-1084) and Departmental regulations thereunder; and subject also to any prior, valid, existing right or adverse claim.
- The above described property is subject to all other existing easements for public roads and highways, for public utilities, and for railroads and pipe lines and for any other easements or rights-of-way of record; and there is hereby reserved any and all roads, trails, telephone lines, etc., actually constructed by the United States, with the rights of the United States to maintain, operate or improve the same so long as needed or used for or by the United States. (Dept. Instr., January 13, 1916. 44 L.D. 513)."
7. Grant of Right of Way, including the terms and provisions thereof, granted to The California Oregon Power Company, for pole and wire lines, recorded in Volume 320, page 204, Records of Klamath County, Oregon.
 8. No timber shall be removed from the property except undergrowth.

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of Mountain Title Co

on 5th day of September A. D. 1978 at 4:16 clock PM., and

fully recorded in Vol. N78, of Deeds on Page 19585

Wm D. MILNE, County Clerk

Wm D. Milne