

K-31825

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WARRANTY DEED

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(Statutory Form)

WILLAMETTE DEVELOPMENT CORP., an Oregon corporation (Grantor) hereby conveys and warrants to CALVIN L. MC NARY, JR. and JULI S. MC NARY, husband and wife (Grantees), the following described real property situated in Klamath County, Oregon, free of encumbrances except as specifically set forth herein:

That portion of the Northwest Quarter of the Southwest Quarter of Section 7, Township 40 South, Range 10 East, Willamette Meridian, lying southwesterly of the Southern Pacific Railroad right of way and north of the C-7 lateral; EXCEPTING THEREFROM any portion lying within the limits of Matney Road.

SUBJECT TO the following encumbrances:

1. Liens and assessments of Klamath Project and Klamath Irrigation District, and regulations, easements, contracts, water and irrigation rights in connection therewith;
2. Acceptance of Reclamation Extension Act, including the terms and provisions thereof, given by Geo. Ehehalt to the United States of America, recorded November 14, 1914, in Deed Volume 43, page 65, Records of Klamath County, Oregon; and
3. Easement for irrigation purposes given by Blanche E. Kaylor to Dave A. Spradley and Barbara M. Spradley, dated November 11, 1968, recorded November 21, 1968, in Deed Volume M-68, page 10342, Microfilm records of Klamath County, Oregon.

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RESERVING TO GRANTOR, and to its successors and assigns, an easement and right of way for an electric power transmission line of one or more wires and all necessary or desirable appurtenances, including towers, poles, props, guys and other supports, over and along the northeasterly 175 feet of even width of said real property, being a strip of land 175 feet in width adjacent to and parallel with the railroad right of way which forms the northeasterly boundary of said real property.

Said reserved easement and right of way shall include the following rights and shall be subject to the following limitations:

1. Said reserved easement and right of way shall include: the right to install and maintain guys and anchors outside said right of way; the right to clear said right of way and keep the same clear of brush, trees, timber and structures; the present and future right to clear and cut away all trees outside of

said right of way which might endanger said transmission line; the right to construct, reconstruct, operate, maintain, replace, enlarge, repair and remove any of said facilities, and the right of ingress and egress over adjacent lands of Grantor for all said purposes.

2. The holder of said reserved easement and right of way shall pay to Grantor reasonable compensation for any damage caused by such holder to any property or crops on the above described real property arising out of the use thereof by such holder.

3. At no time shall any flammable material or any building of any kind be placed or erected within the boundaries of said right of way, nor shall any equipment or material of any kind that exceeds 20 feet in height be placed or used thereon by Grantor or by Grantor's heirs, successors or assigns.

4. Subject to the foregoing limitations, said right of way may be used by Grantor for roads, agricultural crops and other purposes not inconsistent with said easement.

5. All such rights hereunder shall cease if and when such transmission line shall have been abandoned and removed.

The true and actual consideration for this conveyance is an exchange of properties.

Until a change is requested, tax statements are to be sent to Calvin L. McNary, Jr., Route 1, Box 609B, Klamath Falls, Oregon 97601.

2nd instrument
DATED this 4th day of May, 1979.

Return to:
McNary
Rt. 1 Box 609B
Klamath Falls, Oregon 97601

WILLAMETTE DEVELOPMENT CORP.

By John H. Geiger
Vice President

(SEAL)

Attest: John H. Geiger
Secretary

STATE OF OREGON)
) ss.
County of Multnomah)

The foregoing instrument was acknowledged before me this 4th day of May, 1979, by John H. Geiger, Vice President of Willamette Development Corp., on behalf of the corporation.

Robert J. Oberst
Notary Public for Oregon
My commission expires: April 10, 1981

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STATE OF OREGON; COUNTY OF KLAMATH; ss.

I hereby certify that the within instrument was received and filed for record on the 7th day of May A.D., 19 79 at 3:55 o'clock P M., and duly recorded in Vol. 179 of Deeds on Page 10343.

FEE \$6.00

WM. D. MILNE, County Clerk
By Bernetha D. Schuch Deputy