

- WARRANTY DEED -

ROSS CARIAGA and JEANNE CARIAGA, husband and wife, Grantors, convey and warrant to JAMES L. SPEARS and SANDRA L. SPEARS, husband and wife, Grantees, the following described real property situate in Klamath County, Oregon, free of all encumbrances, except as specifically set forth herein:

PARCEL 1:

A parcel of land situated in the S 1/2 of Section 12, Township 38 South, Range 8 East of the Willamette Meridian, more particularly described as follows:

Beginning at the South one-quarter corner of Section 12; thence Easterly 662.82 feet along the South Section line of Section 12 to a point; thence North $26^{\circ}31'58''$ West, 649.63 feet, more or less, to a $5/8''$ iron rod; thence South $82^{\circ}30'46''$ West, 1300.84 feet to a $5/8''$ iron rod on the East shore line of Upper Klamath Lake; thence Southeasterly along the East shore line of Upper Klamath Lake to the Northwest corner of SUNSET BEACH, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon; thence running Northeasterly and Southeasterly along the Northerly and Easterly boundary lines of said plat of SUNSET BEACH, to a point at the intersection with the South section line of Section 12; thence Easterly along the South section line of Section 12 to the point of beginning.

SUBJECT TO a non-exclusive easement for ingress and egress over and across a 60 foot strip along the West boundary defined by the East shore line of Upper Klamath Lake and along the South boundary defined by the Northerly line of SUNSET BEACH plat herein described.

PARCEL 2:

Beginning at the iron pin which marks the Northeast corner of Lot 2, in Section 13, Township 38 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, which point is also the Northwest corner of Terminal City and running thence: South $0^{\circ}04'$ East along the Township line a distance of 818 feet to an iron pin which marks the intersection of the Southerly right-of-way line of Center Street in Terminal City extended Westerly and the Township line; thence North $38^{\circ}01'$ West, a distance of 140.95 feet to an iron pin; thence North $53^{\circ}02'$ West a distance of 277.08 feet to an iron pin; thence North $61^{\circ}27'$ West a distance of 599.66 feet to an iron pin which lies South at right angles 250 feet from the North line of Lot 2 in Section 13, Township 38 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, thence West parallel to the North line of Lot 2 in Section 13, Township 38 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, to the Southeast corner of SUNSET BEACH, according to the official plat thereof, on file in the office of the County Clerk of Klamath County, Oregon; thence running Northerly and Northwesterly along the Easterly and Northeasterly lines of said plat of SUNSET BEACH, to the North line of Government lot 1 in said Township and Range; thence East along said North line to the Northwest corner of that certain parcel conveyed to D. T. Matthews, et ux, by Bargain Sale Deed recorded October 7, 1969 in Volume M69, page 8552, Microfilm Records of Klamath County, Oregon; thence Southeasterly along the Westerly line of said Matthews parcel 1517.0 feet, more or less, to the most Southerly corner thereof; thence North along the Easterly line of said Matthews parcel to the North line of Government lot 2 in said Township and Range; thence East along said North line of Lot 2 to the point of beginning.

WILLIAM P. BRANDSNESS
ATTORNEY AT LAW
411 PINE STREET
KLAMATH FALLS, OREGON 97601

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EXCEPTING THEREFROM a tract of land situate in the SE 1/4 NE 1/4 of Section 13, Township 38 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows: Beginning at the iron pipe marking the Northeast corner of the SE 1/4 NE 1/4 of Section 13, Township 38 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon; thence South 0°04' East along the section line 818.0 feet to the iron pin marking the Northeast corner of that parcel described in Klamath County Deed Records Vol. 339, page 484; thence North 38°01' West 140.95 feet to an iron pin; thence North 53°13' West 171.0 feet to an iron pin; thence North 29°48' East 362.23 feet to an iron pin; thence North 8°26' East 293.50 feet, more or less, to the point of beginning.

ALSO EXCEPTING THEREFROM a tract of land situated in Government Lot 2, Section 13, Township 38 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows: Beginning at the iron pin marking the Northeast corner of Government Lot 2, Section 13, Township 38 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon; thence South 8°26' West along the West boundary of that parcel described in Klamath County Deed Records in Vol. M68, page 1815, 293.50 feet to an iron pin; thence South 28°48' West, 362.23 feet to an iron pin marking the Southwest corner of that parcel described in Klamath County Deed Records in Vol. M68, page 1815; thence North 53°13' West 106.08 feet to an iron pin; thence North 61°27' West 722.02 feet; thence North 80°19' West 38.30 feet; thence North 189.63 feet to a point on the North boundary line of said Government lot 2; thence East along said North boundary line 980.00 feet to the point of beginning.

SUBJECT TO AND EXCEPTING:

- (1) Rights of the public in and to any portion of the herein described premises lying within the limits of streets, roads or highways; (2) A right of way created by instrument, including the terms and provisions thereof dated December 15, 1960, recorded January 5, 1962, in Vol. 334, page 574, Klamath County, Oregon deed records in favor of The California Oregon Power Company for Transmission and distribution lines; (3) Agreements with California Oregon Power Company and California-Oregon Power Company relative to raising and/or lowering the waters of the Upper Klamath Lake and of the streams flowing into and out of said lake, and release of damages caused by such regulation of the water levels, as disclosed by instrument recorded April 10, 1964, in Vol. 352, page 274, Klamath County, Oregon Deed Records; (4) Roadway easement 60 feet in width as disclosed in instrument recorded January 20, 1971, in Vol. M71, page 491, Microfilm Records of Klamath County, Oregon (Affects Parcel 2); -and
- (5) Easements and rights of way of record or apparent on the land.

As a consideration of the conveyance of this property, Grantees agree that they will not divide Parcel 1 into more than three parcels, nor Parcel 2 into more than 7 parcels.

The true and actual consideration for this transfer is Seventy-Five Thousand (\$75,000.00) DOLLARS.

Until a change is requested, all tax statements shall be sent to

Grantees at 5143 So. 6th, Klamath Falls, Oregon 97601

WILLIAM P. BRANDSNESS
ATTORNEY AT LAW
411 PINE STREET
KLAMATH FALLS, OREGON 97601

Dated this 31st day of January, 1979.

STATE OF OREGON

County of Klamath

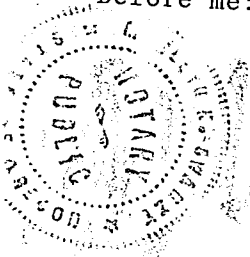
} SS

Feb. 22

, 1979

Personally appeared the above-named ROSS CARIAGA and JEANNE CARIAGA, husband and wife, and acknowledged the foregoing instrument to be their voluntary act.

Before me:



Melburn K. Swamy
Notary Public for Oregon

My Commission expires: 9/16/81

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of William P. Brandsness

this 27th day of February A. D. 19 79 at 10:24 o'clock A.M., and

fully recorded in Vol. 479, of Deeds on Page 4330

Wm D. MILNE, County Clerk

By Bernetha M. Heloch

Fee \$9.00

Return to

WILLIAM P. BRANDSNESS
ATTORNEY AT LAW
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KLAMATH FALLS, OREGON 97601