

MAIL TAX STATEMENTS TO:

Return to Same:

K-32364
John & Mary Horton
Bx 13
Dairy, Or 97625

74057

22092

WARRANTY DEED

Vol. 79 Page

KNOW ALL MEN BY THESE PRESENTS, That V. W. SCHMOE, also known as VIRGIL W. SCHMOE, and THELMA A. SCHMOE, also known as THELMA ALICE SCHMOE and THELMA SCHMOE, husband and wife, hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by JOHN F. HORTON and MARY J. HORTON, husband and wife, tenants by the entirety, hereinafter called the grantee, does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Klamath and State of Oregon, described in Exhibit "A" attached hereto and thereby made a part hereof as though fully set forth hereat.

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.

And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances except those set forth in Exhibit "A" attached hereto and thereby made a part hereof as though fully set forth hereat, and that grantor will warrant and forever defend the above granted 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 \$80,000.00 payable as follows: \$20,000.00 down payment and \$60,000.00 balance secured by a contract of sale at seven (7%) percent per annum simple interest.

In construing this deed and where the context so requires, the singular includes the plural.

WITNESS grantor's hand this 26th day of December, 1973.

V. W. Schmo
V. W. Schmo

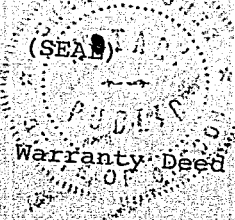
Thelma A. Schmo
Thelma A. Schmo

STATE OF OREGON)
County of Klamath) ss.

On the 26th day of December, 1973, personally appeared the above named V. W. Schmo and Thelma A. Schmo, husband and wife, and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:

[Signature]
Notary Public for Oregon
My commission expires: 8-5-75



64 2 11 17 SEP 1974

EXHIBIT "A"

22093

All the following described real property situate in Klamath County, Oregon:

PARCEL 1: The W 1/2 of W 1/2 of Section 24 and the S 1/2 of SE 1/4 of Section 23 in Township 38 South, Range 11-1/2 East, Willamette Meridian, Klamath County, Oregon.

SAVING AND EXCEPTING THEREFROM a tract of land located in the SE 1/4 of Section 23 Township 38 South, Range 11-1/2 E.W.M., more particularly described as follows: Beginning at an iron pin set on the East-West section line common to Sections 23 and 26, said point being North 89°33' West a distance of 1052.0 feet from an iron pin set on the West boundary of the County road right-of-way, said pin being 30 feet West of the center line of said road and the section corner common to Sections 23, 24, 25 and 26 Twp. 38 S., R. 11-1/2 E.W.M.; thence North 41°13' West a distance of 821.0 feet; thence North 35°18' West a distance of 877.6 feet to the intersection with an East-West fence line; thence North 87°48' West a distance of 416.5 feet along said fence line to the fence corner; thence South 3°47' West a distance of 1303.3 feet to the quarter section corner common to Sections 23 and 26 Twp. 38 S., R. 11-1/2 E.W.M.; thence South 88°33' East a distance of 1558.0 feet, more or less, along the section line common to Sections 23 and 26, to the point of beginning.

PARCEL 2: A tract of land located in the NE 1/4 of Section 26 Township 38 South, Range 11-1/2 East, Willamette Meridian, Klamath County, Oregon, more particularly described as follows: Beginning at an iron pin set on the West boundary of the County road right-of-way, said point being 30 feet West of the centerline of said road and the section corner common to Sections 23, 24, 25 and 26 Township 38 S., R. 11-1/2 E.W.M.; thence South along the West boundary of the county road a distance of 1553.0 feet to a fence corner; thence North 81°50' West along said fence a distance of 102.3 feet; thence North 24°23' West a distance of 1095.0 feet; thence North 41°13' West a distance of 751.7 feet to an iron pin set on the East-West section line common to Sections 23 and 26 Twp. 38 S., R. 11-1/2 E.W.M.; thence South 88°33' East a distance of 1052.0 feet, more or less, along said section line to the point of beginning.

SUBJECT TO: Terms and conditions of special assessment as farm use and the right of Klamath County to additional taxes in the event said use should be changed; right of way, including the terms and provisions thereof, given by Wm. Uhrmann and Anna Uhrmann, husband and wife, to The Horsefly Irrigation District recorded April 3, 1919, Deed Vol. 50, page 133, records of Klamath County, Oregon, affecting NW 1/4 NW 1/4 Section 24; right of way, including the terms and provisions thereof, given by Wm. Uhrmann to The California Oregon Power Company, a corporation, dated November 13, 1929, recorded February 8, 1930, Deed Vol. 88, page 611, records of Klamath County, Oregon, affecting S 1/2 SE 1/4 Section 23; right of way, including the terms and provisions thereof, given by V. W. Schmoe and Thelma Schmoe, husband and wife, to The California Oregon Power Company, a California corporation, dated September 26, 1949, recorded October 5, 1949, Deed Vol. 234, page 319, records of Klamath County, Oregon, affecting SE 1/4 SE 1/4 Section 23; easement, including the terms and provisions thereof, given by Virgil W. Schmoe and Thelma A. Schmoe, husband and wife, to A. M. Lepley dated June 23 1953, recorded March 23, 1954, Deed Vol. 266, page 125, records of Klamath County, Oregon, affecting NW 1/4 NW 1/4 Section 24; right of way and easement, including the terms and provisions thereof, given by Virgil W. Schmoe and Thelma Schmoe, husband and wife, to Pacific Power & Light Company, a corporation, dated July 19, 1966, recorded July 20, 1966, Vol. M66, page 7356, Microfilm Records of Klamath County, Oregon, affecting NW 1/4 SW 1/4 Section 24; easements and rights of way of record and apparent thereon.

EXHIBIT "A"

STATE OF OREGON; COUNTY OF KLAMATH; ss.

I hereby certify that the within instrument was received and filed for record on the 17th day of September A.D., 19 79 at 2:40 o'clock P.M., and duly recorded in Vol. 279, of Deeds on Page 22092.

FEE \$7.00

WM. D. MILNE, County Clerk

By Bernhard J. Hetsch Deputy