

K-3234

GORDON R. LILLY, DARY JOHNSON and SHIRLEY M. JOHNSON, husband and wife, Grantors, convey and warrant to SAM HENZEL and JULIE HENZEL, husband and wife, Grantees, the following described real property situate in Klamath County, Oregon, free of all encumbrances, except as specifically set forth herein:

Section 4, Township 40 South, Range 9 East of the Willamette Meridian, E $\frac{1}{2}$ NW $\frac{1}{4}$ and the SW $\frac{1}{4}$ NW $\frac{1}{4}$ SAVING AND EXCEPTING the following described parcel: Beginning at a 7/8 inch iron pipe 33 feet East of the center line of Tingley Road which is 1810.20 feet South 00°22'00" East of a railroad spike in the intersection of Tingley and Midland Roads marking the Northwest corner of Section 4, Township 40 South, Range 9 East of the Willamette Meridian; thence running 870.40 feet in a direction of South 00°22'00" East along the East right of way of Tingley Road to a 60 penny nail in the East half of the pavement of said road; nail being on the North line of the W $\frac{1}{2}$ SW $\frac{1}{4}$ of said Section 4; thence turning and running 751.15 feet along said North line in a direction of North 89°36'25" East along property owned by E. G. Parker to a 1 $\frac{1}{2}$ inch iron pipe 6 feet long; thence turning and running 1149.4 feet in a direction of North 41°02'08" West along property owned by James V. Lockard to a 7/8 inch iron pipe which is the point of beginning.

SUBJECT TO: That certain mortgage, including the terms and provisions thereof, given by Gordon R. Lilly, Dary Johnson and Shirley M. Johnson, dated November 18, 1976, recorded December 8, 1976 in Microfilm records M-76 on page 19722, records of Klamath County, Oregon, which Mortgage Vendees herein assume and agree to pay according to the terms thereof.

SUBJECT TO AND EXCEPTING:

(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 Klamath Irrigation District, and regulations, easements, contracts, water and irrigation rights in connection therewith; (4) Rules, regulations, liens, assessments, contracts, rights of way, easements and any and all obligations created or imposed or affecting said premises by the Klamath Basin Improvement District; unpaid charges or assessments of Klamath Basin Improvement District; (5) Easement from George W. Trefrem et ux, to Spring Lake Irrigation and Improvement Co. recorded May 30, 1899, in Deed Volume 12, page 28, records of Klamath County, Oregon; (6) Agreement, including the terms and provisions thereof, between United States of America and J. B. Burnett and Verda P. Burnett, dated June 21, 1938, recorded July 21, 1938 on page 452 of Vol. 116 of Deeds, records of Klamath County, Oregon, providing for the furnishing of water for irrigation for 2.2 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ and 4.7 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 4; (7) 1979-80 taxes are now a lien but not yet payable; (8) Reservations, restrictions, easements and rights of way of record and those apparent upon the land.

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

79 SEP 25 AM 11 23

22695

The true and actual consideration for this transfer is
One Hundred Seventy Two Thousand Five Hundred and No/100ths
(\$172,500.00) DOLLARS.

Until a change is requested, all tax statements shall be
mailed to: Henzel 3461 Denver Park, K. Falls, Or 97601

DATED this 24 day of Sept, 1979.

Return to Same

Dary Johnson
Shirley M Johnson
Gordon Lilly

STATE OF OREGON }

County of Klamath }

ss.

Sept 24, 1979.

Personally appeared the above-named DARY JOHNSON and SHIRLEY M. JOHNSON, husband and wife, and acknowledged the foregoing instrument to be their voluntary act. Before me:

Sumner
Notary Public for Oregon
My Commission expires: 8-5-83

STATE OF Oregon }

County of Klamath }

ss.

Sept 24, 1979.

Personally appeared the above-named GORDON R. LILLY and acknowledged the foregoing instrument to be his voluntary act. Before me:

Sumner
Notary Public for Oregon
My Commission expires: 8-5-83

STATE OF OREGON; COUNTY OF KLAMATH; ss.

led for record at request of Klamath County Title Co.

this 25th day of September A. D. 1979 at 11:23 clock A.M., and
fully recorded in Vol. M79, of Deeds on Page 22694

Wm D. MILNE, County Clerk

Fee \$7.00

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

2. WARRANTY DEED