

BARGAIN AND SALE DEED

Vol. 178 Page 25891

KNOW ALL MEN BY THESE PRESENTS, That C. T. DARLEY

for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto

C. H. DARLEY, as trustee, as per reverse hereof, hereinafter called grantee, and unto grantee's heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining, situated in the County of Klamath, State of Oregon, described as follows, to-wit:

The West 100 feet of the East 200 feet of that portion of the SE 1/4 NE 1/4 of Section 3, Township 36 S, Range 6 E, W. M., which lies North of Harriman Creek. Subject to: Easements and rights of way of record and those apparent on the land; reservations in the United States patents; Agreements relative to the raising and lowering of the waters of Upper Klamath Lake; Agreement dated October 27, 1952, and recorded December 19, 1952, in Vol. 258 at page 287 of Klamath County deed records as corrected by Agreement dated November 30, 1953, and recorded December 27, 1953, in Vol. 280 at page 146 of Klamath County deed records prohibiting the use of said premises for any resort or competing commercial purpose, as more specifically defined in said agreement for a period of 30 years from the date of said agreement; and to taxes for the tax year commencing July 1, 1956, now a lien but not yet payable.

A tract of land situated in that portion of the SE 1/4 NE 1/4 of Section 3, Township 36 S, Range 6 E, W. M., Klamath County, Oregon, which lies North of Harriman Creek and which is more particularly described as follows, to-wit: Commencing at the Northeast corner of the SE 1/4 NE 1/4 of said Section 3; thence west along the North line of said SE 1/4 NE 1/4 of said Section 3, a distance of 100 feet to an iron bolt set in concrete, which said iron bolt marks the Northeast corner of the tract of land conveyed to C. T. Darley by deed recorded in Vol. 236 at page 149 of Klamath County, Oregon, Deed Records, and which marks the true point of intersection on reverse side.

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

However, the actual consideration consists of or includes other property or value given or promised which is the whole 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 11 day of November, 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.

SEE REVERSE HEREOF FOR ADDITIONAL INCLUSIONS

(If executed by a corporation, affix corporate seal)

STATE OF OREGON,

County of Marion,

November 11, 1978

STATE OF OREGON, County of

Personally appeared

Personally appeared the above named C. T. DARLEY

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

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.

(OFFICIAL SEAL)

Before me,

Notary Public for Oregon

My commission expires

Before me,

Notary Public for Oregon

My commission expires:

(OFFICIAL SEAL)

C. T. Darley

C. H. Darley

102 W. High

Stayton, Oregon 97383

GRANTEE'S NAME AND ADDRESS

After recording return to:

Herman Darley

102 W. High

Stayton, Oregon 97383

GRANTOR'S NAME AND ADDRESS

Herman Darley

102 W. High

Stayton, Oregon 97383

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

SPACE RESERVED FOR RECORDER'S USE

STATE OF OREGON,

County of

I certify that the within instrument was received for record on the day of 19

at 6 o'clock M., and recorded in book on page or as

file/ree/ number

Record of Deeds of said county.

Witness my hand and seal of County affixed.

Recording Officer

By Deputy

1982S

1982S

Starting at said true point of beginning, thence, Westerly on the North line of said SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 3 a distance of 100 feet to an iron bolt set in concrete which marks the Northwest corner of said Darley Tract; thence, South 1°09' West along the West side of said Darley Tract a distance of 241.0 feet, more or less, to an iron pipe set in concrete; thence South 29°19' West 25.0 feet, more or less, to an iron pipe set in concrete and located on the North bank of Harriman Creek; thence, North 81°45' West 152.6 feet to the center line of a 20 foot width roadway; thence North 10°57' East on said road center line 76.2 feet; thence, South 84°42' East 10.0 feet to an iron pin set in concrete; thence North 2°17' West 160.0 feet, more or less, to an iron pipe set in concrete and located on the North line of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 3; thence Easterly on said North line a distance of 150.0 feet, more or less, to said Northwest corner of said Darley Tract; thence, North 1°09' East 157 feet, more or less, to the center line of the Harriman to Rocky Point Road; thence, Easterly on the last said road 100 feet, more or less, to a point located 100 feet West of the East boundary of said Section 3; thence Southerly on a straight line to the true point of beginning.

Subject to: Highways, easements and rights of way of record and those apparent on the land, including said roadway hereinbefore mentioned and subject to an easement for utilities five feet wide along said road right of way and being bounded on the West by the Easterly line of said Road right of way; reservations in United States patents; agreements relative to the raising and lowering of the waters of Upper Klamath Lake; agreements recorded December 19, 1952, in Vol. 258 at page 287 of Klamath County, Oregon, Deed Records, as corrected by agreement recorded December 27, 1955 in Vol. 280 at page 147 of said Deed Records, prohibiting the use of said premises for any resort or competing commercial use, as more specifically defined in said agreement, for a period of 30 years from the date of said agreement; and to taxes for the 1962-63 tax year which are now a lien but not yet payable.

TRUSTEE provisions:

Trustee to hold said premises for the sole benefit of grantor hereof, however, trustee shall have sole right to dispose of said premises at any time hereafter during the lifetime of grantor with all proceeds of such sale to be used for the benefit of grantor and upon the death of grantor, trustee shall forthwith convey said premises, or any remaining prior sale proceeds, to the following named, as tenants in common, and if any of the following be deceased, to the children of such decedent by right of representation:

BETTY LITTEWILLER,
C. H. DARLEY,
ROSE GOSS,
JOHN LAMPMAN, son of Valeda Lampman, deceased,
IMA HENRICKSON, and
VIRGINIA MILLER.

In the event of the death or incapacity of the named trustee, whether grantor is living or deceased, grantor appoints as successor trustee hereunder, Betty Littewiller, and in the event of her death or incapacity, grantor appoints Rose Goss, as successor trustee, and in the event of her death or incapacity, grantor appoints Ima Henrickson, as successor trustee, and in the event of her death or incapacity, grantor appoints Virginia Miller, as successor trustee, and in the event of her death or incapacity, grantor appoints John Lampman, as successor trustee.

Grantor may revoke this trust deed and the authority granted hereunder at any time hereafter and upon receipt of such written revocation, the trustee hereof shall reconvey said premises to grantor.

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record ~~XXXXXX~~

the 16th day of November A. D. 1978 at 1:50 clock A. M., and

truly recorded in Vol. 778, of Deeds on Page 25891

Wm D. MILNE, County Clerk

Fee \$6.00

By *Bernice H. Litch*