

60301  
T/A 38-16856-M

WARRANTY DEED (INDIVIDUAL) Vol. 1178 Page 28866

JOHN FABIANEK, JR., and LORENA FABIANEK, Husband and Wife

WAYNE HURLEY BLDG. CO., INC.

of Klamath, State of Oregon, described as: all that real property situated in the County

See attached Exhibit "A"

and covenant(s) that grantor is the owner of the above described property free of all encumbrances except See attached Exhibit "A"

and will warrant and defend the same against all persons who may lawfully claim the same, except as shown above.

The true and actual consideration for this transfer is \$ 9,000.00 \*

Dated this 27th day of December, 19 78.

*John Fabianek Jr.*  
JOHN FABIANEK, JR.  
*Lorena Fabianek*  
LORENA FABIANEK

STATE OF OREGON, County of Klamath ) ss.

On this 27th day of December, 19 78 personally appeared the above named John Fabianek, Jr. and Lorena Fabianek and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:

*Marlene I. Addington*  
Notary Public for Oregon  
My commission expires: 3-22-81

\* The dollar amount should include cash plus all encumbrances existing against the property to which the property remains subject or which the purchaser agrees to pay or assume.  
\*\* If consideration includes other property or value, add the following: "However, the actual consideration consists of or includes other property or value given or promised which is part of the/the whole consideration." (Indicate which)

WARRANTY DEED (INDIVIDUAL)

Fabianek  
TO  
Hurley

After Recording Return to: & Taxes  
Wayne Hurley Bldg. Co., Inc.  
3572 Evergreen  
Klamath Falls, Oregon 97601

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 Records of Deeds of said County.

Witness my hand and seal of County affixed.

By Title  
Deputy

## EXHIBIT "A"

A portion of the NW $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 14, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at a point on the Westerly boundary of the right-of-way line of Homedale Road, which point is on the Southerly boundary of the U.S.R.S. Drain Ditch running East and West across the Northerly part of the said NW $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 14, Township 39 South, Range 9 East of the Willamette Meridian, running thence South along the Westerly boundary line of said Homedale Road a distance of 872.4 feet to a point; thence West 81 feet to the true point of beginning; thence continuing West to the Easterly right-of-way line of Klamath Project Drain #1-C-1-A-1; thence Southerly along said Easterly boundary line of said drain a distance of 110 feet to a point; thence East parallel to the South line of said NW $\frac{1}{4}$ NE $\frac{1}{4}$  a distance of 81 feet, more or less, to a point which is South along a line parallel to the West right-of-way line of Homedale Road a distance of 110 feet from the point of beginning; thence North parallel to the West right-of-way line of Homedale Road a distance of 110 feet to the point of beginning.

## SUBJECT TO:

1. Regulations, including levies, assessments, water and irrigation rights and easements for ditches and canals of Klamath Irrigation District.
2. Reservations set forth in deed from Fred McKendree and wife, to Fred D. Fletcher and wife, dated June 25, 1940 and recorded June 26, 1940 in Book 130 at page 191 of Deed Records of Klamath County, Oregon.
3. An easement created by instrument, including the terms and provisions thereof, dated June 26, 1905 and recorded May 18, 1907 in Book 22 at Page 479 in favor of United States of America, for Canals or ditches and transmission line across the NE $\frac{1}{4}$  of Sec. 14, Twp 39 S., R. 9 EWM.

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record ~~December 28, 1978~~

this 28th day of December A. D. 1978 at 3:27 o'clock P. M., and duly recorded in Vol. M-78, of Deeds on Page 28866

Fee \$6.00

W. D. MILNE, County Clerk

*Jaqueline J. Mettler*