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WARRANTY DEED—TENANTS BY ENTIRETY

Vol. 79 Page

4711

Louis J. Silva

KNOW ALL MEN BY THESE PRESENTS, That

hereinafter called the grantor, for the consideration hereinafter stated to the grantor paid by Mario Louis Giordano and Diana Janet Giordano, husband and wife, hereinafter called the grantees, does hereby grant, bargain, sell and convey unto the grantees, as tenants by the entirety, the heirs of the survivor and their assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Klamath, State of Oregon, described as follows, to-wit:

PARCEL 1: TOWNSHIP 40 SOUTH, RANGE 13 EAST, WILLAMETTE MERIDIAN

Section 4:

The East 8.7 acres of that portion of the Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$) which lies North and East of the Langell Valley Market Road as same was constructed in the year 1934;

All of the Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$); EXCEPT that portion in the Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$), except that portion in the Northeast corner thereof which lies North and East of the U. S. B. R. right-of-way for the Lost River Channel Improvement;

All of the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$); That portion of the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$) which lies North and East of the Langell Valley Market Road;

That portion of the Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$) which lies North and East of the Langell Valley Market Road.

(For continuation of this description, see reverse side of this Deed.)

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the above described and granted premises unto the said grantees, as tenants by the entirety, their heirs and assigns forever.

And grantor hereby covenants to and with grantees and the heirs of the survivor and their assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances, except as noted of record as of the date of this Deed and those apparent upon the land, if any, as of the date of this Deed, 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 \$300,000.00

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 10th day of October, 1976; 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.

(If executed by a corporation, affix corporate seal.)

STATE OF OREGON,

County of Klamath

October 10, 1976

Personally appeared the above named

Louis J. Silva

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

NOTARY PUBLIC

Before me

Notary Public for Oregon

My commission expires 7-7-78

STATE OF OREGON, County of Klamath, ss.

Personally appeared

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:

STATE OF OREGON,

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.

Recording Officer

Deputy

By

NAME, ADDRESS, ZIP

That portion of the North Half of the Northeast Quarter ($N\frac{1}{2}NE\frac{1}{4}$) and the Southeast Quarter of the Northeast Quarter ($SE\frac{1}{4}NE\frac{1}{4}$) which lies North and East of the Langell Valley Market Road.

PARCEL 2: TOWNSHIP 40 SOUTH, RANGE 13 EAST, WILLAMETTE MERIDIAN

Section 3:

The Southwest Quarter of the Southwest Quarter ($SW\frac{1}{4}SW\frac{1}{4}$), EXCEPT that portion which lies North and East of U. S. B. R. right-of-way for the Lost River Channel Improvement;
All that portion of the Southeast Quarter of the Southwest Quarter ($SE\frac{1}{4}SW\frac{1}{4}$) lying South of the U. S. B. R. right-of-way for the Lost River Channel Improvement;
All that portion of the Northwest Quarter of the Southwest Quarter ($NW\frac{1}{4}W\frac{1}{4}$) lying South and West of the U. S. B. R. right-of-way for the Lost River Channel Improvement.

Section 10:

All of the Northwest Quarter of the Northwest Quarter ($NW\frac{1}{4}NW\frac{1}{4}$);
All that portion of the Southwest Quarter of the Northwest Quarter ($SW\frac{1}{4}NW\frac{1}{4}$) lying North of the Langell Valley Irrigation Canal right-of-way as presently located.
Together with an easement over the East 20 feet of the Southwest Quarter of the Northwest Quarter ($SW\frac{1}{4}NW\frac{1}{4}$) lying South of the Langell Valley Irrigation Canal right-of-way as presently located.

PARCEL 3: TOWNSHIP 39 SOUTH, RANGE 12 EAST, WILLAMETTE MERIDIAN

A portion of the Southeast Quarter of the Southwest Quarter ($SE\frac{1}{4}SW\frac{1}{4}$) of Section 33, Township 39 South, Range 12 East, Willamette Meridian, more particularly described as follows:

Beginning at the Southeast corner of the $SE\frac{1}{4}$ of $SW\frac{1}{4}$ of the said Section 33; thence West 1320 feet; thence North 390 feet, more or less, to the South boundary of Lost River Channel; thence Southeasterly along the South boundary of Lost River Channel to its intersection with the East boundary of $SE\frac{1}{4}$ of $SW\frac{1}{4}$ of said Section 33; thence South 115 feet, more or less, to the point of beginning.

PARCEL 4: TOWNSHIP 40 SOUTH, RANGE 13 EAST, WILLAMETTE MERIDIAN

Section 4:

The East Half of the Northwest Quarter ($E\frac{1}{2}NW\frac{1}{4}$);
A portion of the Southwest Quarter of the Northwest Quarter ($SW\frac{1}{4}NW\frac{1}{4}$), more particularly described as follows:
Beginning at the SE corner of the $SW\frac{1}{4}$ of the $NW\frac{1}{4}$ of Section 4, Township 40 South, Range 13 East; thence North along the Sixteenth Line a distance of 776 feet to a point; thence West a distance of 842 feet to a point; thence South a distance of 776 feet, more or less, to the Midsection Line running East and West in Section 4; thence East along Midsection Line to the place of beginning;
EXCEPTING therefrom one acre in the form of a square in the Northwest corner of this description.

SUBJECT, HOWEVER, TO THE FOLLOWING:

1. Regulations, including levies, assessments, water and irrigation rights, and easements for ditches and canals, of Klamath Irrigation District and Langell Valley Irrigation District.
2. Rights of the public in and to any portion of the above-described property lying within the limits of public roads or highways.
3. Rights of governmental bodies in and to any portion of the above-described properties lying below the ordinary high water mark of Lost River.
4. Easement, including the terms and provisions thereof, granted to the United States of America by instrument recorded July 2, 1927, in Book 76 at page 20, Deed Records. (Affects $SW\frac{1}{4}SW\frac{1}{4}$ Sec. 3, Twp 40 S., R. 13 EWM.)
5. Easement, including the terms and provisions thereof, granted to the United States of America by instrument recorded July 2, 1927, in Book 76 at page 24, Deed Records. (Affects Sec. 4, Twp 40 S., R. 13 EWM and Sec. 32 and 33, Twp 39 S., R. 12 EWM.)
6. Reservations as shown in Patent Book 11 at page 77 from the United States of America, recorded in Deed Records of Klamath County, Oregon, as follows: "Subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and also subject to the right of a proprietor of a vein or lode to extract and remove his ore therefrom should the same be found to penetrate or intersect the premises hereby granted as provided by law; 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."
7. Lease, including the terms and provisions thereof, dated June 20, 1973, recorded August 17, 1973, in Book M-73 at page 11157, Microfilm Records, between Louis J. Silva and Dowdle Oil Corporation.

STATE OF OREGON; COUNTY OF KLAMATH; ss.

I hereby certify that the within instrument was received and filed for record on the 2nd day of March, A.D., 19 79 at 3:33 o'clock P M., and duly recorded in Vol. N79, of Deeds on Page 4711.

FEE \$6.00

WM. D. MILNE, County Clerk

By Bernetha J. Smith Deputy