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K-31507

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That L. A. SWETLAND, M.D., P.C., PENSION AND PROFIT SHARING TRUST; R. H. OTTEMAN, M.D., P.C., PENSION AND PROFIT SHARING TRUST; ORE-CAL GENERAL WHOLESALE, INC., an Oregon corporation; JACK C. PROCK and DIANE BRYAN, formerly DIANE PROCK, hereinafter called "grantors", for the consideration hereinafter stated, to grantors paid by THOMAS A. AYRES, hereinafter called "grantee", do hereby grant, bargain, sell and convey unto said grantee, his heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in Klamath County, State of Oregon, described as follows:

A tract of land situated in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 18, Township 39 S., R. 10 E.W.M., more particularly described as follows: Beginning at a 5/8 inch iron pin on the East right of way line of State Highway No. 39 (Klamath Falls-Merrill Highway), said point being located South a distance of 1326.66 feet and East a distance of 29.61 feet from the bolt purportedly marking the Southwest corner of Section 7, Township 39 S., R. 10 E.W.M., as set and shown by record of Survey No. 1018 filed in the office of the Klamath County Surveyor, said beginning point also being North a distance of 3989.91 feet and East a distance of 9.80 feet from the iron pin marking the Southwest corner of Section 18, Township 39 S., R. 10 E.W.M.; thence N. 89°47'40" E. along the westerly extension of an old existing fence line and along said fence line 1001.20 feet; thence South 293.25 feet; thence N. 70°49'32" E. 102.63 feet to a point on the arc of a 50-foot radius curve; thence southeasterly along the arc of said curve (central angle = 102°21'44") 90.25 feet; thence S. 31°36'12" E. 104.55 feet; thence S. 65°48'00" W. 10.00 feet; thence S. 24°12'00" E. 180.00 feet; thence S. 65°48'00" W. 91.43 feet to the beginning of a curve; thence along the arc of said curve to the left (central angle = 42°41'30" and radius = 135.77 feet) 101.16 feet; thence S. 23°06'30" W. 74.72 feet; thence along the arc of a curve to the right (central angle = 113°45'00" and radius = 100 feet) 198.53 feet; thence N. 43°08'30" W. 185.00 feet to the true point of beginning of this description; thence N. 46°51'30" E. 118.75 feet; thence N. 43°08'30" W. 49.88 feet; thence on the arc of a curve to the left (central angle = 16°33'45" and radius = 220 feet) 63.60 feet; thence S. 30°17'45" W. 114.36 feet; thence S. 43°08'30" E. 80.00 feet to the true point of beginning of this description. TOGETHER WITH a perpetual and non-exclusive easement for access to and egress from the above-described property along and upon the following-described strip of land: A strip of land 60 feet in width, being measured 30 feet each side of at right angles to the following-described centerline: Beginning at a point N. 46°51'30" E. 148.75 feet from the true point of beginning of the above-described tract of land; thence N. 43°08'30" W. 49.88 feet; thence along the arc of a curve to the left (central angle = 47°03'50" and radius = 250 feet) 205.35 feet; thence S. 89°47'40" W. 132.37 feet; thence S. 00°16'00" E. 438.38 feet; thence West 574.51 feet, more or less, to the easterly right of way line of State Highway No. 39 (Klamath Falls-Merrill Highway).

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SUBJECT TO: (1) The assessment roll and the tax roll disclose that the within-described premises were specially assessed as farm land. Taxes for the year 1978-79 and possibly prior years have been deferred pursuant to ORS 308.370 to 308.403. These, plus earned interest, are due and payable when said reason for the deferment no longer exists. (2) Acreage and use limitations under provisions of United States Statutes and regulations issued thereunder. (3) Liens and assessments of Klamath Project and Enterprise Irrigation District, and regulations, contracts, easements and water and irrigation rights in connection therewith. (4) Right of way for transmission line, including the terms and provisions thereof, given by Irving J. Dixon, a single man, to The California Oregon Power Company, a California corporation, dated April 21, 1926, recorded May 5, 1926, in Volume 69, Page 534, Deed Records of Klamath County, Oregon.

TO HAVE AND TO HOLD the same unto grantee, his heirs, successors and assigns forever.

Grantors hereby covenant to and with said grantee, his heirs, successors and assigns, that grantors are lawfully seized in fee simple of the above-described premises, free from all encumbrances, except as stated above, and that grantors will warrant and forever defend 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 \$2,500.00.

IN WITNESS WHEREOF, the individual grantors have executed this instrument and the corporate grantor has caused its name to be signed by its officers, duly authorized thereto by order of its board of directors, this 1 day of March, 1979.

L. A. SWETLAND, M.D., P.C.,
PENSION AND PROFIT SHARING TRUST
By [Signature]

R. H. OTTEMAN, M.D., P.C.,
PENSION AND PROFIT SHARING TRUST
By [Signature]

ORE-CAL GENERAL WHOLESALE, INC.

By [Signature] President

By [Signature] Secretary

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Jack C. Prock
Jack C. Prock

Diane Bryan
Diane Bryan

STATE OF OREGON } ss. May 1, 1979
County of KLAMATH }

Personally appeared L. A. SWETLAND, Trustee under the L. A. SWETLAND, M.D., P.C., PENSION AND PROFIT SHARING TRUST, known to me to be the identical person who executed the foregoing Deed, and acknowledged said instrument to be his voluntary act and deed.

Before me:

[Signature]
NOTARY PUBLIC FOR OREGON
My commission expires 8-5-79

STATE OF OREGON } ss. February 12, 1979
County of KLAMATH }

Personally appeared R. H. OTTEMAN, Trustee under the R. H. OTTEMAN, M.D., P.C., PENSION AND PROFIT SHARING TRUST, known to me to be the identical person who executed the foregoing Deed, and acknowledged said instrument to be his voluntary act and deed.

Before me:

[Signature]
NOTARY PUBLIC FOR OREGON
My commission expires 7-19-82

STATE OF OREGON } ss. March, 1979
County of KLAMATH }

Personally appeared HARRY R. WAGGONER and JEWELL HUSTON, who, being first duly sworn, did say that they are the President and Secretary, respectively, of ORE-CAL GENERAL WHOLESALE, INC., an Oregon corporation, and that the foregoing Deed was signed in behalf of said corporation by authority of its board of directors; and they acknowledged said instrument to be its voluntary act and deed.

Before me:

[Signature]
NOTARY PUBLIC FOR OREGON
My commission expires 8-5-79

STATE OF OREGON } ss. April 20, 1979
County of KLAMATH }

Personally appeared the above-named JACK C. PROCK and DIANE BRYAN, formerly DIANE PROCK, and acknowledged the foregoing Deed to be their voluntary act and deed.

Before me:

[Signature]
NOTARY PUBLIC FOR OREGON
My commission expires 8-5-79

SEND TAX STATEMENTS TO:

THOMAS A. AYRES

4770 Clingx Sp'5
K Falls Or

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 May A.D., 19 79 at 3:22 o'clock P M., and duly recorded in Vol. 179 of Deeds on Page 10005.

FEE \$9.00

WM. D. MILNE, County Clerk

By Bernetha [Signature] Deputy

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